

**INDEPENDENT REVIEW OF**  
**JEFFREY EPSTEIN'S INVOLVEMENT AND INTERACTIONS WITH**  
**THE WEXNER FOUNDATION**

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## **I. BACKGROUND AND PURPOSE OF REPORT**

The July 6, 2019, arrest of Jeffrey E. Epstein (“Epstein”) on federal charges of sex trafficking of minors prompted wide-ranging national and international media coverage concerning Epstein and his ties to well-known people, including Donald Trump, Bill Clinton and Prince Andrew. Included in this coverage were mentions of Epstein’s business relationship with the Wexner family prior to 2008, including the fact that Epstein served as a Trustee of the Wexner Foundation (the “Foundation”) for fifteen years, from 1992–2007. News reports also claimed that Epstein gave \$46 million to a Wexner-related foundation. These news reports prompted questions and concerns from some constituents within the Foundation’s community, including some Wexner Fellows, Members and Alumni—those who have received funding from the Foundation for various leadership initiatives, all focused on developing Jewish leaders in the United States and public service leaders in Israel and throughout the world. Some Fellows, Members and Alumni expressed concern about whether their Foundation fellowships or leadership programs may have been funded, in some way, by Epstein. Others questioned whether Epstein used his association with the Foundation to commit any crimes.

### **A. Scope of the Review**

The Foundation engaged our firm to provide an independent review of Epstein’s relationship with the Foundation. The goal of this review was to provide unbiased information to the Foundation’s leadership regarding any economic, leadership, or other impact Epstein may have had on the Foundation, its operations, and its programs. In doing this review, we specifically looked at the following questions:

1. What was the nature and extent of Epstein’s relationship and interactions with the Foundation?

2. Did Epstein make any financial contributions to the Foundation and, if so, how did the Foundation use any such contributions?
3. Did Epstein use his ties to the Foundation to commit any crimes?

**B. Foundation Documents We Examined**

In conducting our review, we examined thousands of pages of Foundation documents, including the following:

- The Foundation’s formation and governance documents;
- Actions taken by Foundation Trustees;
- Foundation records concerning contributions and other funds received by the Foundation;
- Records of the Foundation’s processes for receiving and reviewing fellowship applications;
- Records of the recipients of fellowship funds;
- Records of the expenditures relating to the other charitable purposes of the Foundation;
- Records relating to the administrative expenses of the Foundation; and
- The Foundation’s financial statements.

Many of these records are publicly available in the Foundation’s Form 990-PFs, filed as required by the Internal Revenue Service (“IRS”). Form 990-PF is the report that private foundations must file each year with the IRS, which requires detailed disclosures of revenues and expenses by category of revenue and expense. The Form 990-PF also contains detailed disclosures regarding contributions received and grants made by the reporting foundation. We reviewed each of the Foundation’s annual reports for the period 1991–2018. The Foundation’s Form 990-PFs were prepared and signed by certified public accountants and submitted to the IRS.

Our review determined that the Foundation’s archive of emails does not go back to Epstein’s time as a Trustee, so we were unable to locate any relevant emails. We also learned that Epstein never had a Foundation email address.

**C. Other Documents and Information We Examined**

We also reviewed more than 3,600 pages of documents relating to other entities and

agreements, and publicly available or web-searchable information, including the following:

- Incorporation documents and subsequent Ohio Secretary of State filings for the Wexner Family Charitable Fund and its predecessor, the Leslie H. Wexner Charitable Fund;
- Form 990-PFs for the Wexner Family Charitable Fund and its predecessor, the Leslie H. Wexner Charitable Fund, for the years 2001–2018;
- Form 990-PFs for the Wexner Heritage Foundation (which merged into the Foundation in 2005), for the years 1991–2005;
- Form 990-PFs for the YLK Charitable Fund, for the years of its existence, 2008–2010;
- Form 990-PFs for two charitable organizations associated with Jeffrey Epstein, the C.O.U.Q. Foundation, Inc. (2001–2012, the year of its dissolution) and Epstein Interests, Inc. (2001–2012);
- Charitable trust agreements relevant to our review;
- Publicly available criminal investigative and indictment documents, and civil pleadings, concerning Epstein;
- Media reports and references to the Wexner Foundation and its programs, the Wexner family, and Jeffrey Epstein; and
- Other miscellaneous records we considered relevant to our review.

#### **D. Interviews We Conducted**

We interviewed all of the current and former Presidents of the Foundation (Rabbi Maurice Corson, Larry Moses and Rabbi Elka Abrahamson), as well as Leslie and Abigail Wexner. We also interviewed a number of current and former Foundation Trustees and Officers, a Wexner Graduate Fellowship alumna, and former leaders of the Wexner Heritage Foundation. The Foundation did not impose any constraints on these interviews (or any aspect of our review) and cooperated fully with our requests for information. Our interviews included:

- Rabbi Maurice Corson (Foundation President, 1985–1998);
- Larry Moses (Foundation employee, 1987–2011; Foundation Vice President, 1993–1998; Foundation President, 1998–2011);
- Rabbi Elka Abrahamson (Foundation employee, 2000–Present; Foundation Vice President, 2005–2011; Foundation President, 2011–Present);
- Cindy Chazan (Foundation employee, 1999–2017; Foundation Vice President, 2011–2016; Foundation Senior Advisor, 2016–2017);
- Rabbi Shoshana Gelfand (Member of the Foundation’s first Graduate Fellowship class; Wexner Heritage Foundation, 1996–2004, including as Vice President and Acting Director);
- Gideon Kaufman (Foundation Trustee, 2007–Present);

- Dennis Hersch (Foundation Trustee, 2008–Present);
- Peg Ugland (Employee of Wexner Investment Company/N.A. Property, Inc., 1984–Present, with titles of Controller and Vice President, and overseeing finance, accounting and human resources for Wexner-related entities, including the Foundation; Foundation Treasurer, 2009–Present);
- Rabbi Nathan Laufer (Wexner Heritage Foundation employee, 1986–2003, including as Director of Programs, Vice President, and President/CEO);
- Leslie Wexner (Foundation Founder, Donor and Trustee since 1973; Foundation President, 1973–1985); and
- Abigail Wexner (Foundation Donor; Foundation Trustee since 2006).

This Report contains our factual findings and conclusions in connection with the above-described review.

## **II. FACTS IDENTIFIED AND CONCLUSIONS REACHED**

From our review, we identified the following facts concerning the Foundation and Epstein’s interaction and involvement with the Foundation:

### **A. Wexner Foundation Background**

#### **1. The Foundation’s 1973 Formation and Its Charitable Goals**

The Foundation is an Ohio private charitable foundation formed in 1973 by the Wexner family. The Foundation operates its own independent charitable programs through paid professional staff. The stated goal of the Wexner Foundation is to be a source of enduring benefit to humankind, with a special commitment toward strengthening Jewish life in North America, Israel and throughout the world. The Foundation’s priority is the enhancement and improvement of Jewish education and leadership.

#### **2. The Foundation’s 1993 and 2005 Mergers with Other Wexner-Related Charitable Foundations**

The Wexner family has formed a number of private charitable foundations, several of which have merged into the Wexner Foundation. On July 16, 1985, Leslie Wexner formed the Leslie H. Wexner Foundation. In 1993, the Leslie H. Wexner Foundation merged into the Wexner

Foundation. Leslie Wexner also founded the Wexner Heritage Foundation in 1985, with Rabbi Herbert A. Friedman. The Wexner Heritage Foundation merged into the Foundation in 2005. At the time of this second merger, the Wexner Heritage Foundation had for many years operated a fully-formed program, the Wexner Heritage Program, with the support of the Foundation. After the merger, the Foundation continued to operate the Wexner Heritage Program.

### **3. Foundation Offices, Leadership and Staff**

The Foundation maintains offices at 8000 Walton Parkway, New Albany, Ohio. In 1985, Rabbi Maurice Corson was hired to be the Foundation President. Since that time, the Foundation's leadership and staff have carried out the day-to-day operations of the Foundation in a largely autonomous manner, with ultimate oversight by Leslie and Abigail Wexner.

Four Presidents have served the Foundation. Leslie Wexner was the President from the formation of the Foundation until 1985. Rabbi Corson served as President from 1985 until 1998. Larry Moses succeeded Rabbi Corson, from 1998 to 2011 and, since 2011, Rabbi Elka Abrahamson has served as President.

The Foundation's staff is independent of any other Wexner-related entity with the exception of its accounting and tax-related functions, such as payroll, general ledger accounting, accounts payable, banking, and Form 990-PF preparation, which are handled by the accounting department of N.A. Property, Inc., a Wexner family financial office providing services for the family's financial and real estate interests.

The Foundation's paid staff, under the direction of the Foundation's President, carry out all of the Foundation's charitable operations, including but not limited to community outreach and Fellow/Member recruitment, application evaluation and selection, program development, program administration, and alumni relations. The Foundation currently employs twenty-one people.



#### 4. Foundation Programs

The Foundation accomplishes its goals through a number of related and well-established programs, which include:

- Wexner Graduate Fellowship/Davidson Scholars Program. The Wexner Graduate Fellowship/Davidson Scholars Program, active since 1988, awards fellowships to North Americans to pursue full-time graduate study in order to pursue careers in professional Jewish leadership. The Graduate Fellowships provide scholarships of \$30,000 each year for a two-year term, with possible renewal for a third year. Graduate Fellowships are awarded to outstanding candidates who have a strong personal commitment to the Jewish community, who have demonstrated excellence in academic achievement, and who possess the potential to provide outstanding professional leadership that will shape the future of Jewish communal life in North America.
- Wexner-Israel Fellowship Program. The Wexner-Israel Fellowship Program was established in 1989 to enable up to ten outstanding Israeli government officials each year to study for a Master's Degree at Harvard University's John F. Kennedy School of Government. The stated goal of the Wexner-Israel Fellowship Program is "to provide Israel's next generation of leaders with advanced public management training. Through the Kennedy School's faculty, curriculum, students, and research centers, the Wexner-Israel fellows will have a rich environment for reflecting on Israel's policy problems and potential remedies."
- Wexner Heritage Program. Since 1985, the Wexner Heritage Program has worked to strengthen Jewish community leaders by making educational resources and experienced clergy and faculty available to selected Jewish communities, allowing the intensive study of biblical text, history, philosophy and law. The Foundation began operating the Wexner Heritage Program in December 2005, when the Wexner Heritage Foundation merged into the Foundation. Prior to the merger, the Foundation granted funds annually to the Wexner Heritage Foundation to operate the program.
- Recent Additional Programs. In more recent years, the Foundation has expanded its programs to include Wexner Service Corps (2013), which is focused on engaging Jewish teens in service learning; Wexner Senior Leaders (2014), which increases skills of collaborative leadership and transformative change within senior leaders in the Israeli public sector; and Wexner Field Fellowship (2016), which supports professional growth among existing professional leaders in the North American Jewish community.
- Wexner Summits. Wexner Summits bring together alumni from all five of the Foundation's adult programs "to work together to confront major challenges facing the Jewish world."

## 5. Financial Scope of the Wexner Foundation’s Work

We reviewed the Form 990-PFs for the Foundation for the period 1991–2018. The Form 990-PFs reflect that the Foundation paid a total of more than \$321 million in pursuit of its charitable purposes over that time period.

The following chart reflects the annual amounts expended by the Foundation on its charitable purposes, from 1991–2018:

### Wexner Foundation Spending

| Year 1991 - 2004       | Total Amounts Expended 1991-2004 | Year 2005 - 2018 | Total Amounts Expended 2005-2018 |
|------------------------|----------------------------------|------------------|----------------------------------|
| 1991                   | \$6,421,091                      | 2005             | \$8,213,381                      |
| 1992                   | \$8,974,450                      | 2006             | \$9,386,647                      |
| 1993                   | \$9,078,561                      | 2007             | \$9,693,045                      |
| 1994                   | \$9,870,511                      | 2008             | \$9,948,239                      |
| 1995                   | \$10,234,051                     | 2009             | \$8,728,205                      |
| 1996                   | \$17,451,472                     | 2010             | \$8,207,361                      |
| 1997                   | \$14,011,700                     | 2011             | \$9,125,149                      |
| 1998                   | \$13,272,083                     | 2012             | \$9,367,517                      |
| 1999                   | \$13,376,298                     | 2013             | \$10,758,864                     |
| 2000                   | \$20,531,902                     | 2014             | \$10,662,941                     |
| 2001                   | \$13,427,461                     | 2015             | \$15,227,498                     |
| 2002                   | \$13,801,510                     | 2016             | \$12,970,515                     |
| 2003                   | \$11,058,668                     | 2017             | \$14,175,608                     |
| 2004                   | \$9,593,550                      | 2018             | \$13,490,444                     |
|                        | <u>\$171,103,308</u>             |                  | <u>\$149,955,414</u>             |
| <b>Total All Years</b> |                                  |                  | <b><u>\$321,058,722</u></b>      |

## 6. Sources of Funding of the Wexner Foundation

Foundation records we reviewed reflect that, since its formation in 1973, the Foundation has received approximately 90% of its funding (approximately \$288 million) from the Wexner family. This funding includes direct contributions, as well as contributions through the Wexner

Family Charitable Fund (formerly the Leslie H. Wexner Charitable Fund) and other charitable funds, trusts, and entities holding Wexner family assets.

Other notable and regular contributors to the Foundation are the William Davidson Foundation and the Jim Joseph Foundation. Numerous foundations and other philanthropists in communities served by the Wexner Heritage Program also made meaningful contributions to the Foundation.

Foundation records that we reviewed, going back to its formation in 1973, reflect that Epstein made no contributions to the Foundation, either personally or through his foundations or business interests.

#### **7. The Foundation's Funding From the Wexner Family Charitable Fund**

Beginning in 2002, the Wexners began focusing their funding of the Foundation, as well as their funding of many other charitable causes, through the Wexner Family Charitable Fund. During the years 2002–2018, the Wexners contributed more than \$580 million to the Wexner Family Charitable Fund, which then made grants to a variety of causes. As reflected in the Table below, during that same period, the Wexner Family Charitable Fund contributed more than \$528 million to various charitable organizations and causes, including \$142 million to the Foundation.

## Wexner Family Charitable Fund

| Year | The Wexners' Direct And Charitable Remainder Contributions To Wexner Family Charitable Fund By Year | Wexner Family Charitable Fund Grants To All Causes By Year | Wexner Family Charitable Fund Grants To The Wexner Foundation By Year |
|------|---|--|---|
| 2002 | \$75,446,644  | \$16,179,156   | \$7,000,000   |
| 2003 | \$75,730,818  | \$31,942,170   | \$10,000,000  |
| 2004 |   | \$19,172,500   | \$8,000,000   |
| 2005 |   | \$17,556,666   | \$10,000,000  |
| 2006 |   | \$14,035,417   | \$5,000,000   |
| 2007 |   | \$24,906,668   | \$10,000,000  |
| 2008 |   | \$18,884,324   | \$7,000,000   |
| 2009 |   | \$16,106,666   | \$6,000,000   |
| 2010 | \$15,455,000  | \$10,989,751   | \$6,000,000   |
| 2011 | \$75,014,413  | \$39,500,500   | \$8,000,000   |
| 2012 | \$46,900,000  | \$18,012,500   | \$8,000,000   |
| 2013 | \$14,810,262  | \$34,058,876   | \$8,000,000   |
| 2014 | \$71,457,041  | \$56,862,366   | \$7,000,000   |
| 2015 | \$43,161,750  | \$45,908,767   | \$9,000,000   |
| 2016 | \$97,568,508  | \$59,991,775   | \$11,000,000  |
| 2017 | \$40,575,600  | \$67,194,451   | \$11,000,000  |
| 2018 | \$24,844,800  | \$36,770,695   | \$11,000,000  |
|      | <b><u>\$580,964,836</u></b>   | <b><u>\$528,073,248</u></b>                                | <b><u>\$142,000,000</u></b>   |

**B. What Was the Nature and Extent of Epstein’s Relationship and Interaction with the Foundation?**

**1. Epstein’s Trustee Role**

The Foundation’s corporate records indicate that Epstein was elected as a Trustee of the Foundation on December 15, 1992, and he remained a Trustee until his resignation on September 4, 2007. The documents we examined and the interviews we conducted reflected that the Foundation has had no contact with Epstein since his resignation as Trustee in 2007.

According to the Foundation’s corporate records, Epstein, along with other Trustees, signed Board of Trustee actions necessary to carrying out corporate formalities. For example, grant agreements we reviewed reflect that Epstein formally approved the annual grants made by

the Foundation to the Wexner Heritage Foundation, during the years 1993–2004. (Beginning in 2005, the Wexner Heritage Foundation was merged into the Foundation, and the Wexner Heritage Program since that time has been and continues to be funded internally, as a program of the Foundation.) Similarly, the Foundation’s written Board actions reflect that Epstein and other Trustees periodically signed actions authorizing the appointment of Foundation officers and trustees, and signed a joint action approving of the merger of the Leslie H. Wexner Foundation into the Wexner Foundation in 1993. These are formalities that are of the type typically undertaken by foundation trustees.

**2. Epstein Played No Role in the Operation of the Foundation’s Fellowships or Other Programs.**

Based upon our review of Foundation records and interviews with Foundation leaders, we concluded that, although a Trustee, Epstein played no role in the management or administration of the Foundation’s operations or programs. For example, Larry Moses, who was a Foundation employee throughout the entire time Epstein was a Trustee—including many years as Foundation President—stated to us that Epstein “was absent from the organizational life” of the Foundation and, in fact, Moses had no contact with Epstein and never met with him. Current President, Rabbi Elka Abrahamson, who was a Foundation employee for part of the time Epstein was a Trustee, also reported that she never met with Epstein, and that he “had no role whatsoever in creating, executing or planning for” Foundation programs.

Epstein never had an office at the Foundation, and none of the Foundation leaders we interviewed recalled ever seeing Epstein present in the Foundation offices. Foundation leaders consistently reported that Epstein was not involved in any aspect of the Foundation’s community outreach and recruitment effort, did not participate in application evaluation or Fellow selection, and had no involvement in the Foundation’s educational or leadership programs or their

administration. The Foundation leaders and staff we interviewed consistently stated that they did not recall ever seeing Epstein participate in social or networking events or other gatherings of Foundation staff, Fellows, Members, Alumni or other constituents.

The selection of program Fellows and Members was and is conducted through use of sophisticated selection committees, many of the members of which are external to the Foundation and are leaders in their fields. As reported to us, including by Mr. Moses, Epstein “was never a part of any selection or recruitment process” and played no role in selecting Fellows or Members, or in otherwise interacting with the selection committees.

Unlike some charitable organizations the operations of which are actively managed and carried out by working boards of trustees, the program operations of the Wexner Foundation have been carried out by the Foundation’s paid staff, under the leadership of the Foundation’s President. The Wexner family has always been in close contact with the Foundation’s staff, but the Trustees have played no active role in the day-to-day operations. Program evaluation and accountability has been and continues to be managed directly between the Foundation leadership and the principal donors, the Wexners.

### **3. Epstein Played No Meaningful Role in the Foundation’s Budget, Finances or Accounting Processes.**

Similarly, based on our review of Foundation records and interviews with Foundation leaders, Epstein played no meaningful role in the Foundation’s budget, finances or accounting. Rather, program budget discussions took place between the Foundation President and either Leslie Wexner or, later, Abigail Wexner. Although Epstein held the title of President of the Wexner family financial office that performed the accounting and payroll functions for the Foundation, we found no evidence that Epstein played any significant role in those functions, or that he personally supervised them. For example, he did not personally perform any of the accounting functions for

the Foundation and did not make decisions regarding the Foundation's use of funds. Although Epstein would have had access to the Foundation's basic financial information if he had asked for it, the results of our interviews indicate that he rarely, if ever, asked any questions relating to the Foundation.

Our review did find that Epstein's name appears in certain legal documents and filings of the Foundation, such as being identified on the Foundation's annual Form 990-PF filings as the person in whose care the books of the Foundation were kept. However, we learned through our review that Epstein had little or no personal involvement in the filings, and he was identified in these filings simply because of his role as President of the Wexner family financial office, which provided accounting and human resources/benefits services to the Foundation. The family office had a staff member in its accounting department who handled tax filings and, as reported to us during our interviews, that person worked directly with the outside accountants on the preparation of the Form 990-PFs. Epstein was also a named co-trustee of the Foundation's retirement plan, which was handled through the family office, and on rare occasions approved payments of amounts called for under written agreements of the Foundation, but we saw no evidence that he influenced the operations of the Foundation thereby.

**C. Did Epstein Make Any Financial Contributions to the Foundation?**

**1. Epstein Made No Financial Contributions to the Foundation.**

As described above, we reviewed the financial records of the Foundation for the period 1991–2018, which included the 1992–2007 time period during which Epstein was a Trustee of the Foundation. The Foundation's Form 990-PFs disclose all contributions made to the Foundation and list all donors of contributions of \$5,000 or more. We reviewed all contributions to the Foundation, along with the identities of all donors, and found neither Epstein nor his foundations

or other businesses ever made a direct contribution to the Foundation at any time. The only donation of less than \$5,000 received by the Foundation in any of these years was a donation of \$100 in 1995, which we confirmed was not made by Epstein.

However, we did find a reference to Epstein in the list of contributors included in the Foundation's 990-PF for 2001. That Form 990-PF identifies a 2001 contribution from "Arts Interests Trust c/o Jeffrey Epstein," in the amount of \$9,588,560. We reviewed the July 30, 1991, Arts Interest Trust Agreement, pursuant to which Leslie Wexner created a charitable remainder trust as grantor and donated assets to the charitable remainder trust as donor. The terms of the trust granted to Leslie Wexner the right to receive income during the term of the trust, and also granted to Leslie Wexner the right to designate a charitable organization to receive the remainder of the assets (the "charitable remainder") upon termination of the trust. The Foundation was the beneficiary of the charitable remainder trust. Although Epstein was the Trustee of the Arts Interests Trust, Leslie Wexner donated the assets used to fund the trust and retained the right to designate the charitable remainder beneficiary, and the Foundation received the assets of the trust at its termination, as reflected on the Foundation's form 990-PF for 2001.

**2. Epstein's Entities (COUQ and FTC) Transferred \$46 Million in Assets to the YLK Charitable Fund, Not the Wexner Foundation.**

Media reports have stated that Epstein transferred \$46 million to a foundation related to the Wexners. To be clear, Epstein did not transfer any assets to the Wexner Foundation. Epstein did cause the transfer of assets in January 2008 to The YLK Charitable Fund ("YLK"), a private foundation formed by Abigail Wexner with the advice of counsel on December 20, 2007. On January 1, 2008, Epstein's charitable foundation called The C.O.U.Q. Foundation, Inc. ("COUQ"), transferred assets valued at \$12,377,844 to YLK, as reflected on YLK's Form 990-PF for 2008.



At the same time, Financial Trust Company, Inc. (“FTC”) contributed \$34,280,154 to YLK, comprised of 201,939 shares of Apple Inc. stock, as reported on YLK’s Form 990-PFs for 2008. Unrelated court records indicate that Epstein was the sole shareholder of FTC. The total book value of the assets transferred to YLK from COUQ and FTC was \$46,657,998, as reflected on YLK’s Form 990-PF for 2008. The Form 990-PFs for each of the Foundation, the Wexner Family Charitable Fund and YLK reflect that the contributions COUQ and FTC made to YLK were the only contributions by COUQ, FTC, Epstein or any Epstein-related entity to any Wexner-related charity.

**3. Statements, Documents and Interviews Explaining That the COUQ and FTC Contributions to YLK Constituted a Partial Repayment of Funds Epstein Misappropriated from the Wexner Family.**

On August 8, 2019, Leslie Wexner issued a public letter to the Wexner Foundation Community, in which he stated that Epstein “had misappropriated vast sums of money” from the Wexner family during the time Epstein managed the Wexners’ personal finances. He further stated that the “widely reported payments Mr. Epstein made to [YLK] represented a portion of the returned monies. All of that money – every dollar of it – was originally Wexner family money.”

In analyzing Mr. Wexner’s explanation, we reviewed the Form 990-PFs for COUQ for fiscal years 2001 through its dissolution in 2012 (March 1, 2001, through November 19, 2012). They reflect that the COUQ Foundation’s endowment was in fact funded almost exclusively through transfers of Wexner family funds. These transfers included more than \$11 million in stock transferred from the Wexner Children’s Trust in 2001, and \$10 million transferred in 2003 from The Leslie H. Wexner Charitable Fund (later named the Wexner Family Charitable Fund).

Aside from the transfers of Wexner family assets to COUQ, the only other contribution made to COUQ during the period March 1, 2001 through February 28, 2008, was \$100,000

contributed by Epstein, which is reflected on COUQ's Form 990-PF for 2007. Because COUQ's 2007 fiscal year ended on February 28, 2008, we could not tell from the COUQ Form 990-PFs whether the \$100,000 contribution was made before or after the transfer of COUQ assets to YLK in January 2008. In either event, the more than \$21 million in assets withdrawn from Wexner family accounts made up all or virtually all of the assets held by COUQ at the time of COUQ's transfer of assets to YLK in January 2008. When asked during our interview about the 2001 and 2003 transfers of Wexner-related assets to COUQ, Leslie and Abigail Wexner told us they never knew about or authorized any transfers of their family's assets to COUQ.

As to the FTC contribution to YLK of its Apple Inc. stock, none of Epstein's records were available to us. However, consistent with Leslie Wexner's public statements, in our interview with Leslie and Abigail Wexner, they confirmed to us that all of the assets transferred to YLK, including the Apple Inc. stock, were received as a partial recovery of assets misappropriated from the Wexner family by Epstein.

**4. YLK Later Transferred Assets to the Wexner Family Charitable Fund, but Those Assets Were Not Necessary to the Wexner Family's Funding of the Foundation.**

Regardless of the source of the assets COUQ and FTC transferred to YLK, we found no evidence that any of those assets were ever transferred to the Foundation. The Form 990-PFs for YLK and the Foundation reflect that no assets were transferred to the Foundation by YLK.

During the several years YLK held the assets—which spanned the economic downturn of 2008–2010—the assets depreciated significantly in value. YLK's Form 990-PFs indicate that YLK also made a number of distributions to other charities unrelated to the Foundation. On December 27, 2010, YLK dissolved and transferred its remaining assets to the Wexner Family Charitable Fund. According to the Form 990-PFs for YLK and the Wexner Family Charitable

Fund, approximately \$35 million in assets (the value of all the assets remaining in YLK at the time) were transferred to the Wexner Family Charitable Fund in late 2010 and early 2011, under YLK’s plan of dissolution.

After the 2010–2011 transfers of the YLK assets to the Wexner Family Charitable Fund, the documents we reviewed and interviews we conducted reflect that the assets from YLK were not segregated from other funds within the Wexner Family Charitable Fund, and therefore we found no evidence that any YLK assets were, in fact, transferred to the Foundation. But, it is clear that none of the YLK assets were necessary to the funding of the Foundation’s work by the Wexners. In 2010 and every year thereafter, the Wexners’ annual contributions to the Wexner Family Charitable Fund significantly exceeded the Wexner Family Charitable Fund’s distributions to the Foundation in each such year.

The following Table presents the contributions made directly by the Wexners (excluding any transfers from YLK) to the Wexner Family Charitable Fund in each year from 2010–2018, along with the corresponding donation by the Wexner Family Charitable Fund to the Foundation:

| Year | The Wexners' Direct And Charitable Remainder Contributions To Wexner Family Charitable Fund By Year | Wexner Family Charitable Fund Grants To The Wexner Foundation By Year |
|------|---|---|
| 2010 | \$15,455,000  | \$6,000,000   |
| 2011 | \$75,014,413  | \$8,000,000   |
| 2012 | \$46,900,000  | \$8,000,000   |
| 2013 | \$14,810,262  | \$8,000,000   |
| 2014 | \$71,457,041  | \$7,000,000   |
| 2015 | \$43,161,750  | \$9,000,000   |
| 2016 | \$97,568,508  | \$11,000,000  |
| 2017 | \$40,575,600  | \$11,000,000  |
| 2018 | \$24,844,800  | \$11,000,000  |
|      | <b><u>\$429,787,374</u></b>   | <b><u>\$79,000,000</u></b>  |

As this Table reflects, the Wexner Family Charitable Fund's distributions to the Foundation after the Charitable Fund's receipt of the YLK monies constituted less than 20% of funds that the Wexner Family contributed to the Charitable Fund during those years.

Additionally, in all years following the December 2010/January 2011 transfers from YLK to the Wexner Family Charitable Fund, the Form 990-PFs for the Wexner Family Charitable Fund reflect that the Charitable Fund held assets of more than \$125 million in fair market value at year-end. Therefore, while some of the YLK monies became part of the Wexner Family Charitable Fund in 2010–2011, and were not segregated from the Charitable Fund's other assets and receipts, the YLK monies have never been necessary to the Charitable Fund's support of the Wexner Foundation, because the Wexners' annual contributions, as well as the assets retained at each year-end, were more than sufficient to cover the Charitable Fund's grants to the Foundation.

**D. Did Epstein Use His Ties to the Foundation to Commit Any Crimes?**

**1. We Found No Evidence That Epstein Used His Ties to the Foundation to Commit Sexual Assaults or Other Crimes.**

As described above, Epstein had no meaningful involvement with the Foundation while he was a Trustee. The Foundation's Presidents reported having had very little or no interaction with Epstein regarding Foundation matters. Epstein had no office at the Foundation, and none of the Foundation constituents we interviewed recalled ever seeing Epstein in the Foundation offices.

Likewise, Foundation leadership interviews reflected that Epstein did not attend Foundation meetings or events, and we saw no evidence to suggest that Epstein interacted with Foundation Fellows, Members or Alumni. From our review, the Foundation was not of any particular interest to Epstein, and the people we interviewed who met Epstein described him as showing no interest in philanthropy or the Foundation. Additionally, none of the Foundation

leaders or staff we interviewed ever received a complaint or allegation that an employee, Fellow or Member of the Foundation had been subjected to any inappropriate conduct by Epstein.

Finally, we reviewed approximately 1,500 pages of criminal investigative and charge documents, including those of the Federal Bureau of Investigation, as well as numerous pleadings from the civil lawsuits currently pending against Epstein's estate. None of those documents contains any allegation or suggestion that Epstein used his connection to the Foundation in perpetrating a crime. Accordingly, we found no evidence that Epstein ever used his ties to the Foundation to commit any assault or sexual misconduct, or to otherwise perpetrate any crime.

## **2. The Foundation Had No Contact with Epstein after September 2007.**

In September 2007, Epstein resigned as a Trustee of the Foundation, as President of N.A. Property, Inc., and from all Wexner-related roles. We found no evidence that the Foundation, its employees, or its Fellows, Members, or Alumni had any contact with Epstein after his resignation.