ATTACHMENT A

DONNA LOHMEYER

March 23, 2021 **VIA EMAIL**

Mark Thompson
Executive Director
Newport Restoration Foundation
51 Touro Street
Newport, RI 02840 (401) 849-7300
mthompson@newportrestoration.org

Mr. Thompson,

I am the niece of Eduardo Tirella, who, as you know, was killed on October 7th, 1966 by Doris Duke, founder of the very non-profit that you lead. As the daughter of Eddie's closest sibling (my mother, Anita Tirella Aughey), I have been shocked at the utter indifference the NRF has shown to the revelations regarding what the Newport Police falsely called "an accident" uncovered by Emmy Award-winning former ABC News correspondent and author Peter Lance. They were first reported in the July/August issue of Vanity Fair and more recently in his 438 page book **HOMICIDE AT ROUGH POINT.**

In the early stages of his investigation in 2018, Mr. Lance reached out to me and I told him that I had been waiting for decades for someone to find justice for Eddie, whom Miss Duke killed twice. As I told Mr. Lance, "She destroyed his body, then eviscerated his memory," during the 1971 wrongful death trial.

That was the civil action she forced my family to file after she steadfastly refused to settle with them for as little as $200,000, at a point when she was earning interest of $1 million a week on her fortune .

Imagine my shock, the following summer of 2019, when I visited Rough Point and saw the attached exhibit sprawled across an entire wall on the second floor rotating-exhibit space.

It contained a series of material misstatements of fact, including 1) the insistence that Eddie and Doris were on their way "to dinner that evening," when Peter Lance documented that they were on their way to pick up the Reliquary of St. Ursula from John Perkins Brown, who became the first Executive Director of the NRF, and 2) that Doris was "unfamiliar with the transmission" in the rented car, when, as Peter documented, she had admitted to driving the vehicle twice earlier.

Worse, at the end of the exhibit, memorialized on that wall was a statement, referring to the 1971 trial in which Doris was found civilly liable -- a statement that the NRF had to know was false, based on Doris's own files at Duke University: "After several days in court, Duke settled the case with the Tirella family."

In point of fact, files which Peter Lance referenced in his sixty (60) pages of annotations in the book, prove that Doris and her lawyers rejected an offer by my family to avoid trial for a settlement of as little as $200,000, and then, during the damage phase of trial, after her attorney denigrated Eddie's reputation, the final judgement that Doris was ordered by the court to pay was only $75,000 plus interest. There was never a settlement.

For the NRF to continue to insist that there was, casts my family in a false light and insults Eduardo Tirella's memory.

Further, to compound those three misstatements of fact, the NRF produced a video that first aired on April 2, 2019. As of yesterday it had 1,592 views ON YOUTUBE. It is narrated by Kristen Costa, Senior Curator at the NRF, who lightheartedly describes the perception, among Newporters, about Eduardo's death as "a local myth." That statement is incredibly offensive to my family and his memory.

I did not visit Rough Point in 2020 but was further shocked to learn that the NRF, which heretofore had rotated exhibits in that space, maintained that same exhibit during the entire 2020 season.

So the cover-up continued.

Now, despite Peter Lance's 8,000-word piece in Vanity Fair, which has remained unchallenged since publication July 16th and his 130,000 word book, published February 23rd, 2021, which the NRF has had ample time to read, you have republished those falsehoods on that wall-sized exhibit for all of your visitors to see during the 2021 season - an exhibit which continues to cast my family in a false light.

The NRF's reckless disregard for the truth has been compounded by the statement you released on February 18th, 2021 in response to a request from R.J. Heim of WJAR-TV who produced a four-part series on Peter Lance's findings which aired from March 8th through 11th, 2021:

"Newport Restoration Foundation is aware of the forthcoming book, "Homicide At Rough Point." The Newport Police Department investigated the incident, which is the subject of the book, at the time it took place and ruled that it was an accident. NRF does not have the capacity nor resources to conduct a separate investigation of the accident but we are confident in the Newport police and the conclusions reached in their official investigation."

As Peter Lance correctly asked in a letter to the editor of Newport This Week: "If a nonprofit, whose very raison d'être is scholarly research and analysis can't verify my findings, then who can?" He points out that "The NRF certainly has the resources." The Foundation's 2018 IRS 990 filed July 25th, 2019, which he links to on his website, demonstrates that in 2018, NRF "paid its top five employees and board members salaries and benefits of $731,315." Further, as that IRS 990 demonstrates, the fair market assets of the NRF are $75,816,493. Finally in **CHAPTER 34** of his book, Peter documents continuing affirmative efforts by the NRF to cover up the truth behind his findings

Consider this a notice that the Newport Restoration Foundation owes me and my family truth and transparency. You need to take affirmative action to mitigate before you cause us additional damages. Taking the word of Chief Joseph A. Radice, whom Peter Lance proves closed the case in a corrupt conspiracy with Doris Duke's attorneys - going so far as to fabricate a 3-page transcript of an interrogation that never took place - is simply an untenable position for the NRF.

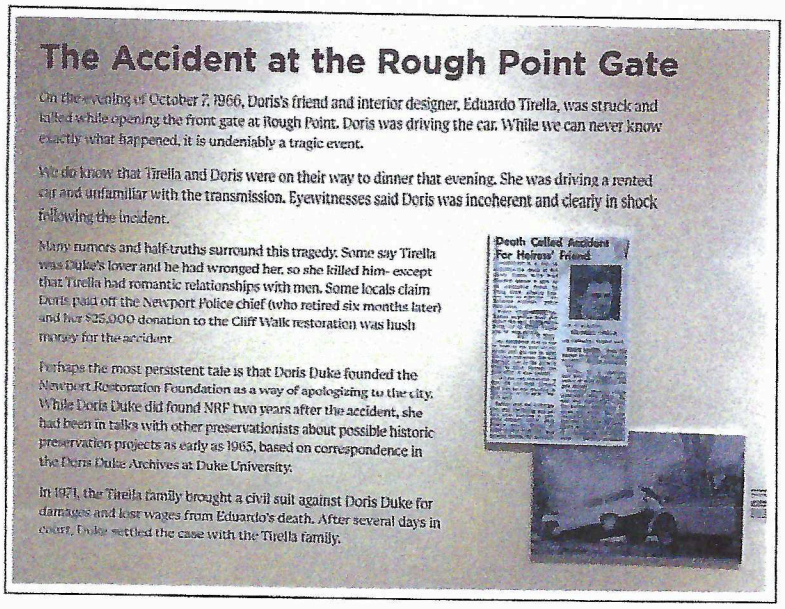
Please get back to me forthwith

Sincerely,

Donna Aughey Lohmeyer

SEE Signed pdf of this letter attached along with one page enclosure attached.

cc: R. J. Heim: rjheim@wjar.com RJHEIM10@cox.net



The Accident at the Rough Point Gate

On the evening of October 7, 1966, Doris's friend and interior designer, Eduardo Tirella, was struck and killed while opening the front gate at Rough Point. Doris was driving the car. While we can never know exactly what happened, it is undeniably a tragic event.

We do know that Tirella and Doris were on their way to dinner that evening. She was driving a rented car and unfamiliar with the transmission. Eyewitnesses said Doris was incoherent and clearly in shock following the incident.

Many rumors and half-truths surround this tragedy. Some say Tirella was Duke's lover and he had wronged her, so she killed him- except that Tirella had romantic relationships with men. Some locals claim Doris paid off the Newport Police chief (who retired six months later) and her $25,000 donation to the Cliff Walk restoration was hush money for the accident.

Perhaps the most persistent tale is that Doris Duke founded the Newport Restoration Foundation as a way of apologizing to the city. While Doris Duke did found NRF two years after the accident, she had been in talks with other preservationists about possible historic preservation projects as early as 1965, based on correspondence in the Doris Duke Archives at Duke University.

In 1971, the Tirella family brought a civil suit against Doris Duke for damages and lost wages from Eduardo's death. After several days in court, Duke settled the case with the Tirella family.

Death Called Accident For Heiress' Friend

The exhibit photographed in April, 2019.

2020: A YEAR OF CARE AND CREATIVITY AT NRF'S MUSEUMS

January 25, 2021

On January 3rd, 2021, the museums of NRF completed their 2020 season, and the museum staff closed Rough Point to the public until our reopening in early spring of 2021. Because I am a tad superstitious, I have held off on writing about the success (and challenges) of the season. However, now that it is well and fully over, and thankfully with no reported cases of COVID-19 from any of our visitors or front-line staff during the season, I can finally take the rabbit's foot out of my pocket, the horseshoe off my doorway, stop asking the Magic 8 Ball for predictions about the future, and share a little bit about how it all turned out.

The Exhibit at the end of the 2020 season as cited in the January 25th, 2021 NRF newsletter.

ATTACHMENT B

The Accident at the Rough Point Gate

On the evening of October 7, 1966, Doris's friend and interior designer, Eduardo Tirella, was struck and killed while opening the front gate at Rough Point. Doris was driving the car. While we can never know exactly what happened, it is undeniably a tragic event.

We do know that Tirella and Doris were on their way to dinner that evening. She was driving a rented car and unfamiliar with the transmission. Eyewitnesses said Doris was incoherent and clearly in shock following the incident.

Many rumors and half-truths surround this tragedy. Some say Tirella was Duke's lover and he had wronged her, so she killed him- except that Tirella had romantic relationships with men. Some locals claim Doris paid off the Newport Police chief (who retired six months later) and her $25,000 donation to the Cliff Walk restoration was hush money for the accident.

Perhaps the most persistent tale is that Doris Duke founded the Newport Restoration Foundation as a way of apologizing to the city. While Doris Duke did found NRF two years after the accident, she had been in talks with other preservationists about possible historic preservation projects as early as 1965, based on correspondence in the Doris Duke Archives at Duke University.

In 1971, the Tirella family brought a civil suit against Doris Duke for damages and lost wages from Eduardo's death. After several days in court, Duke settled the case with the Tirella family.

Death Called Accident For Heiress' Friend

NEWPORT R. I., Oct 10 —(UPI)—The death of Eduardo Tirella, who was knocked against a gate by an automobile driven by Doris Duke, tobacco heiress, was an apparent "unfortunate accident," police said today.

Police Chief [illegible] A. Radice said Miss Duke told police she and Tirella were going out to dinner Friday and he was driving.

HE STOPPED 10 to 15 feet in front of the gate on her estate and got out to open the huge iron gates. She said she slid over to the driver's seat to drive through the gate after it was opened.

"All she can remember is that the car sped forward and that he was standing in the center of the gate," Radice said.

Radice said the investigation was continuing and police were awaiting a complete autopsy report. Miss Duke's lawyer, Wesley N. Pash of New York City, was present during the questioning yesterday, Radice said.

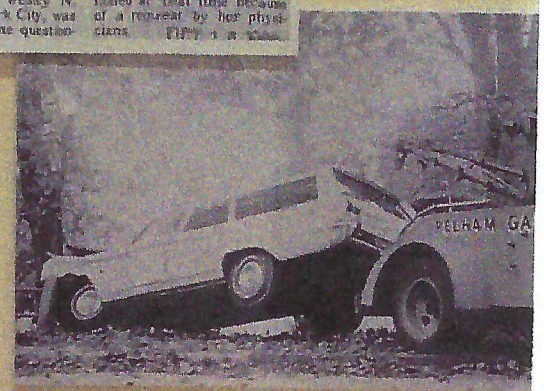
A. P. wirephoto

EDUARDO TIRELLA

WHEN ASKED, "Does this appear to be an unfortunate accident?" Radice answered, "Yes."

Tirella, 42, a designer, had been a constant companion of Miss Duke for the past decade.

Yesterday Newport police questioned Miss Duke, 53, who was hospitalized after the accident with facial injuries and shock. She was released from the hospital on Saturday, but was not questioned at that time because of a request by her physicians. [illegible]



ATTACHMENT C

2020: A YEAR OF CARE AND CREATIVITY AT NRF'S MUSEUMS

January 25, 2021

On January 3rd, 2021, the museums of NRF completed their 2020 season, and the museum staff closed Rough Point to the public until our reopening in early spring of 2021. Because I am a tad superstitious, I have held off on writing about the success (and challenges) of the season. However, now that it is well and fully over, and thankfully with no reported cases of COVID-19 from any of our visitors or front-line staff during the season, I can finally take the rabbit's foot out of my pocket, the horseshoe off my doorway, stop asking the Magic 8 Ball for predictions about the future, and share a little bit about how it all turned out.

ATTACHMENT D

The Reliquary of St. Ursula. Eduardo's last curating job for Doris Duke (Adam Fithers photo)

ATTACHMENT E

The following statement was given in the presence of the following named individuals at Rough Point, Bellevue Avenue, Newport, Rhode Island at 12:30 p.m. on Tuesday, October 11, 1966:

Aram Arabian, Esquire; Wesley Fach, Esquire, attorneys for Miss Doris Duke; and Chief Joseph A. Radice and Captain Paul J. Sullivan of the Newport Police Department.

The interrogation is being done by Captain Sullivan.

Q. Miss Duke, what is your full name, age, date of birth and residence?
A. Doris Duke, fifty-three (53), November 22, 1928/3 Rough Point, Bellevue Avenue, Newport, Rhode Island. DD

Q. What city were you born in Miss Duke?
A. New York City.

Q. Miss Duke, you have been informed that you do not have to make a statement. You have signed a waiver dated October 9, 1966 which has just been observed by your attorney, Mr. Aram Arabian, will you now make a statement?
A. Yes

Q. On October 7, 1966 at about 5:00 p.m. were you in a motor vehicle, Rhode Island registration [redacted] an Avis rental car?
A. Yes, it was an Avis car but I am not sure of the registration.

Q. Where was this?
A. On my property.

Q. Who was with you?
A. Mr. Eduardo Tirella.

Q. Who was the operator of the vehicle?
A. Mr. Tirella.

Q. Can you describe the area in which this car was operated?
A. From the house to the north gate on Bellevue Avenue.

Q. Was Mr. Tirella operating at this time?
A. Yes

Q. Was the vehicle stopped for any reason?
A. Yes

Q. For what reason?
A. To open the north gate.

Q. How far from the gate was the vehicle stopped?
A. About twelve to fifteen feet.

Q. Who opened the gate?
A. Mr. Tirella left the vehicle and went to open the gate.

Q. Was this gate locked?
A. Yes

Q. Where were you sitting in the vehicle?
A. In the front seat, passenger side.

Page Five

Q. Can you describe what happened?
A. When he went to the gate I slid over to the driver's seat and I placed my left foot on the brake and I disengaged the gear with my right hand. The car shot ahead.

Q. Did you shift the gear from parked position?
A. Yes

Q. What gear did you shift into?
A. Drive.

Q. You placed your foot on the brake also?
A. Yes.

Q. The car then moved forward?
A. Yes

Q. Can you estimate the speed the car went forward?
A. No

Q. Is there any possibility, Miss Duke, that your foot could have engaged the accelerator pedal?
A. Not to my knowledge.

Q. Was the hand brake on when the car was left in parked position?
A. No

Q. When the car started forward, did you think to pull the hand brake?
A. No, I had no time to do this.

Q. Is there a possibility that your foot slipped off the brake pedal onto the accelerator pedal?
A. That could have happened, but I have no recollection of it.

Q. Do you have an recollection as to how fast the car was going?
A. It was fast.

Q. Would you say very fast?
A. From an absolutely dead stop, and it was fast.

Q. When Mr. Tirella got out of the car was the car ideling fast?
A. I don't know.

Q. What happened when the car was set in motion?
A. It went ahead through the gate, across Bellevue Avenue to a fence on Bellevue Avenue.

Q. Did you see Mr. Tirella?
A. Yes, I saw him at the gate.

Q. Do you recall what happened after the car went into motion?
A. I got out of the car. I could not see him. I looked around. This was not when the car was in motion but when it had stopped against the railing. I ran to the house. I thought he was in the house. I was in a state of shock. I looked around.

Q. Did you speak to anyone in the house when you came in?
A. No, I didn't open the pantry door. I went back to the street . I saw a woman on the street and she came and was trying to quiet me down. I said not to worry about me. I asked about my friend.

Doris Duke

October 11, 1966

Q. What happened after that?
A. I was taken to the Newport Hospital in a police wagon.

Q. Do you recall who you spoke to on the street?
A. A man and a lady came up to me and the girl was trying to quiet me down.

Q. When you went to the Newport Hospital, did a police officer speak with you?
A. Yes

Q. Do you regall who he was?
A. No.

Q. Did you rent this car yourself?
A. No, one of my employees, Mr. MacFarland, rented the car.

Q. Had there been any difficulty with this car?
A. No, I drove it twice previously. I went to meet Mr. Tirella at the airport and I had driven it on Friday morning.

Q. Was it a practice for you to slide over in the front seat of the car when Mr. Tirella would open the gate?
A. Yes, I had done so that morning.

Q. It was actuall the third time you drove the car. Is that correct?
A. Yes

Q. Would you consider yourself totatally familiar with this car after driving it three times?
A. No

Q. Had you had anything to drinking of an intoxicating nature on that day?
A. No

Q. How long had you known Mr. Tirella?
A. At least six to eight years.

Q. How long had he been here visiting?
A. About three weeks.

Q. Did you have any arguments or misunderstandings with him on that day?
A. No.

Q. Is there anything else you would like to say about this incident, Miss Duke?
A. No, I have told you every thing.

Q. Will you please read the questions and answers contained on these three pages of your statement, and after making any corrections you deem necessary, will you please sign your name on all pages and on all carbon copies of your own free will without any promises of reward or immunity having been offered to you.

WITNESSES:

Ann R. Rodin

Doris Duke

Doris Duke

ATTACHMENT F

Newport Police Department
October 9, 1966
About 12-30 P.M.

In the presence of Attorney Wesley Fach personal Attorney to Miss Doris Duke, Mr. Conley her personal business Manager, Detective George Watts and myself (Inspector Frank Walsh) we spoke to Miss Doris Duke at her residence, Rough Point, Bellevue Avenue this date, this was shortly after receiving a call from her physician Doctor Philip C. McAllister that she would talk to us.

I informed Miss Doris Duke of her rights and asked her after reading the attached form if she would sign same before making any statement.
Miss Doris Duke read same and signed

Q. Where you operating the car involved.
A. Yes

Q. Will you tell me in your own words just what happened.
A. Yes

A. We were going out of the estate Mr. Tirello was the operator we did what we have done a hundred times before, the gate was locked, Mr. Tirello got out of the car to open the gate, it was locked he was at the lock, the car was about fifteen feet from the gate, I was getting ready to drive thru the gate, the car just leaped forward and I was on top of him, He was in the middle of the gates at the lock at the time.

Q. Do you have an operators license
A. Yes, I have a Rhode Island operators license

Q. He had not opened the gates.
A. No