

SUPREME COURT OF THE STATE OF NEW YORK, COUNTY OF NEW YORK
INDIVIDUAL ASSIGNMENT PART [OR JUSTICE]

Hon. Arthur F. Engoron

People of the State of New York,

IAS Part: 37

Plaintiff(s),

Index No.: 452564/2022

- against -

DCM Track:

Donald J. Trump, et al.

Appearance no:

Defendant(s).

PRELIMINARY CONFERENCE
ORDER

(202.8, 202.12 and 202.19 of the Uniform Rules)

APPEARANCES

Plaintiff(s): Kevin Wallace and Colleen Faherty, New York State Office of the Attorney General

Defendant(s): Alina Habba and Michael Madaio, Habba & Madaio & Associates LLP; Chris Kise, Continental PLLC; Clifford S. Robert and Michael Farina; Reid M. Figel, Kellogg Hansen Todd Figel & Frederick PLLC

It is hereby ORDERED that disclosure shall proceed as follows:

within 30 days
of the date of
this order

(1) Insurance Coverage: If not already provided, shall be furnished by Defendants (if applicable) on or before this order.

(2) Bill of Particulars:

- (a) Demand for a bill of particulars shall be served by N/A on or before.
- (b) Bill of particulars shall be served by N/A on or before.
- (c) A supplemental bill of particulars shall be served by N/A as to Items on or before.

(3) Medical Reports and Authorizations:

Shall be served as follows: N/A

(4) Physical Examination:

- (a) Examination of N/A shall be held.
- (b) A copy of the physician's report shall be furnished to plaintiff within N/A days of the examination.

(5) Depositions: Depositions of Plaintiff(s) Defendant(s) All Parties shall be held

See below; the end date for fact discovery shall be September 29, 2023.

(6) Other Disclosure:

- (a) All parties, on or before, shall exchange names and addresses of all eye witnesses and notice witnesses, statements of opposing parties, and photographs, or, if none, provide an affirmation to that effect.
- (b) Authorization for plaintiff's(s') employment records for the period N/A shall be furnished on or before. all parties within 60 days of Plaintiff having produced
- (c) Demand for discovery and inspection shall be served by all witness transcripts and third-party documents on or before. The items sought shall be produced to the extent not objected to, and objections, if any, shall be stated on or before within 45 days of demands having been served.
- (d) Other [interrogatories, etc.] First Interrogatories shall be served by all parties within 60 days of Plaintiff having produced all witness transcripts and third-party documents. Responses shall be served within 45 days of interrogatories having been served.

(7) **End Date for All Disclosure:**

The end date for fact discovery shall be September 29, 2023.

(8) **Impleader:** Shall be completed on or before _____

(9) **Compliance Conference:** Shall be held on _____

(10) **Motions:** Any dispositive motion(s) shall be made on or before _____

(11) **Note of Issue:** Plaintiff shall file a note of issue/certificate of readiness on or before December 8, 2023. A copy of this order, an affirmation stating that the terms of the order have been complied with, and affidavit of service of the affirmation and note of issue shall be served and filed with the note of issue on or before said date.

FAILURE TO COMPLY WITH ANY OF THESE DIRECTIVES MAY RESULT IN THE IMPOSITION OF COSTS OR SANCTIONS OR OTHER ACTION AUTHORIZED BY LAW. DATES SET FORTH HEREIN MAY NOT BE ADJOURNED EXCEPT WITH ADVANCE APPROVAL OF THE COURT.

SO ORDERED:

Dated: _____

_____, *J.S.C.*
Hon. Arthur F. Engoron

ADDITIONAL DIRECTIVES

In addition to the directives set forth above, it is further ORDERED as follows:

- Plaintiff shall produce to Defendants all witness transcripts and third-party documents from its investigation within seven (7) days of the date of this order.
- The end date for the parties to conduct trial depositions shall be December 5, 2023.
- The expert discovery schedule shall be as follows: (1) the parties shall identify any experts on or before September 27, 2023; (2) the parties shall exchange affirmative expert reports on or before October 17, 2023; (3) the parties shall identify rebuttal experts on or before November 1, 2023; (4) the parties shall exchange rebuttal expert reports on or before November 8, 2023; (5) depositions of experts shall be completed by December 5, 2023, at which point expert discovery shall close.
- The summary judgment motion briefing schedule shall be as follows: (1) opening briefs on or before December 24, 2023; (2) responsive briefs shall be filed on or before January 24, 2024; (3) reply brief shall be filed on or before February 7, 2024.
- Final Witness and exhibit lists, pre-trial motions, proposed facts to be proven at trial, and deposition designations shall be due on or before March 1, 2024.

SO ORDERED:

Dated: _____

_____, *J.S.C.*
Hon. Arthur F. Engoron

