

From: Jordan Goldstein [mailto:Jordan.Goldstein@thestreet.com]
Sent: Saturday, January 07, 2006 2:44 AM
To: David Patch
Subject: Re: STOCKGATE TODAY: Regulation SHO; Results Leave Questions More than Answers (corrected)

The filings are accurate -- perhaps you're confused by the definition of beneficial ownership as used in proxy statements. Also, Form 4s have not always been electronically filed -- that is a relatively recent requirement. I suggest you read the filings carefully -- it is not my job to do your research for you.

I don't know any more ways to tell you that you are wrong. **Cramer has not, directly or indirectly, SOLD any shares of TheStreet.com.** As I indicated previously, he has transferred shares to various trusts, but the indirect beneficial ownership is still his, I believe. He has two young daughters and has done some estate planning. But I am not his personal attorney and I do not have details. They're most likely private anyway.

You seem to have this turned around in your head. If you have evidence that he has sold and not reported it, then go ahead and print it, if you're sure it's right. But if it's not true, you'll be in more hot water.

As for the rest of your email, again you have it backward. You are the one who attacked the character and integrity of Cramer and our other employees. Your attack was distributed far and wide over Factiva. My response was in a private letter to you and your publisher, Investrend. It contained a strong defense of those you have attacked. I did not choose to publish it to the world; you have your publisher to thank for that. In my experience, these things are dealt with in a very different way, with a private exchange of correspondence, often hostile (these disputes are rarely nice), some phone calls, and then a correction of the offending matter, if warranted. Never have I seen things forwarded to other parties and posted on message boards, etc. If you don't like the tone of this dispute, you have only yourself and your so-called allies to thank.

I sincerely hope you learn something from all this.

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