

SUPREME COURT OF THE CITY OF NEW YORK  
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

-against-

ALLEN WEISSELBERG,

Defendant.

Superior Court Information

No.

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70913-24

I, ALVIN L. BRAGG, JR., District Attorney for the County of New York, by this information, accuse the defendant of the crime of **PERJURY IN THE FIRST DEGREE**, in violation of Penal Law § 210.15, committed as follows:

The defendant, in the County of New York, on or about July 17, 2020, did swear falsely by intentionally making a false statement which he did not believe to be true, while giving testimony under oath that was material to the action, proceeding, and matter in which it was made, to wit:

The New York State Office of the Attorney General (“OAG”) was conducting an investigation into whether the Trump Organization and Donald J. Trump (“Mr. Trump”) misstated the value of Mr. Trump’s assets on his annual statements of financial condition (“SOFC”) and other documents in order to secure loans and insurance and to obtain other economic benefits (“the Investigation”). On July 16, 2020, in connection with the Investigation, the OAG called the defendant to appear as a witness and testify for a deposition. Having been administered an oath by a person authorized by law, the defendant swore that he would testify truthfully. On July 17, 2020, during a continuation of the deposition conducted by the OAG, the defendant acknowledged that he understood he was still under oath.

On July 17, 2020, in connection with questions about the size of Mr. Trump's triplex apartment as reflected on his annual SOFC, the defendant was asked the following questions by the OAG and gave the following answers:

Question: Have you advised any financial institutions that the 2015 statement of financial condition contains this error?

Defendant: Well, we didn't find out about the error until the Forbes article came out . . .

Whereas, in truth and in fact, as the defendant knew, that testimony was false, and the truth was that the defendant was informed that the triplex was 10,996 square feet—not 30,000 square feet—prior to the publication of the May 2017 Forbes article and before the finalization on March 10, 2017 of the 2016 SOFC, which valued the triplex based on the misstatement of 30,000 square feet. It was material to the OAG's investigation to identify when the defendant was informed of the correct square footage of the triplex in relation to the finalization of the 2016 SOFC on March 10, 2017.

#### SECOND COUNT:

I, ALVIN L. BRAGG, JR., District Attorney for the County of New York, by this information, accuse the defendant of the crime of **PERJURY IN THE FIRST DEGREE**, in violation of Penal Law § 210.15, committed as follows:

The defendant, in the County of New York, on or about July 17, 2020, did swear falsely by intentionally making a false statement which he did not believe to be true, while giving testimony under oath that was material to the action, proceeding, and matter in which it was made, to wit:

The OAG was conducting an investigation into whether the Trump Organization and Mr. Trump misstated the value of Mr. Trump's assets on his annual SOFCs and other documents in

order to secure loans and insurance and to obtain other economic benefits. On July 16, 2020, in connection with the Investigation, the OAG called the defendant to appear as a witness and testify for a deposition. Having been administered an oath by a person authorized by law, the defendant swore that he would testify truthfully. On July 17, 2020, during a continuation of the deposition conducted by the OAG, the defendant acknowledged that he understood he was still under oath.

On July 17, 2020, the defendant was asked the following question by the OAG and gave the following answer:

Question: Were you ever present when Mr. Trump described the size of the triplex?

Defendant: No.

Whereas, in truth and in fact, as the defendant knew, that testimony was false, and the truth was that the defendant was present on September 21, 2015 when Mr. Trump stated to a Forbes reporter that the size of his triplex was 33,000 square feet. It was material to the OAG's investigation whether Mr. Trump had mentioned in the presence of the defendant that the size of the triplex was greater than 10,996 square feet.

ALVIN L. BRAGG, JR.  
District Attorney

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**SUPREME COURT OF THE CITY OF NEW YORK  
COUNTY OF NEW YORK**

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**THE PEOPLE OF THE STATE OF NEW YORK**

**-against-**

**ALLEN WEISSELBERG,**

**Defendant.**

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**SUPERIOR COURT INFORMATION**

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**Alvin L. Bragg, Jr.  
District Attorney  
New York County  
One Hogan Place  
New York, New York 10013  
(212) 335-9000**

## NOTICE OF IMMIGRATION CONSEQUENCES

If you are not a United States citizen, a plea of guilty to any offense, a conviction by trial verdict, or a youthful offender adjudication subjects you to a risk that adverse consequences will be imposed on you by the United States immigration authorities, including, but not limited to, removal from the United States, exclusion from admission to the United States, and/or denial of naturalization. Because the immigration consequences applicable in your particular case may depend on factors such as your current immigration status, your length of residence in the United States, and your previous criminal history, you should consult with your attorney for advice specific to your circumstances.

The following are designated as deportable offenses under 8 U.S.C. § 1227(a)(2), and any non-citizen convicted of such an offense (within the meaning of 8 U.S.C. § 1101[a][48]) “shall, upon order of the Attorney General, be removed” (8 U.S.C. § 1227[a]), regardless of whether the offense is a felony, a misdemeanor, or any other offense under State law:

- any controlled substance or marihuana offense (other than a first offense involving possession for one’s own use of 30 grams or less of marihuana);
- any offense involving a firearm, any domestic violence offense or violation of an order of protection, any stalking offense or crime of child abuse, and failure to register as a sex offender;
- any offense designated an “aggravated felony” under 8 U.S.C. § 1101(a)(43), including, but not limited to: murder; rape; any controlled substance or firearm trafficking offense; bail jumping; burglary, robbery, receipt of stolen property, or any other theft-related offense or crime of violence for which a sentence of one year or more is imposed; or any offense involving money laundering of more than \$10,000 or fraud, deceit or tax evasion in which the loss to the victim(s) is more than \$10,000; and
- many other offenses described in 8 U.S.C. § 1227(a)(2).

In addition, if the offense constitutes an “aggravated felony,” or if you are not a lawful permanent resident of the United States (or have not been such for at least five years with at least seven years’ continuous residency) and the offense is any deportable offense, there will be additional consequences, including, but not limited to, your ineligibility for discretionary cancellation of removal by the Attorney General.

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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

-against-

ALLEN WEISSELBERG,

Defendant.

WAIVER OF INDICTMENT

SCI No.

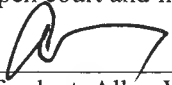
70913-24

I hereby waive indictment and consent to be prosecuted by a Superior Court Information charging the following offenses:

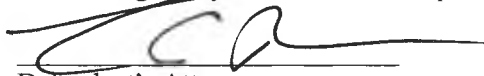
Offense:	Perjury in the First Degree (2 Counts)
Approximate Date:	July 17, 2020
Place:	New York County

I am aware that: (a) under the Constitution of the State of New York, I have the right to be prosecuted by indictment filed by a grand jury; (b) I waive such right and consent to be prosecuted by Superior Court Information to be filed by the District Attorney; (c) the Superior Court Information to be filed by the District Attorney will charge the offenses named in this written waiver; and (d) the Superior Court Information to be filed by the District Attorney will have the same force and effect as an indictment filed by a grand jury.

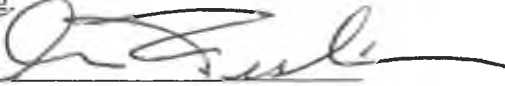
Signed in open court and in the presence of my attorneys.

  
\_\_\_\_\_  
Defendant, Allen Weisselberg

This waiver was signed by the defendant in open court and in my presence.


  
\_\_\_\_\_  
Defendant's Attorney  
Thomas Rotko

I, Alvin L. Bragg, Jr., the District Attorney of New York County, hereby consent to this waiver by Allen Weisselberg.

By   
\_\_\_\_\_  
Gary Fishman  
Special Assistant District Attorney

This Court being satisfied that this waiver complies with the provisions of CPL § 195.10 and 195.20, it is **ORDERED** that this waiver is approved.

Date: March 4, 2024

  
\_\_\_\_\_  
Justice of the Supreme Court

**HON. L. PETERSON**