

KATZ, TELLER, BRANT & HILD

A LEGAL PROFESSIONAL ASSOCIATION

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1400 TRI-STATE BUILDING
432 WALNUT STREET
CINCINNATI, OHIO 45202-3961
TELECOPIER No. (513) 721-7120
(513) 721-4532

March 23, 1989

John M. Dowd, Esq.
Heron, Burchette, Ruckert & Rothwell
Suite 700
1025 Thomas Jefferson Street, N.W.
Washington, D.C. 20007

FEDERAL EXPRESS

PERSONAL AND CONFIDENTIAL

Re: Pete Rose

Dear John:

Thank you for your March 22, 1989 letter. Sports Images, Inc. was an Ohio corporation formed by one of my partners for Michael J. Bertolini in the summer of 1987. Mr. Bertolini was Mr. Rose's photographer and wanted to start a business selling photographs, postcards and posters of major league baseball players. In some cases these items would be autographed and accompanied by letters of authenticity. Sports Images, Inc. was going to obtain a license from Major League Baseball.

According to our records the corporation was formed but Mr. Bertolini never returned to us the organizational documents nor completed the materials necessary to secure the license from Major League Baseball. We closed our file in November 1987. We will be glad to show you anything in our file that is not privileged. We have no record or information of the activities, if any, of this company after that point.

We have no records of any kind concerning the company you identify as Hit King Marketing, Inc. Our understanding is that this is another corporation involving Mr. Bertolini that was probably incorporated in New York. We are not currently representing Mr. Bertolini and it would be best for you to speak directly with him to arrange inspection of any documents that he may have.

We are also checking to see if we have any records relating to Mr. Rose and Oak Hill Savings and Loan. I will let you know what we find.

John M. Dowd, Esq.
March 23, 1989
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Finally, I understand that you have spoken directly with Roger Makley about setting up the interview with Reuven Katz. Mr. Katz will be glad to meet with you and discuss any non-privileged matters that you care to discuss. I would imagine by the time you receive this letter that meeting will have been scheduled.

If you need anything further or have any questions about anything I have said in this letter please let me know.

Sincerely,



Robert A. Pitcairn, Jr.

RAP/mrm

cc: Mr. Peter E. Rose
Roger J. Makley, Esq.

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March 27, 1989

John M. Dowd, Esq.
Heron, Burchette, Ruckert & Rothwell
Suite 700
1025 Thomas Jefferson Street, N.W.
Washington, D.C. 20007

FEDERAL EXPRESS

PERSONAL AND CONFIDENTIAL

Re: Pete Rose

Dear John:

I received your March 24, 1989 letter this morning. Thank you for the original files that you returned.

I don't have the vaguest idea how you can deem my March 23, 1989 letter relating to Sports Images, Inc. and Hit King Marketing, Inc. as a "failure to cooperate." We do not have control of any records of these corporations, other than those described in my letter, and you have not indicated any difficulty obtaining records directly from Mr. Bertolini. Mr. Rose does not have "complete control of the activities of Mr. Bertolini" and the Commissioner does not have the right to order Mr. Rose to tell other people how to behave. As a matter of fact, Mr. Rose did arrange for you to interview Mr. Bertolini and has asked Mr. Bertolini to cooperate with your investigation.

I will check with Mr. Rose's accountant today to see if check stubs are available. In addition, I will ask him to assemble Mr. Rose's checks for 1985 and 1986. As you know, these documents, and others, have been subpoenaed by the U.S. Attorney for the Southern District of Ohio. To the extent we can produce them without being in violation of the subpoena we will be glad to do so.

We will discuss and report to you immediately on your request concerning files and information relating to customs declarations. I will reserve comment until I have had the opportunity to discuss this request with Mr. Makley and Mr. Katz.

John M. Dowd, Esq.
March 27, 1989
Page 2

I must say I am surprised by the tone of your March 24 letter. Mr. Rose and his counsel have bent over backwards to cooperate with your investigation. It seems that each time we do not have information you want or question a request you tell us that it will be viewed "as a lack of cooperation with the Commissioner's inquiry."

The first time we met in my office, you indicated that I could call you during your investigation and you would explain to me where things stand. You also indicated that Mr. Rose will be given the opportunity to see the alleged evidence against him and have the right to respond in a meaningful manner. To date, in spite of repeated requests by Mr. Makley and me, you have not shown us any hard evidence of wrongdoing on Mr. Rose's part.

In recent weeks Mr. Rose has been hounded by the press and subjected to all sorts of rumors and innuendoes of various types of unsavory conduct. In fairness, it's time that you show us the evidence you are talking about. I can't fathom why you are unwilling to do so at this point.

As I have told you repeatedly, we will continue to cooperate with your investigation. Please let me know when you wish to meet with Mr. Katz. Because of the tone of your letter and the history of good relations we have had with the Commissioner's Office and the League Office, we would appreciate you confirming that you have shown this letter to Mr. Ueberroth and Mr. Giamatti who were copied with your letter.

Sincerely,



Robert A. Pitcairn, Jr.

RAP/mrm

cc: Mr. Peter E. Rose
Roger J. Makley, Esq.

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March 30, 1989

John M. Dowd, Esq.
Heron, Burchette, Ruckert & Rothwell
Suite 700
1025 Thomas Jefferson Street, N.W.
Washington, D.C. 20007

FEDERAL EXPRESS

PERSONAL AND CONFIDENTIAL

Re: Pete Rose

Dear John:

Thank you for your March 28, 1989 letter. I have checked with Mr. Chaiken and we can produce Mr. Rose's checks for 1985 and 1986. I have not as yet been able to track down check stubs. We can follow the same procedure concerning production as we did the last time and will be glad to make one of our conference rooms available for you.

I also want to respond to your March 24, 1989 letter concerning custom declarations. You have requested files and information "pertaining to the importation of cash... in violation of Title 18...during the years 1984 and 1985."

The customs declarations problem we are aware of involved the assessment of a \$46,197.54 civil penalty by the Department of the Treasury concerning an incident that allegedly took place on November 15, 1981. Mr. Rose settled the assessment by making offer of compromise on December 4, 1986 in the amount of \$23,098.77 on certain terms and conditions, including a release of any claims of the civil nature which the United States "has or may have against Mr. Rose for any alleged conduct occurring at anytime prior to December 31, 1985."

The offer was accepted by letter dated February 11, 1987 at the conclusion of which the Department of the Treasury stated "...we consider the matter to be closed." Nevertheless, we will be glad to let you see any non-privileged material in our file. If you wish you can review it at the same time you review the checks.

John M. Dowd, Esq.
March 30, 1989
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Finally, I hope you have had no difficulties in dealing with Mr. Bertolini, however, please understand that Mr. Rose does not control him. As stated in my March 27, 1989 letter we do have limited material on Sports Images, Inc. which we will be glad to show you.

We have done everything in our power to cooperate with your investigation. We will continue to do so. Please get back to me at your earliest convenience.

Sincerely,



Robert A. Pitcairn, Jr.

RAP/mrm

cc: Mr. Peter E. Rose
Roger J. Makley, Esq.