

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION: FIRST DEPARTMENT

-----)
DONALD J. TRUMP, DONALD TRUMP, JR.,)
ERIC TRUMP, ALLEN WEISSELBERG,)
JEFFREY MCCONNEY, THE DONALD J.)
TRUMP REVOCABLE TRUST, THE TRUMP)
ORGANIZATION, INC., TRUMP)
ORGANIZATION LLC, DJT HOLDINGS LLC,)
DJT HOLDINGS MANAGING MEMBER,)
TRUMP ENDEAVOR 12 LLC, 401 NORTH)
WABASH VENTURE LLC, TRUMP OLD)
POST OFFICE LLC, 40 WALL STREET LLC,)
and SEVEN SPRINGS LLC,)

Case No. 2023-04580

AMENDED NOTICE OF PETITION

Petitioners,)

vs.)

HON. ARTHUR F. ENGORON, PEOPLE OF)
THE STATE OF NEW YORK, by LETITIA)
JAMES, ATTORNEY GENERAL OF THE)
STATE OF NEW YORK,)

-----)
Respondents:)
-----)

PLEASE TAKE NOTICE that upon the annexed verified petition of Donald J. Trump, Donald Trump, Jr., Eric Trump, Allen Weisselberg, Jeffrey McConney, The Donald J. Trump Revocable Trust, The Trump Organization, Inc., The Trump Organization, LLC, DJT Holdings LLC, DJT Holdings Managing Member, Trump Endeavor 12 LLC, 401 North Wabash Venture LLC, Trump Old Post Office LLC, 40 Wall Street LLC, and Seven Springs LLC, duly verified on the 13th of September 2023, and the exhibits annexed thereto, the undersigned will move this Court before a Justice at the Courthouse located at 27 Madison Avenue, New York, New York 10010 at 9:30 am on Tuesday, October 10, 2023, or as soon thereafter as counsel may be heard, for a Judgment granting the relief in the annexed Verified Petition as follows:

- (a) On the first cause of action, directing that Justice Engoron comply with this Court's June 27, 2023, decision and order and render a determination as to the scope of the claims to be tried in the underlying action pursuant to CPLR § 7803(1); and
- (b) On the second cause of action, finding that Justice Engoron's decision to proceed to trial in the action captioned People v. Trump, et al., Index No. 452564/2022 without complying with this Court's June 27, 2023, decision and order is in excess of Supreme Court's jurisdiction under CPLR § 7803(2); and
- (c) Granting such further and additional relief as the court deems just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to C.P.L.R. §§ 7804(c) and (e), you must serve a verified answer and any supporting affidavits at least five days before the return date.

Dated: New York, New York
September 14, 2023

Respectfully submitted,


MICHAEL MADAIO
HABBA MADAIO & ASSOCIATES, LLP
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New York, New York 10120
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Counsel for Donald J. Trump, Allen Weisselberg, Jeffrey McConney, The Donald J. Trump Revocable Trust, The Trump Organization, Inc., Trump Organization LLC, DJT Holdings LLC, DJT Holdings Managing Member LLC, Trump Endeavor 12 LLC, 401 North Wabash Venture LLC, Trump Old Post Office LLC, 40 Wall Street LLC and Seven Springs LLC

Dated: Uniondale, New York
September 14, 2023

Respectfully submitted,


CLIFFORD S. ROBERT
MICHAEL FARINA
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Uniondale, New York 11556
Phone: (516) 832-7000
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Counsel for Donald Trump, Jr., Eric Trump, The Donald J. Trump Revocable Trust, DJT Holdings LLC, DJT Holdings Managing Member LLC, Trump Endeavor 12 LLC, 401 North Wabash Venture LLC, Trump Old Post Office LLC, 40 Wall Street LLC and Seven Springs LLC

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS

Willie Addison, Being duly sworn, deposes and says that deponent is not party to the action, and is over 18 years of age.

That on 9/14/2023 deponent caused to be served 1 copy(s) of the within

Amended Notice of Petition

upon the attorneys at the address below, and by the following method:

By Hand

Kevin Wallace, Esq.
Colleen Faherty, Esq.
People of the State of New York
by Letitia James
Attorney General of the State
of New York
28 Liberty Street
New York, New York 10005
212-416-6376
Kevin.Wallace@ag.ny.gov
Colleen.Faherty@ag.ny.gov

By Hand

The Honorable Arthur F. Engoron
New York Supreme Court
111 Centre Street
New York, New York 10013
646-386-3600



Sworn to me this

Thursday, September 14, 2023

KEVIN AYALA
Notary Public, State of New York
No. 01AY6207038
Qualified in New York County
Commission Expires 7/13/2025



Case Name: Trump v. Hon. Arthur F. Engoron

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