



June 29, 2017

Anthony E. Malkin  
Empire State Realty Trust  
111 West 33rd Street  
New York, NY 10120

Dear Mr. Malkin:

We write to you as elected public officials about a matter of critical importance to our constituents.

As you know, WBAI is a not-for-profit, listener supported radio station that has been broadcasting from the Empire State Realty Trust (ESRT) for over 50 years. Since its inception, WBAI has been an integral part of the American media landscape and an independent voice that is valued by millions. It has provided a home for independent voices in culture, peace, and justice for humanity and for the environment.

It is our understanding that ESRT claims that Pacifica Corporation, the parent corporation of WBAI, owes it approximately \$2.1 million and has made a motion for summary judgment, which is calendared for June 30. If ESRT pursues this litigation and obtains a judgment, it will likely result in bankruptcy and possibly the silencing of an important progressive and independent voice in New York City and four other locations including the Bay Area, Houston and Washington, D.C. This bankruptcy would occur despite the fact that WBAI/Pacifica has been billed by ESRT at four times the market rate and has paid ESRT more than \$3.5 million over the course of its contract.

We understand that WBAI/Pacifica has made a meaningful settlement offer. We are writing to ask that you withdraw your motion for summary judgment and negotiate with the station in good faith. ESRT should, at a minimum, either amend the remaining part of WBAI/Pacifica's lease to remove the extremely high escalating payments or let the station out of the remainder of its lease with no penalty.

Independent voices in media are needed now more than ever. Please do not force this historic station into bankruptcy.

Sincerely,



Corey Johnson  
Council Member



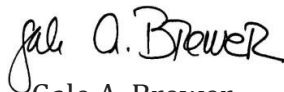
Letitia James  
Public Advocate



Scott M. Stringer  
Comptroller



Melissa Mark-Viverito  
Speaker




Gale A. Brewer  
Manhattan Borough  
President



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State Senator




Daniel Squadron  
State Senator



Deborah J. Glick  
Assembly Member



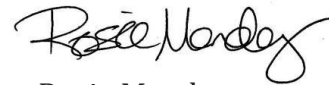
Richard M. Gottfried  
Assembly Member



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Assembly Member



Margaret Chin  
Council Member



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