

This is the response of Mr. Dan Gertler to the media campaign waged against him in recent weeks by the International Consortium of Investigative Journalists.

We require you to publish the following response as is, in full, and without editing it.

If you wish to edit something in it - you must receive our permission to do so, in writing. This response comes in addition to responses that we have already sent you to the questions and issues that you raised before us.

The response follows:

**Response to the broadcast/printed press**

"The article presented to the public is the product of unrestrained and unbalanced journalism. Put simply, the article misleads the public entirely about Mr. Gertler's business activities in the Democratic Republic of Congo.

The article is devoid of complete and accurate facts. It is a jumble of claims based on erroneous assumptions, gossip and regrettably, incorrect inference and speculation.

Mr. Gertler and the Fleurette Group always perform their business affairs for sound commercial reasons and on an arm's length basis. The innuendo arising from the article stems from a complete lack of understanding of the transactions described, the business environment in which they were carried out and their economic contexts. The article is also strewn with incorrect interpretations of incomplete documents that were stolen from attorneys' offices.

It is extremely disturbing that, due to the ICIJ's failure to understand complex business matters, particularly international finance transactions and the standard documentation that accompany them, the authors have come to misleading and erroneous conclusions. All finance documents the ICIJ have referred to were drafted and negotiated by leading international law offices from both sides. These documents were based on international standards, with provisions reflecting international norms.

It is also troubling that the authors refused our request to arrange a meeting between Mr. Gertler and the representatives of the press consortium over the last month, in order to address various issues mentioned in the article and to present the consortium with additional documents and information. Their continuing refusal was made on claims of impossible timeframes and spurious legal excuses. This is a breach of the good faith required of every journalist and goes to demonstrate their insistence on adhering to conspiracy theories that lack any foothold in reality.

The public should know that the DPA settlement executed by the Och-Ziff hedge fund was executed without Mr. Gertler's knowledge, consent or involvement, in any way or manner whatsoever. To the extent that it referred to Fleurette Group business in the DRC, Mr. Gertler rejects the factual narrative set out in the DPA in its entirety. Furthermore, Mr. Gertler has never been interrogated or asked to appear in front of the US authorities to provide any account on the matters referred to in the DPA.

Mr. Dan Gertler is a respectable businessman who contributes the vast majority of his wealth and time to the needy and to different communities amounting to huge sums of money. As at January 2017, Fleurette's subsidiaries and partnerships support around 30,000 jobs in the DRC and are amongst the DRC's leading taxpayers, contributing significant revenues to the State. Fleurette is also a major contributor to social development in the DRC through the Gertler Family Foundation (GFF) and through direct investment in social infrastructure. The GFF is the largest charitable organization in the DRC, funding more than 50 programs and projects across the DRC, which help tens of thousands of Congolese every year