

### Investigation of Pete Rose and Pete Rose, Jr.

- I understand that WCPO's story will allege that Mr. Hildebrant assisted law enforcement in an investigation of Pete Rose and Pete Rose Jr. in 2005 or 2006. Though Mr. Hildebrant understands that this allegation is based on a court filing made by his father in November 2006, it is simply untrue.

I want to repeat my observation that the filing by Charles Hildebrant claims that his "son" assisted in the investigation and prosecution of Pete Rose and Pete Rose, Jr. As you know, Christopher Hildebrant has a younger brother, who was acquainted with Mr. Rose, Jr. We, of course, do not know, but if there is any truth at all to the filing, it could be Mr. Hildebrant's brother to whom Charles might be referring.

Furthermore, the indictment against Pete Rose, Jr (attached hereto) relates to conduct that occurred between July 2001 and May 2002. Charles Hildebrant was charged in January 2005. Thus, the alleged "assistance" that was provided by his "son" could not have been related to the misconduct that occurred in 2001 and 2002. This clearly calls into question the accuracy of Charles' statements.

Likewise, the simple fact that the United States refused to file a motion for downward departure for substantial assistance pursuant to section 5K1.1 shows that in the opinion of the United States, neither Charles Hildebrant nor his "son" provided any material assistance in the investigation or prosecution of Mr. Rose Jr. As the United States stated on page 3 of their response to Charles' filing (attached hereto), "the United States was under no obligation to file a 5K motion **unless it was earned**." The fact that the United States determined that a 5K motion was not "earned" clearly demonstrates that Charles' statements to the Court were inaccurate.

### Ohio Auditor of State's Investigation of Sycamore Township Trustee Thomas Weidman

- I understand that WCPO's story will suggest that Mr. Hildebrant "shopped" information concerning Sycamore Township Trustee Thomas Weidman to the Ohio Auditor of State. This is a blatant mischaracterization of the facts.

What happened is actually the opposite of "shopping" information about Mr. Weidman to law enforcement. Mr. Hildebrant received a subpoena *duces tecum* from the Ohio Auditor of State demanding the production of, among other things, "Any and all emails that contain correspondence between Chris Hildebrant, Trustee Tom Weidman and SDI Foods, Inc. regarding the purchase, sale, development or transfer of the property located at 7781 Montgomery Road, Cincinnati, Ohio 45236." In response to the subpoena, Mr. Hildebrant produced many documents, including the December 20, 2011 e-mail attached as Exhibit A to the Complaint filed by Mr. Weidman in the Warren County Court of Common Pleas ("the 2011 E-Mail"). To ensure that there would be no misunderstanding in connection with the 2011 E-Mail, Mr. Hildebrant's counsel informed the Auditor's office, in writing, that Mr. Hildebrant, and not Mr. Weidman, wrote the 2011 E-Mail:

Mr. Hildebrant's document production in response to this request includes an email dated December 20, 2011 from the email account [tweidman12@gmail.com](mailto:tweidman12@gmail.com) to the email account [chris@moreliagroup.com](mailto:chris@moreliagroup.com). In order to avoid any misunderstanding, please be advised that this email was not written by Mr. Weidman. Mr. Hildebrant drafted this email and sent it to himself.

So, rather than evidence of some ulterior motive, Mr. Hildebrant's candor to the investigators should be viewed as the actions of a responsible citizen who wanted to make certain that the authorities knew that Mr. Weidman had not authored the email.

Additional information concerning the 2011 E-Mail, and the various bribes solicited by Tom Weidman, can be found in the complaint filed by Morelia Group-DE, LLC against Mr. Weidman in Hamilton County Court of Common Pleas, and in Mr. Hildebrant's Affidavit attached to the Motion for Summary Judgment recently served in the Warren County case. To summarize, in July 2011, Mr. Hildebrant was working to facilitate the sale

of property owned by SDI Foods, Inc. to Sycamore Township for development. If the sale was successful, Mr. Hildebrant stood to receive consulting payments from both Sycamore Township and SDI Foods. However, Mr. Hildebrant found himself in the unenviable position of being on the receiving end of requests for bribes from both Mr. Weidman and Stanford Roberts, of SDI Foods. Mr. Weidman demanded one-half of Mr. Hildebrant's consulting fee from SDI Foods, and Mr. Roberts demanded one-half of Mr. Hildebrant's consulting payment from Sycamore Township. After the sale closed, Mr. Weidman and Mr. Roberts both demanded their payments, but Mr. Hildebrant refused to pay. In context, this is easy to understand. With his father's legal troubles in mind, Mr. Hildebrant simply refused to pay bribes as the "cost of doing business."

Mr. Hildebrant tried to placate both sides: he told Mr. Weidman that SDI Foods had not paid his consulting fee (it had), and he told Mr. Roberts that Sycamore township had not made its consulting payment (it had made a partial payment). When Mr. Roberts repeatedly demanded his bribe, Mr. Hildebrant created the 2011 E-Mail so that he could send it to Mr. Roberts to demonstrate that Mr. Weidman was also demanding bribe payments, and that as a result he did not have money left to pay Mr. Roberts.

Shortly after the 2011 E-mail was sent to Mr. Roberts, Mr. Weidman and Mr. Roberts became suspicious of Mr. Hildebrant's claim that he had not been paid by either SDI Foods or Sycamore Township. On February 16, 2012, Mr. Roberts forwarded Mr. Hildebrant an e-mail exchange between himself and Mr. Weidman (attached to Mr. Hildebrant's affidavit). In the email exchange, Mr. Weidman admitted to Mr. Roberts that Sycamore Township only paid Mr. Hildebrant \$2,490 because Mr. Weidman wanted to keep his dealings with Mr. Hildebrant hidden from the public. Mr. Weidman explained to Mr. Roberts that "if we were at or over \$2,500, we had to create a formal contract and get it approved in a public meeting. *We did not want to do that.*" Mr. Roberts then told Mr. Weidman that SDI Foods had indeed made its consulting payment to Mr. Hildebrant, and Mr. Weidman responds with surprise: "he specifically told me that you were supposed to pay him and never did." Mr. Weidman then made Mr. Roberts a proposal: "you send me a copy of your deal with him and a cancelled check and I will send you a copy of his invoice and a cancelled check. This might help us better understand the entire landscape of the situation. I suspect there has been some serious deception here." Indeed there had been (unsuccessful) deception, but the deception on Mr. Hildebrant's part was employed so that he could avoid committing a crime.

Bear in mind the import of Mr. Weidman's last statement: He was angry because he'd been lied to about Mr. Hildebrant's ability to pay him an illegal bribe. Mr. Weidman wanted to see a copy of Mr. Hildebrant's consulting agreement with SDI Foods and the cancelled check because Mr. Weidman expected to receive one-half of that consulting payment as a bribe. Thus, Mr. Weidman believed there had "been some serious deception here" because Mr. Hildebrant had been telling Mr. Weidman that he could not make his bribe payment because he had not yet been paid by SDI Foods. In other words, Mr. Weidman appears to be saying that he was deceived about the willingness of Mr. Hildebrant to be a party to a crime. And everybody agrees exactly what the deception was: that Mr. Hildebrant claimed that he had no money to pay bribes, to avoid participating in a crime.

In short, the story of the "2011 E-Mail" is considerably more complicated (and perhaps more interesting) than it would appear at first blush. Rather than suggest improper conduct on the part of Mr. Hildebrant, the story in full context confirms that the worst thing Mr. Hildebrant did was lie to Messrs. Weidman and Roberts about his willingness to participate in an illegal "pay to play" bribery scheme.

### Jeff Pastor Case

I understand that WCPO intends to report, based on information allegedly from unverified and unnamed sources, that Mr. Hildebrant is "Cooperating Witness 2" in the indictment against former Cincinnati City Councilmember Jeff Pastor. Mr. Hildebrant will not dignify the allegations by such "unnamed sources" with any response. I would simply remind WCPO that reporting such allegations while the underlying criminal case is still pending, based wholly on unverified and "unnamed sources," is possibly reckless, or even malicious, and may subject WCPO to various legal claims, including defamation of a man who is not a public figure.

Respectfully,

Chad