

IN THE SUPERIOR COURT OF FULTON COUNTY  
STATE OF GEORGIA

STATE OF GEORGIA

v.

DONALD JOHN TRUMP,  
RUDOLPH WILLIAM LOUIS GIULIANI,  
JOHN CHARLES EASTMAN,  
MARK RANDALL MEADOWS,  
KENNETH JOHN CHESEBRO,  
JEFFREY BOSSERT CLARK,  
JENNA LYNN ELLIS,  
RAY STALLINGS SMITH III,  
ROBERT DAVID CHEELEY,  
MICHAEL A. ROMAN,  
DAVID JAMES SHAFER,  
SHAWN MICAH TRESHER STILL,  
STEPHEN CLIFFGARD LEE,  
HARRISON WILLIAM PRESCOTT FLOYD,  
TREVIAN C. KUTTI,  
SIDNEY KATHERINE POWELL,  
CATHLEEN ALSTON LATHAM,  
SCOTT GRAHAM HALL,  
MISTY HAMPTON a/k/a EMILY MISTY HAYES  
Defendants.

CASE NO.

23SC188947

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**STATE'S NOTICES AND RESERVATION OF RIGHTS**  
**PERTAINING TO DISCOVERY**

**COMES NOW**, the State of Georgia, by and through Fulton County District Attorney Fani T. Willis, and files the below State's Notices and Reservation of Rights Pertaining to Discovery in this matter and states as follows:

1. **Notice of Open File Policy:** The State's case file in this case remains open for inspection of all non-privileged and/or non-work product case materials which can be inspected by counsel for the Defense, at the Office of the District Attorney, by appointment and at a date and time agreeable with and confirmed by the undersigned assistant district attorney.

2. **Incorporation of Discovery Responses:** The State hereby incorporates by reference any and all of its previous discovery responses from this and all of its related and/or predecessor cases against this Defendant as if fully and completely attached to its discovery response(s) in this case and hereby provides notice that any and all of the State's discovery responses in this case should be considered cumulative and incorporated by reference into any and all future State's discovery responses in this case.
3. **Incorporation of Witnesses:** The State hereby provides notice to the Defense that any and all individuals named in and/or referred to in its discovery responses may be called as witnesses at the trial of this case, regardless of whether same are specifically set forth on the State's witness list(s).
4. **Incorporation of Witness Information:** The State incorporates by reference any and all information concerning any and all witnesses named and/or referenced in its discovery responses in this case into its witness list(s), regardless of whether such information is specifically set forth therein.
5. **Notice of Impeachment Material:** The State hereby provides notice to the Defense that any and all pertinent information contained in the State's discovery responses may be used for impeachment purposes pursuant to O.C.G.A. §§ 24-4-401; 24-4-402; 24-6-607; 24-6-608; 24-6-609; 24-6-613; 24-6-620; 24-6-621; 24-6-622; and 24-6-623, regardless of whether the State provides separate notice of its intention to utilize such information for these purposes.
6. **State's Admonition, Reservation, and Non-Waiver of Rights Regarding State Discovery Responses:** By providing its discovery responses to the Defense in this case, the State is complying in good faith with its discovery obligations under Georgia and

federal law and, in fact, exceeding those responsibilities by providing copies of materials to the Defense, as a professional courtesy and in the interest of judicial economy. In addition, the State may be complying with an order on discovery of the Court in this case. Doing so in no way: (1) obligates the State to produce more or additional information than it is legally required; (2) changes in any way the legal discovery obligations on the State and Defense under Georgia and Federal law; (3) alters the application of Georgia and federal law pertaining to discovery to this case; (4) waives any right, objection, or exception that the State may legally possess in connection with discovery or any other matter in connection with this case, any and all of such rights, exceptions, and objections being hereby specially reserved; or (5) absolves counsel for the Defense of its responsibilities to verify the completeness and/or accuracy of any and all of the State's discovery responses via personal inspection of the State's case file by counsel for the Defense.

**WHEREFORE**, the State respectfully prays that the Court:

1. Take judicial notice of the matters set forth herein;
2. Conduct a pre-trial hearing on the matters set forth herein to determine whether the Defense takes any issue thereto; and
3. Enter an order for such other relief that it deems just and proper.

Respectfully submitted this 27th day of September 2023,

**FANI T. WILLIS**  
District Attorney  
Atlanta Judicial Circuit

/s/ F. McDonald Wakeford  
**F. McDonald Wakeford**  
**Georgia Bar No. 414898**  
Chief Senior Assistant District Attorney

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/s/ John W. "Will" Wooten

**John W. "Will" Wooten**

**Georgia Bar No. 410684**

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/s/ Alex Bernick

**Alex Bernick**

**Georgia Bar No. 730243**

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**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a copy of this STATE'S NOTICES AND RESERVATION OF RIGHTS PERTAINING TO DISCOVERY upon all counsel who have entered appearances as counsel of record in this matter via the Fulton County e-filing system.

This 27th day of September 2023,

**FANI T. WILLIS**  
District Attorney  
Atlanta Judicial Circuit

/s/ F. McDonald Wakeford  
**F. McDonald Wakeford**  
Georgia Bar No. 414898

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/s/ Alex Bernick

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