

TAPED CONVERSATION BETWEEN
ELOISA FURER AND ANDREW FURER

1996

*We sold our Home in
Montclair in (1995?)*

SPEAKERS:

EF: Eloisa Furer

AF: Andrew Furer

EF: He refuses to make more collateral? What was his collateral?

AF: Nothing. It was \$30,000.

EF: That's exactly what they want.

AF: Mike ^{who is Mike?} was to quick to take it. Mike's offer was I wanted the mortgage on his house. I wanted the mortgage on everything he owns. Okay?

EF: Why are you angry with me? I'm asking -- I'm discussing --

AF: Because -- because you're being hostile --

EF: I -- no, I'm not hostile. I'm asking you to compare both; you idiot.

AF: I'm not -- there's no comparison. This is much better. There's no comparison.

EF: Then you say it, but they over five hundred and fifty, they didn't do anything. That's what I mean.

AF: But you're talking about the price versus the other terms --

EF: That's what I mean.

AF: -- so it's obviously better.

EF: Then fine. Maybe we can get someone those lamps and everything, another 10,000 for this furniture.

AF: Do you have the papers, type of lease --

EF: Yes.

EXHIBIT "G"

AF: -- any original listing agreement?

EF: Yes. I want -- I didn't want to give him the dining room table -- or the kitchen table. I want to give it to him for 5,000, told him split the difference.

AF: There's no dining room table here.

EF: No, the kitchen table, the 10 pieces, I refused to give that to him. He said include it and the deal is fine. I said give me --

AF: But this is not even our price. You wrote five fifty, forty-three five, in your thing yesterday. Go look at your paper.

EF: No, I did not. Forty-one five, and then he included the 1,500 for the dining room chandelier. How were we able to let Angelo ^{who is Angelo?} remove those two things of the thing there for 500, 600?

AF: Because I want the wood.

EF: ^{who is Dag?} They said they are all too rotten. He has no -- he has no inspection there. Obviously, Dag told him if I were you I wouldn't spend money on the inspection because they're difficult people who made offer to them, had already the inspection.

AF: Should I ask if there's an inspection?

EF: Don't ask it. That's -- that's --

AF: But then it will come back with a lawyer and we'll have already spent money for our lawyers and --

EF: No, just fax it to them. Don't involve the lawyer first.

AF: We have to have a con -- Ellie, there's the attorney review. The lawyer will come back, the inspection will be nowhere.

EF: If you -- if you emphasize the inspection, they'll think of it. Maybe they're not even

thinking of the inspection.

AF: But it will come back from the lawyer. Okay, fine.

EF: It's up to you.

AF: I will guarantee you there'll be an inspection.

EF: They didn't say it there, *no one buys a home w/o inspection* I'm basing it from up here. Okay. You really are the most negative person I've ever known in my whole life.

AF: Okay. I'm going to 10 percent deposit at least -- uh, 20 percent down is the minimum, minimum, minimum, and I don't know if they can give -- get mortgages this big. I'm going to say 25 percent down.

EF: Why would you ask 25 percent?

AF: You know why? Because if they go in for 20 percent they might get turned down, okay? If they don't have the money to make 25 --

EF: They have the money. He said he has the money. Dag said that they're the most qualified buyers. Dag said that, "They're the most qualified buyer I've ever seen in a long time." Okay?

AF: Honey, I'm telling you American Savings Bank does not make mortgages like this for 20 percent down.

EF: Okay. It's up to you. I don't care. I don't care. It's in your court now. I'm not going to say anything. It's up to you now. Don't ask me anything because I'm not going to -- you are not going to get an answer from me. Can we put music on, please?

AF: I was doing this, it ran out, have to -- here's what I've got.

EF: Here. Here. Can you put this on first?

AF: Do you know where the lid was to this pen?

EF: I don't know.

AF: You got it --

EF: I don't know. It's somewhere. It's not important. You know how much it takes to live -- to rent that big dumpster, 250.

*could this be
the Dumpster they
had reported in
2005?
It must cost
250 --
What Dumpster -*

AF: That's the problem, is we're not going to be there to do it.

EF: Probably the -- and then somebody to put it all away would like \$200. Somebody who will... I'll be there.

AF: You're not going to be there.

EF: What do you mean I won't be there?

AF: So you're saying we -- as far as you're concerned --

EF: I don't really care. I don't care.

AF: I'm discussing --

EF: No, I don't care.

AF: -- Ellie --

EF: I don't care. It's up -- I said it's up to you now.

AF: But the question --

EF: I said it's up to you now. I'm not going to say anything.

AF: I'm not going to do that, then, because you're not on my side. If it falls apart, you'll say, "See, I told you so." I want you to go on the line.

EF: I don't want to. It's up to you now.

AF: No.

EF: No.

AF: Are you going to say -- if he walks away from

it are you going to say something to me?

EF: I don't care. I don't care. It's up to you, Andy. It's up to you. All I'm trying to say is you get greedy when there is something (inaudible).

AF: I'm not getting greedy. Here's what I've wrote down. We'll take their offer for the listed price except they remove all the stuff. A 10 percent deposit --

EF: Or if they don't remove the stuff, they have to pay 2,500 more on the -- on the chandelier, on the kitchen table. Split the price on the kitchen, 10 pieces kitch -- *I sold the chandeliers, the antique Batavia lamp - 7 pieces, sold the kitchen table to the buyer, I bought their remes - also sold all the chandelier at the DR, LR, OFFICE -*

AF: Pay 2500 --

EF: Sure -- let's just remove the stuff and then I want another 2500. That's all I want.

AF: Okay. Then we'll remove it, increase the price to five forty-five.

EF: Is that five forty-five or thirty-two --

AF: Five forty-two five. Okay, 10 percent deposit. That's five forty -- 54,500, at least 25 percent down.

EF: How much is the down payment, really? Twenty or twenty-five?

AF: I told you it's very hard to get a 20 percent mortgage when it's that big. And if it gets rejected, 60 days will be wasted, the spring will be gone, it will be rejected and we won't have a sale and we have no remedy against them. They can't do it, they're too weak. If they won't put 25 percent down for this deposit, *who is Dag?* business, we got to worry about them. Dag, the big financial expert that's so sophisticated, they're so qualified --

EF: Who's Dag?

AF: You said Dag said they're the best buyer --

EF: That's what they said, that's what she said.

Mr. Finner, for as I know Mr. Finner did not have a house in California before he got married -

AF: Paula Giglio said if they can't afford on your house 10 percent down, they don't have the money. That's what she said. That's what Paula Giglio said, 10 percent deposit.

EF: How much did you pay on your house when you made a deposit, on that California house that you wanted? How much did you put ~~was a great big~~
~~big deposit in California house that I bought~~

AF: In California, there's a different practice. California, there isn't big deposits. Honey, this is what makes them want to close. They'll lose \$50,000 if they don't close. 30,000, not that they want to lose it, but it's not enough to really screw them to the wall if they don't close it.

EF: Then say normal deposit, 20,000.

AF: That's what (inaudible) deposit.

EF: Is that normal, (inaudible).

AF: Paula Giglio said, I'll say it again --

EF: I'm asking you what is the normal deposit.

AF: I don't know. I'm not a professional.

EF: Okay. That's what I'm asking you and you were not answering me, my question.

AF: Paula Giglio said that. *- who is Paula Giglio?*

EF: I don't care what Paula Giglio -- I was asking you what's a normal deposit.

AF: I'm not a normal -- I'm not a --

EF: Fine, say it.

AF: Okay. That's what Paula Giglio said.

EF: (Inaudible.)

AF: I'm not doing anything -- I wasn't --

(Tape cuts off.)

EF: 20 percent deposit, that's for advice by our lawyer.

AF: Not 20 percent, 10 percent deposit, 25 percent down.

EF: That's per our lawyer's instruction. Say that so he -- he won't say that you are making it up.

AF: Okay. All right. We have a right to get satisfaction, that we don't owe a commission, which -- which will be satisfied in five days.

EF: What? What?

AF: We have a right that we can be -- get legal opinion that we'll have no commission satisfied in five days after a contract.

EF: I thought we told them that we don't pay commission.

AF: Ellie, I told you --

EF: Then talk to Giglio first before you make that offer, before you --

AF: I'm not going to talk to her first. She has to read the papers. I'm not going to do that. Okay? I'm not -- that's not the way it's done.

EF: Because he -- because he is going to say I thought that they had a -- a -- a --

AF: I told him, when I spoke with him, that I'd like to speak to my attorney, and that I -- for my sake I want that as a contingency. It's going to be going away in three days or something like that. But I'm not going to spend the money for Paula Giglio looking at bullshit until this is a contract.

EF: That's what I said, when you was trying to meet with that lawyer you got angry at me when I said are you sure that's the correct one, you got angry at me. Now you're not even sure.

AF: I'm sure, but I want the -- Ellie, I'm not going to argue with you. I explained it to you --

*Mr. Finner does not
talk this way -*

*my English is not good
but I seldom use present for
past tense*

EF: You are sure? How come you are -- you're --

AF: Because I want to get a New Jersey lawyer who does this for a living --

EF: So that means that you're not sure.

AF: -- (inaudible.)

EF: So don't tell me it's bullshit.

we did not have a garage on our Montclair home

AF: On the -- on the garage thing, they get whatever satisfactions necessary for the garage in 10 days after the contract. Because they don't need -- they have plans, they don't need to have the whole thing, all they need to have is get the lawyer to go down there and make sure it's okay to do it. Is that reasonable? Are you with me?

EF: I don't know, Andy. All I know is when you have tried to close when there's a real thing you get greedy and you --

AF: I'm not asking for a nickel of more money.

EF: It's not the money, but you are making -- that's why the (inaudible) --

AF: How long are you willing to let them fuck around with architects? 90 days?

Mr. Jurek does not talk this way

EF: They already have an architect.

AF: But they have plans and they have a full building permit and all that stuff. That's going to take a month or two months. We cannot

do that, Ellie. The buyer of the Montclair home did not have to have a full building permit as that home was built in 1902 - could not be

EF: I don't care. It's up -- Andy, from now on it's yours. I don't have to say anything. I don't want anything anymore to do with it. If I were you, I would talk with Paula Giglio before you submit it to them so they won't be annoyed. And that's (inaudible) the contract. That's my advice.

changed in structure - what is in the historical phone registry -

AF: Okay.

(Produce exhibit of Montclair Home)

EF: If you don't want to -- if you have to be cheap and, you know, it's up to you.

AF: I will do that. (Inaudible.)

EF: What time is it now?

AF: Midnight.

EF: There.

AF: 6 o'clock. I don't have Paula Giglio's telephone number.

EF: I have Paula Giglio's telephone number.

AF: I'm sure she's not there at 6 o'clock. If you want, I'll call her, but I think she won't be there.

EF: You've made your mind up that she's not there --

AF: No, I'm going to call her. I'll do everything you say because you know everything.

EF: You said -- you said --

AF: You know everything, so I do everything you say.

?? EF: Because, Andy, you are stupid, okay? I have no respect for you.

AF: I do everything you say.

EF: You are so stupid. You get so greedy, just like your father --

AF: I didn't get any greedy about anything.

EF: Yes, you are. You are. You're a very greedy person. Very greedy person. Everything is always for more, more. *I did not describe Mr. Fuller like this before - maybe now with this litigation*

AF: Where's the number, then? I didn't ask more more. Not one more more in here. Not one.

EF: Do you want to look for the --

AF: Where are the papers? A release?

EF: That's what I was asking you (inaudible, from another room).

AF: (Inaudible.)

EF: (Inaudible.)

AF: Ellie, you are so fucking stupid.

Mr. Furer does not use this language

EF: I'm not stupid.

AF: You're so fucking stupid.

EF: You are.

AF: We have a --

EF: You are.

AF: -- staff in our bank that's got a general counsel. How come we have had such lawyers? To be sure.

EF: Well, if you dictated it to them, you're sure that we don't have a commission. Now --

AF: I just want to make sure -- I want to explain it my own way, and I want a second opinion.

EF: Now you're not -- now you're not sure. Now you're not sure. Here is the (inaudible) form. Okay? I have to give it to them. And here is your (inaudible). Okay?

AF: Where is the original listing?

EF: It's just under --

AF: I asked you where's the signature of the person?

EF: It's not that one. That's why the -- that's the, uh, thing that they faxed to us here. See, you always jumping to conclusion with me.

AF: I didn't jump to any conclusions.

EF: Here.

AF: Did they initial that thing?

EF: Yes.

AF: Okay. Where's the original listing?

EF: I don't know where it is. I didn't get it.

AF: I asked you if you had the original listing.

EF: I don't have the original listing. You took it with you. You have it with you. You were reading it, okay? This is all I took care of. Here, I think this is something else. I don't have the original listing. You took it with you. You were (inaudible) with it, not me. Here. Is that the one?

AF: Yes. So this is Rose Vandout. — *who is this?*

EF: I don't have it. I don't think I have it. It was a normal listing. Why don't you talk here?

AF: I want you to not talk -- to talk aloud until I finish my sentence. If you want to say something --

EF: Don't yell.

AF: I'm not yelling. If you want to say something --

EF: What do you mean you're not yelling?

AF: I'm not yelling. If you want to say something, please let me finish my sentence. Don't interrupt me in the middle of a sentence.

EF: Here's another copy of that with a signature. I gave it to you. Tell her to phone you if she's not there. Here's your letter to Marsha Levitz, everything will be there.

who is Marsha

AF: Can I reach it?

EF: You can raise your butt.

AF: What's our personal number? I don't know our personal one.

EF: What personal number?

AF: Our credit card number. Not the office one. I know --

EF: I don't know, Andy.

AF: The number that you used --

EF: It is in there. If you want it --

AF: Where is it?

EF: -- you have to get it. It's from that -- it's in there.

AF: Where is it? Do you have it handy?

EF: It's in the back there, or the back of the pad.

AF: The back of what pad?

EF: Back of the pad that's in there, unless you threw it away. Okay? But the back of the pad, that square -- or lines of pad.

AF: Hello. May I please speak to Paula Giglio? May I please speak to Paula Giglio?

EF: Tell them it's long distance from Switzerland. They'll be more inclined to answer your call even if they're busy, from Switzerland. They don't know it is. Of course you don't know that.

AF: Shall I tell her to call collect?

EF: Yes.

AF: Thank you. Yes, this is a long distance call from Switzerland for Paula Giglio? Is she in? I've been bounced around several times. Thank you.

EF: Is our refrigerator included in our contract?

AF: Hmm?

EF: The refrigerator included?

AF: I don't know. Whatever is standard.

EF: Refrigerator is not included in this contract.

AF: It's not included. Okay. Could I leave a message? Yes, please. Could I talk for a few minutes on the voicemail? Okay. Okay.

EF: Where were you bounced around three times?

AF: When was this (inaudible)? Hello, Paula, this is Andrew Furer from Montclair, New Jersey (tape is inaudible) on a transaction that did not close. We have another buyer who is in the process of making an offer that it looks like we will accept. I want to talk to you about your representation of us to finish this transaction up. Could you please -- I'm in Switzerland right now, which is six hours ahead of New York time. I'm calling Monday at 6:15 p.m. New York time. Please call me collect at my residence in Switzerland. The number is 011413-043-791, 011413-043-791. I wanted to cover a few points with you before we finalize a contract for your review, and I do have one legal question to ask you. Thank you very much. Bye-bye.

EF: She's not there?

AF: No.

EF: How come they bounced us three times?

AF: Because they -- the switchboard. I'm putting this stuff in here.

EF: Here are the cups that she gave us. These are very good cups. Better than Daddy gave us. I don't know how much they sold. *I don't have a daddy*

AF: Here. *my father died when I was 1 year old - Mr. Furer's Dad he called Dad, I never called him Daddy at all - nor Mr. Furer*

EF: Leave it there. Leave it there by the telephone.

AF: Your pad is here, too.

EF: You said are you not going to accept the

*Our tel # of Switzerland
up to now
0114133/744-9754
country code
3 - the area code
for instead -*

contract with 2,500 difference? That's what he told me. Don't tell me you're going to let the contract fall apart for two thousand --

AF: Well, he's -- so what are you going to do? You said five forty-five. That's what it is. You've made that decision and I'm prepared to go with it, and you can't say you didn't do it. You did it. But I agree with you. Because by the time we're --

EF: I'm telling you what he said.

AF: Fine.

EF: You know what? This (inaudible), he gave us very good cups. Very good cups. You know what Dag was doing? They're own listing, mostly.

AF: This is yours.

EF: How much they sold, how much it was in the market, how much they were listed for.

AF: Six pairs of socks, ski socks. Is it possible we could finish this tomorrow? I'm very tired. It's after midnight here.

EF: I want to finish --

AF: (Inaudible.)

EF: -- before I go to bed. That's it now. I want to finish this (inaudible).

(Tape 1, side 2.)

(Further conversation inaudible from another room.)

(Cell phone ringing.)

AF: Hello? (Inaudible.) I'm here right now.
(Inaudible.)

EF: Here's your name. Here's your name. See that number, your estimate of one thousand something (inaudible).

(Further conversation from another room.)

(Very long pause in the tape.)

TELEVISION/RADIO: Hillary Clinton --

(Very long pause in the tape.)

(Inaudible, from another room.)

AF: Please leave my belongings alone.

EF: (Inaudible.)

AF: Where are my scissors?

EF: (Inaudible.)

AF: Where are my scissors?

EF: I have the other --

AF: Please give me my scissors.

EF: I wasn't (inaudible).

AF: I need it, Ellie.

EF: No, you don't.

AF: If I'm grooming the dog (inaudible) the scissors.

EF: No, (inaudible).

(End of Tape 1, side B.)

/rm

EXHIBIT "H"