

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

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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

**NOTICE PURSUANT
TO CPLR § 7804(i)**

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.

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PLEASE TAKE NOTICE that pursuant to Civil Practice Law and Rules (“CPLR”) § 7804(i), Respondent, the Honorable Arthur F. Engoron, Justice of the Supreme Court, New York County, elects not to appear in the above-captioned proceeding, and respectfully refers the Court to the following Orders, dated August 1 and August 17, 2023 (NYSCEF Doc. Nos. 646, 739, respectively), issued by Justice Engoron in the underlying action *People v. Trump, et al.*, Index 452564/2023, which are annexed hereto, setting the dates for the parties therein to submit dispositive motions concerning, *inter alia*, the question of which claims are barred by statute of limitations as directed by the Court in its June 27, 2023 Decision and Order, attached to the Verified Petition as Exhibit “C” (“We leave Supreme Court to determine, if necessary, the full

range of defendants bound by the tolling agreement.”)

Dated: New York, New York
September 20, 2023

Respectfully submitted,

Hon. ARTHUR F. ENGORON
Respondent



By: _____
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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

PEOPLE OF THE STATE OF NEW
YORK, by LETITIA JAMES,
Attorney General of the State of New
York,

Plaintiff,

-against-

DONALD J. TRUMP, *et al.*,

Defendants.

Index No. 452564/2022

ORDER

WHEREAS, on December 8, 2022, the Court entered a Revised Confidentiality Order in this action (NYSCEF No. 244) (the “Confidentiality Order”) which: (i) permits any party or non-party to designate as Confidential Information any document, information, or deposition testimony produced or given by them in this action, and (ii) sets forth a procedure for handling Confidential Information in court filings;

WHEREAS, on November 22, 2022, the Court entered a Preliminary Conference Order in this action (NYSCEF No. 228) (the “PCO”) which, as amended by Order entered on June 9, 2023 (NYSCEF No. 636), provides that any dispositive motions shall be filed on or before August 4, 2023, any opposition papers shall be filed on or before September 1, 2023, and any reply papers shall be filed on or before September 15, 2023;

WHEREAS, the parties anticipate filing dispositive motions and including as part of their motion papers Confidential Information; and

WHEREAS, the parties have requested that the Court modify the procedure set forth in the PCO and Confidentiality Order for filing dispositive motions that contain Confidential Information to allow for time between the service and filing of motions paper so the parties can more efficiently

address Confidential Information included as part of any court filing;

It is hereby ORDERED that the PCO and Confidentiality Order are modified as follows:

1. For any dispositive motion, the parties shall serve (but not file) their papers on all counsel of record via electronic mail, with a courtesy copy delivered to Chambers via electronic mail, as follows: (i) initial moving papers in support of any dispositive motion shall be served on or before August 4, 2023; (ii) opposition papers shall be served on or before September 1, 2023; and (iii) reply papers shall be served on or before September 15, 2023.
2. To the extent the motion papers served by a party pursuant to Paragraph 1 above contain Confidential Information, the serving party shall promptly notify each party and non-party that produced any Confidential Information reproduced, paraphrased, or attached to the papers (the "Producing Party") by electronic mail that it has served (but not filed) motion papers containing material designated by them as Confidential Information under the Confidentiality Order, and shall provide as part of such notice a list of such Confidential Information, identifying documents by their production Bates numbers and transcripts by the name of the witness and the date such testimony was given, along with a copy of this Order. If the Producing Party fails to move to seal within five (5) days after receiving such notice, the Producing Party shall be deemed to have withdrawn its designation of the material as Confidential Information.
3. The parties shall file their papers on the NYSCEF system within fourteen (14) days of service as set forth in Paragraph 1 above in redacted form to the extent necessary to protect any Confidential Information that is the subject of a pending motion to seal and shall take steps to replace any redacted filing with an appropriate unredacted version promptly after the Court decides all pending motions to seal related to the filing.
4. All other dates in the PCO (as amended pursuant to prior Court orders) remain unchanged.

Dated: New York, New York
August 1, 2023



Hon. Arthur Engoron, J.S.C.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORKPEOPLE OF THE STATE OF NEW
YORK, by LETITIA JAMES,
Attorney General of the State of New
York,

Plaintiff,

-against-

DONALD J. TRUMP, *et al.*,

Defendants.

Index No. 452564/2022

ORDER

WHEREAS, on August 1, 2023, the Court entered an Order modifying the procedure set forth in the Preliminary Conference Order (NYSCEF No. 228) (the “PCO”), as amended by subsequent Orders (NYSCEF Nos. 636 and 649), and Revised Confidentiality Order (NYSCEF No. 244) for filing dispositive motions in this action (NYSCEF No. 646, the “Aug. 1 Order”) which directed the Plaintiff and Defendants (the “Parties”) to follow certain procedures before the public filing of dispositive motion papers, in order to permit third parties an opportunity to raise with the Court any concerns regarding the public use of Confidential Information therein;

WHEREAS, pursuant to the Aug. 1 Order, a number of third parties have filed applications by Order to Show Cause with the Court seeking the sealing or redaction of certain information contained in, referenced by, or attached to the Parties’ dispositive motion papers served on August 4, 2023 (see NYSCEF Nos. 651, 655, 696, 698, 701, 730, the “Sealing Motions”);

WHEREAS on August 16, the Court scheduled hearings on the Sealing Motions for August 25, 2023 on submission only (NYSCEF Nos. 725, 726, 727, 728, 729, 737); and

WHEREAS Plaintiff and Defendants have conferred and jointly request that the date for filing their previously served dispositive motion papers on the NYSCEF system, as directed in the Aug. 1 Order, be adjourned until after the Court decides the Sealing Motions in order to avoid the need to file provisionally redacted papers;

It is hereby ORDERED that:

1. Paragraph 3 of the Aug. 1 Order is amended to adjourn the date that the parties must file their previously served dispositive motion papers on the NYSCEF system to two business days after the Court resolves all of the Sealing Motions.
2. All other dates in the Court's scheduling orders (including the PCO, as amended pursuant to prior Court orders) remain unchanged.

Dated: New York, New York
August 17, 2023

AUG 17 2023

A handwritten signature in black ink, consisting of a stylized 'A' with a horizontal line through it, enclosed within an oval shape.

Hon. Arthur Engoron, J.S.C.

HON. ARTHUR F. ENGORON J.S.C.