

From: "jeffrey E." <jeevacation@gmail.com>
To: David Mitchell <[REDACTED]>
Subject: Re: Life Hotel - Draft Third Amendment
Date: Thu, 12 Apr 2018 01:08:08 +0000

I think you either call ladder yourself or tell them unless they provide the ladder agreement you will return their deposit

On Wed, Apr 11, 2018 at 8:42 PM David Mitchell <[REDACTED]> wrote:

.....
DAVID MITCHELL
.....
Mitchell Holdings LLC
[745 Fifth Avenue](#)
[New York NY 10151](#)
[USA](#)
1212-486-4444
[REDACTED]

Begin forwarded message:

From: "Paul M. Kade" <[REDACTED]>
Date: April 11, 2018 at 6:12:10 PM EDT
To: "Danow, Matthew" <[REDACTED]>
Cc: David Mitchell <[REDACTED]>, "Epstein, Victoria" <[REDACTED]>, Yaniv Nakash <[REDACTED]>, "Amengual, Randolph" <[REDACTED]>, J Feldman <[REDACTED]>
Subject: Re: Life Hotel - Draft Third Amendment

Matt:

Yaniv Nakash and Martin Scharf have been working with Loren Biller of Ladder Capital and expect to get a firm loan commitment by tomorrow morning. I understand that this is the same firm that extended financing to David Mitchell.lender

Messrs. Nakash and Scharf are ready to commit to the nonrefundable portion of the deposit and to pay the necessary commitment fee. However, I am leaving for a trip tomorrow afternoon and will be back on Tuesday (April 17) and my clients are uneasy about any last minute snags in my absence.

Accordingly, we would like David Mitchell to give us another short extension to April 17 so that we can put everything in place without jeopardizing the deposit.

Thank you for all your courtesies in this matter.

Best regards,

Paul

On Tue, Apr 10, 2018 at 11:46 AM, Paul M. Kade <[REDACTED]> wrote:

Matt:

Yaniv just spoke with David Mitchell about the where he stands with the loan commitment.

Yaniv already has a term sheet, but is waiting for a firm loan commitment before allowing a portion of the deposit to become non-refundable. Note that he will also have to give the lender a \$50,000 fee as well. We should hopefully know more by the end of today.

We plan to contact you and David later once we receive the commitment.

Best regards,

Paul

On Tue, Apr 10, 2018 at 10:55 AM, Danow, Matthew <[REDACTED]> wrote:

Paul—[REDACTED] following up again. When will we receive the Buyer's signature to the Amendment?

Thanks.

From: Danow, Matthew
Sent: Monday, April 09, 2018 1:24 PM
To: 'Paul M. Kade'; David Mitchell
Cc: Epstein, Victoria; Yaniv Nakash; Amengual, Randolph; J Feldman
Subject: RE: Life Hotel - Draft Third Amendment

Paul—I hope you had a nice weekend. [REDACTED] following up on the email traffic from last week. Will your client be signing the Amendment today?

Thanks.

Matt

Matthew Danow, Esq.
Katsky Korins LLP
[605 Third Avenue](#)
[New York, New York 10158](#)
Direct Dial: (212) 716-3312
Direct Fax (212) 716-3332
[REDACTED]

From: Paul M. Kade [mailto: [REDACTED]]
Sent: Thursday, April 05, 2018 4:28 PM
To: David Mitchell
Cc: Danow, Matthew; Epstein, Victoria; Yaniv Nakash; Amengual, Randolph; J Feldman
Subject: Re: Life Hotel - Draft Third Amendment

Yaniv just has to speak with his partner and then they will both sign at the same time.

On Thu, Apr 5, 2018 at 4:19 PM, David Mitchell < [REDACTED] > wrote:

Yaniv directed this please

.....

DAVID MITCHELL

.....

Mitchell Holdings LLC

[745 Fifth Avenue](#)

[New York NY 10151](#)

[USA](#)

1212-486-4444

[REDACTED]

On Apr 5, 2018, at 4:10 PM, Paul M. Kade < [REDACTED] > wrote:

Matt:

Yaniv and his partner are both out of town and will be back on Monday to sign the amendment. They will be totally unavailable starting sundown tonight.

Thank you for all your efforts!

Best regards,

Paul

On Thu, Apr 5, 2018 at 3:50 PM, Danow, Matthew <[REDACTED]> wrote:

Paul—Please see the attached, revised Third Amendment, with the clean-up on Page 2 we discussed. If the attached document is acceptable, please have it executed by your client, and email me the signed document.

Below caveats still apply.

Regards,

Matt

From: Danow, Matthew
Sent: Thursday, April 05, 2018 2:47 PM
To: 'Paul M Kade'
Cc: Epstein, Victoria; Yaniv Nakash; David Mitchell; Amengual, Randolph; J Feldman
Subject: Life Hotel - Draft Third Amendment

Paul—Attached is a draft Third Amendment to the PSA, which reflects my clients understanding of the agreed upon revised terms of the sale. Please contact after you've reviewed the attached draft and discussed it with your client.

Regards,

Matt

Please be advised that in the interest of expediency, I am forwarding the attached document to you and our client simultaneously, and accordingly, the attached document remains subject to any revisions our client may make. Neither the attached draft, nor any transactions, terms or conditions contained therein, shall be binding the parties unless and until a written agreement with respect to the same has been executed and delivered.

Matthew Danow, Esq.
[Katsky Korins LLP](#)
[605 Third Avenue](#)

EFTA00835635

[New York, New York 10158](#)

Direct Dial: (212) 716-3312

Direct Fax (212) 716-3332

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