

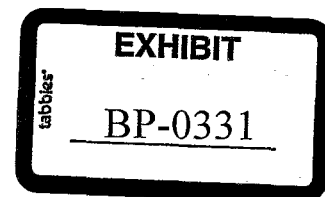
**From:** Bill Fisher 10/3/2004 12:36 AM  
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**Subject:** **Attorney Client Priviledge**  
**Attachments:** TOP TEN POTASHNIK MISDEEDS.doc

I am aware of the following potentially improper acts by my previous employer and now competitor. I want your opinion on my need to bring these to the attention of law enforcement?? Can I do so anonymously?? Your recommendation please.

Thanks,

Bill

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### **TOP TEN +1 BRIAN POTASHNIK MISDEEDS**

1. Payment of \$50,000 to former tax credit manager, Cherno Njie, immediately following his, the tax credit manager's, departure from the State Agency, Texas Department of Housing and Community Affairs. This appeared to be a pay off for past funding awards. Witness: Jay Oji 2002
2. Attempted to improperly influence council member James Fantroy, District 8, on the Old Hickory Trail development of Leon J. Backes by threatening to terminate security contract business with the councilmember's company. When the council member refused to do as instructed by Potashnik, the contracts were summarily terminated. Mayor Laura Miller is a co conspirator with Potashnik trying improperly influencing the council member, Fantroy, on Potashnik's behalf. Witness: Fantroy and Mary Hassan, councilmember secretary 2003
3. Shame charity in HST, Housing Services of Texas, Inc. Potashnik has taken millions in tax deductions for contributions to this 501 c 3 when his company actual operates the charity for their sole and exclusive benefit. Employees received SWH payroll and expense checks. Witness: Marty Mascari, Executive Director and Mark St. John former employee SWH 1999-present
4. Potashnik took tax deductions on land from the Boy Scout tract, Hampton and Kiest next to the Southwest Medical Center Hospital, knowing he was not eligible. The agreement to donate land was made as consideration for the zoning of the senior housing piece with the neighborhood association. Witness: Charletta Compton and David Marquis, Kimball United Home Owners 2000-2001
5. Potashnik back dated agreements with the Rolling Hills Church of Christ for the donations he made and took as tax deductions for in 2001 on the Westmoreland Senior Housing Development. Witness: IRS 2002
6. Potashnik committed perjury in the certifications to the State of Texas for funding of the developments by failing to disclose his enforcement action and debarment from the NASD for professional misconduct. Potashnik likely made false representation about losses by an insured bank institution to the State to obtain development funding. Witness: TDHCA and NASD files 1995-present
7. Potashnik's father, Jack Potashnik, uses a false social security number. Potashnik has made payments and taken tax deductions for payments to his father using this false social security number. Potashnik knows the social security number is false. See tax returns of the two parties. 1997-present

8. Potashnik committed fraud on: Reliable Property Development, John Petrecca, Jay Oji, Linda Brown and Craig Blume, by entering into agreements with them to pay them for services rendered without any intent to pay them. Witnesses: Eugene Thomas, Jay Oji, Linda Brown, Craig Blume and John Petrecca. 2002-present
9. Conspired with Carlos Herrera, former Dallas city employee, and Bobby Leopold to violate State funding rules on housing tax credit allocations by misrepresenting Potashnik's involvement and secret ownership in the venture in violation of State law governing housing tax credits. Potashnik received city funding from Herrera while Herrera was a Dallas City Employee See TDHCA files, City of Dallas HOME\CDBG loan to TX Melody Apartments LP and witnesses Herrera and Leopold 2002-present
10. Potashnik signed a affidavit in the civil litigation with Songhai Ventures and Cherno Njie, the former TDHCA tax credit manager referenced in item one above, claiming a secret interest in the HTC project awarded to Songhai in 2003. His affidavit is either false or his penalty of perjury filing with the TDHCA is false. See litigation file Southwest Housing v. Songhai and Njie, Travis County(?) 2003
11. Hired then TDHCA board member Joe Kemp to do work on the development, Melody Place and Melody Village projects when the board member had voted on and approved these developments over other applications. 1995-1996