



diGENOVA & TOENSING, LLP
ATTORNEYS-AT-LAW

May 25, 2016

***By Email (press@sanders.senate.gov)
and First Class Mail***

The Honorable Bernard Sanders
United States Senate
332 Dirksen Senate Office Building
Washington, DC 20510

Re: Request for public documents related to Burlington College.

Dear Senator Sanders:

This firm represents Wendy Wilton, an active Catholic and member of the Immaculate Heart of Mary parish in Rutland Vermont. On behalf of Ms. Wilton and other aggrieved Vermont parishioners, we request that your office publicly release all documents concerning Burlington College and your involvement with a loan application submitted by your wife, as President of Burlington College, to a federally-insured bank for a \$10 million property transaction.

That transaction, which involved Burlington College's purchase of the Roman Catholic Diocese headquarters, not only led to the demise of the college but almost \$2 million in losses to the Burlington Catholic Diocese. The college's recently announced, resulting insolvency will no doubt lead to further losses to the bank and losses to Vermont small businesses that provided services and goods to the school. Furthermore, the taxpayers of Vermont are likely to lose tens of thousands of dollars as a result of an outstanding, ill-advised, and unsecured loan made by the Vermont Economic Development Authority (while your wife served as a paid member of its board) to Burlington College.

The current president of Burlington College said the "crushing weight of debt" brought on by this transaction, which was driven and designed by your wife prior to her firing, was the cause of its closure. Had the school stayed in its original location, as humble and inglorious as that was, it would still be here today serving its niche of students and the community.

Currently available evidence indicates that Burlington College failed because the privileged spouse of a powerful United States Senator received special treatment for a loan she should never have gotten for a property purchase that should never have been approved. Making matters worse, I was recently informed that your office contacted People's United Bank and pressured them to approve the loan application submitted by your wife.

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As you are well aware, it is improper and against Senate Ethics Rules for your office to get involved in any way with a loan transaction that benefits a family member. Senate Ethics R. 35(b)(1) and (b)(2)(A). Under these rules it is improper for a spouse to receive favorable treatment for a loan "... because of the official position of the Member ..." Senate Ethics R. 35(b)(2)(A).

Your campaign, which is partly led and orchestrated by your wife, has ironically and hypocritically made widespread mortgage fraud and its relation to the 2008 financial collapse the centerpiece of its campaign. You have also called on Secretary Hillary Clinton to release transcripts of her speeches to Wall Street firms, which you also blame for the collapse. Yet you cynically refuse to release your tax returns, which will presumably show you directly benefitted from the \$200,000 Golden Parachute paid to your wife from a school that was in financial trouble due to her apparent loan fraud.

It is time to disclose these and all other documents related to this transaction, including your wife's Golden Parachute agreement, all communications your office had with People's United Bank, and all communications with VEDA, so that the full story behind this financial calamity is revealed. Vermont parishioners, Vermont citizens, and local vendors that are still owed money deserve to know the full story behind this improper transaction. Although you and the rest of Congress have exempted yourselves from having to produce public records in response to Freedom of Information Act requests, it is important that you release these documents and fully disclose your role in this transaction.

According to news reports, this matter is already the subject of an active federal investigation. Therefore any attempt to improperly influence witnesses or to destroy relevant evidence is prohibited by federal law. *See* 18 U.S.C. §§ 1512, 1517, and 1519. Additionally, you and members of your staff may be called as witnesses and be required to produce documents in litigation that will inevitably result from the collapse of Burlington College, its likely bankruptcy (or insolvency), and attempts to recover losses.

Sincerely,


Brady C. Toensing