OPPENHEIMER

Oppenheimer & Co. Inc.
85 Broad Street
New York, NY 10004

Transacts Business on all Principal Exchanges

May 23, 2024

Ms. Terri Tepper
261 Kimberly Road
North Barrington, IL 60010

Dear Ms. Tepper:

This is in response to additional correspondence received from Mr. Jordan Weiner on your behalf, which was sent in response to Oppenheimer & Co. Inc.'s ("Firm") April 19, 2024 letter to you. Although Mr. Weiner included a Power of Attorney document with his most recent correspondence, the Firm's Legal Department reviewed this document and the laws of Illinois, and it appears that this document is invalid because it is not notarized. As such, the Firm is again responding directly to you.

With regard to the alleged "cognitive" and "mental" decline of Lawrence Weiner as is reiterated in this newest correspondence, as previously stated, Mr. Jerald Hymen maintains that no such information was ever conveyed to him. Additionally, it is Mr. Hymen's recollection that he was not advised of the Parkinson's and cancer diagnoses until June 2022 and the fall of 2023, respectively. Moreover, Mr. Hymen maintains that in 2021, Lawrence Weiner did not appear to be ill or cognitively impaired, and that if he was ill or cognitively impaired, he was unaware of such. Furthermore, and most importantly, the Firm had no documentation on file evidencing Lawrence's Weiner's alleged "cognitive" or "mental" decline, or any incapacitation. The only documentation of this sort that has ever been provided to the Firm was attached to Mr. Weiner's most recent correspondence and appears to be from a personal trainer and fitness instructor, not a doctor of any kind. Regardless, this document was not in the Firm's possession prior to the fee update, at the time of the fee update, or at any point thereafter.

As to Mr. Weiner's allegation that the Firm, myself in particular, made false statements regarding account G87-XXXX977 in its previous response, there seems to be a disconnect somewhere. However, I will attempt to clarify further. As stated previously, upon account G87-XXXX977's inception, it was charged commissions until October 2021 when the account entered a fee-based account program. Thereafter, it was charged fees as per the signed Enrollment Document. This is entirely accurate. Attached are two reports: one showing the

commissions charged to the account, and one showing the fees charged to the account. As you can clearly see, commissions and fees were never charged at the same time in account G87-XXXX977, which is what was stated previously.

In Mr. Weiner's newest correspondence, he seems to be alleging that account G87-XXXX977 was charged commissions after the January 2021 fee update that applied to the other identified accounts. This would be true. However, the reason why account G87-XXXX977 was charged commissions after January 2021 is because up until October 2021, account G87-XXXX977 was not part of a fee-based account program. An account cannot be charged fees instead of commissions unless it is in a fee-based program, which account G87-XXXX977 was not until October 2021. Thereafter, it was charged fees instead of commissions. In summation, as stated previously and above, and as clearly indicated in the attached reports, account G87-XXXX977 was charged commissions, then fees, and never both at the same time.

Please be advised that the Firm's position remains as previously stated. As a note of record, my supervisor, Mr. Adam Algaze, Managing Director - Director of Regulatory Affairs, has reviewed this as well, and concurs with this decision. The Firm's decision is final.

Sincerely,
Oppenheimer & Co. Inc.

By: _____
Patrick T. Wade
Executive Director

CC: Jerald Hymen
Courtney Mygatt