

From: Walter Rossmann
Sent: Thursday, April 11, 2019 3:44 PM
To: MacNeil, Larry; Mercurio, Jim
Cc: Compliance Manager; Catlin Ivanetich; Brian Doyle; Deanna Santana
Subject: RE: Tayler Swift concert tickets & Mountain Winery

Hi Larry,

Over the past months, both by email and to the media as ManCo's PR Strategy, ManCo has repeatedly asserted that Mayor Gillmor has undercut ManCo's ability to book future events at Levi's Stadium as part of a PR strategy supported by Singer Associates. These assertions are entirely baseless and designed to deflect from ManCo's poor performance under the Management Agreement. There is no strategy to undercut ManCo. However, since we believe you are likely to repeat these falsehoods in violation of your contractual obligations to act in good faith, we hereby demand that you submit any evidence that you may have about your assertions before making any such claims in the future. Sam Singer is a communications consultant of both the city of Santa Clara and the Stadium Authority, not Mayor Gillmor. Neither the Mayor nor Mr. Singer have adopted a strategy of undercutting the 49ers. For you to assert otherwise is false and misleading.

Regarding the issue of seeking information about the practice of "papering" the house, the Board's interest in the practice is purely financial. The practice results in a financial loss to the Stadium Authority that we believe reduces the overall effectiveness of booking concerts that make money. We are not trying to negatively impact our mutual business, rather get information in a timely manner. Moreover, you have never shown us how public knowledge of the fact that a concert did not sell well hinders your ability to book more profitable concerts in the future.

Last, per your emails, the promoter made arrangements for the Mountain View Winery members, number of local businesses, and local charities, in essence, the general public to receive free tickets. This broad distribution is beyond "specific targeted groups" as characterized in your email from December 27, 2018. Therefore, SCSA is entitled to receive and ManCo shall pay the \$4 per ticket surcharge to the SCSA as required under paragraph 12.1 of the Amended and Restated Lease Agreement.

Walter

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