



**HABBA MADAIO**  
& Associates LLP

Alina Habba, Esq.  
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Admitted to practice in NJ, NY, CT

October 26, 2023

**VIA FEDERAL EXPRESS**

Michael J. Knight, Esq.  
Executive Director  
The Lawyers' Fund for Client Protection  
119 Washington Avenue  
Albany, New York 12210

Re: *People v. Trump*, et al.,  
Index No. 452564/2022 (Sup. Ct. N.Y. County)

Dear Mr. Knight:

This firm represents defendant Donald J. Trump with respect to the above-referenced matter.

Pursuant to a Decision and Order of the Hon. Arthur F. Engoron, J.S.C., dated October 20, 2023, and October 26, 2023, a copy of which is attached, the Court imposed a fine against our client in the amount of \$5,000 and \$10,000 payable to the New York Lawyers' Fund for Client Protection. Without waiving any rights or remedies, including, without limitation, any rights to appeal said orders, on behalf of our client, we enclose herewith a check from our attorney trust account in the amount \$15,000 in accordance with the Court's orders.

Respectfully submitted,

Alina Habba, Esq.  
Habba Madaio & Associates LLP

Att. & Encl.

0073



**Habba Madaio & Associates LLP**  
Trust Account  
1430 US Highway 206, Suite 240  
Bedminster, New Jersey 07921  
908.869.1188

**CHASE**  
JPMorgan Chase Bank, N.A.  
www.Chase.com  
55-233/212

10/26/2023

PAY TO THE  
ORDER OF

New York Lawyers' Fund for Client Protection  
Fifteen thousand dollars <sup>00</sup>/<sub>100</sub>

\$15,000.<sup>00</sup>

DOLLARS

MEMO 10/10/2023 & 10/25/2023 Contempt Fines

*[Handwritten Signature]*  
AUTHORIZED SIGNATURE

⑈000073⑈



Security features. Details on back.

**SUPREME COURT OF THE STATE OF NEW YORK  
NEW YORK COUNTY**

**PRESENT: HON. ARTHUR F. ENGORON** **PART 37**  
*Justice*  
-----X

PEOPLE OF THE STATE OF NEW YORK, BY LETITIA  
JAMES, ATTORNEY GENERAL OF THE STATE OF NEW  
YORK,

INDEX NO. 452564/2022

Plaintiff,

- v -

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, SEVEN SPRINGS LLC,

Defendants.  
-----X

On October 3, during a break in this trial, defendant Donald Trump posted to his social media account an untrue, disparaging, and personally identifying post about my Principal Law Clerk. I spoke to defendants, both on and off the record. Off the record, I ordered Donald Trump to remove the post immediately. Approximately 10 minutes later, Donald Trump represented to me that he had taken down the offending post, and that he would not engage in similar behavior going forward. I then, on the record, imposed on all parties to this action a very limited gag order, "forbidding all parties from posting, emailing, or speaking publicly about any members of my staff," emphasizing, quite clearly, that "personal attacks on members of my court staff are unacceptable, inappropriate, and I will not tolerate them under any circumstances." I further made clear that "failure to abide by this directive will result in serious sanctions."

Despite this clear order, last night I learned that the subject offending post was never removed from the website "DonaldJTrump.com," and, in fact, had been on that website for the past 17 days. I understand it was removed late last night, but only in response to an email from this Court.

Today, in open Court, counsel for Donald Trump stated that the violation of the gag order was inadvertent and was an "unfortunate part of the process that is built into the campaign structure." Giving defendant the benefit of the doubt, he still violated the gag order. Connors v Pallozzi, 241 AD2d 719, 719 (3d Dept 1997) ("[c]ontrary to defendants' claim on appeal, a finding of civil contempt does not require a showing that such disobedience was willful").

**OTHER ORDER – NON-MOTION**

Further, whether intentional or the result of mere “campaign structure” negligence, the effect of the post on its subject is unmitigated by how or why it remained on Donald Trump’s website for 17 days. Moreover, a defendant may not evade liability for violating a court order by asserting that the violation was a result of the actions of one or more of the defendant’s employees or agents.

In the current overheated climate, incendiary untruths can, and in some cases already have, led to serious physical harm, and worse.

Donald Trump has received ample warning from this Court as to the possible repercussions of violating the gag order. He specifically acknowledged that he understood and would abide by it. Accordingly, issuing yet another warning is no longer appropriate; this Court is way beyond the “warning” stage.

Given defendant’s position that the violation was inadvertent, and given that it is a first time violation, this Court will impose a nominal fine, \$5,000, payable to the New York Lawyers’ Fund for Client Protection, within ten (10) days of the date of this order.

Make no mistake: future violations, whether intentional or unintentional, will subject the violator to far more severe sanctions, which may include, but are not limited to, steeper financial penalties, holding Donald Trump in contempt of court, and possibly imprisoning him pursuant to New York Judiciary Law § 753.



ARTHUR F. ENGORON, JSC

DATE: 10/20/2023

Check One:

Case Disposed

Non-Final Disposition

Check if Appropriate:

Other (Specify \_\_\_\_\_ )

**SUPREME COURT OF THE STATE OF NEW YORK  
NEW YORK COUNTY**

PRESENT: HON. ARTHUR F. ENGORON PART 37  
*Justice*  
\_\_\_\_\_X

PEOPLE OF THE STATE OF NEW YORK, BY LETITIA  
JAMES, ATTORNEY GENERAL OF THE STATE OF NEW  
YORK,

INDEX NO. 452564/2022

Plaintiff,

- v -

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  
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TRUMP ENDEAVOR 12 LLC, 401 NORTH WABASH  
VENTURE LLC, TRUMP OLD POST OFFICE LLC, 40 WALL  
STREET LLC, SEVEN SPRINGS LLC,

Defendants.

\_\_\_\_\_X

On October 3, on the record, I imposed on all parties to this action a very limited gag order, “forbidding all parties from posting, emailing, or speaking publicly about any members of my staff,” emphasizing, quite clearly, that “personal attacks on members of my court staff are unacceptable, inappropriate, and I will not tolerate them under any circumstances” (emphasis added). I further made clear that “failure to abide by this directive will result in serious sanctions.”

Despite this unambiguous order, last week I learned that Donald Trump had failed to abide by it by not removing, for a total of 17 days, from the website of donaldjtrump.com an untrue, disparaging and personally identifying post about my Principal Law Clerk. Counsel for defendant stated in open court that the violation of the gag order was inadvertent. Taking counsel at his word, I imposed a \$5,000 nominal sanction against Donald Trump for the first-time violation of the gag order.

On October 25, during a break order from the trial, Donald Trump made the following statement to a gaggle of reporters outside the courtroom: “This judge is a very partisan judge with a person who’s very partisan sitting alongside him, perhaps even more partisan than he is.” Quite clearly, defendant was referring, once again, to my Principal Law Clerk, who sits alongside me on the bench.

Defendant’s attorneys offered the explanation that Donald Trump was referring to Michael Cohen, who had been sitting on the witness stand. I then conducted a brief hearing, during

**OTHER ORDER – NON-MOTION**

which Donald Trump testified, under oath that he was referring to Michael Cohen. However, as the trier of fact, I find this testimony rings hollow and untrue. The Oxford English Dictionary defines “alongside” as “close to the side of; next to.” Witnesses do not sit “alongside” the judge, they sit in the witness box, separated from the judge by a low wooden barrier. Further, Donald Trump’s past public statements demonstrate him referring to Michael Cohen directly by his name, or by a derogatory name, but in all circumstances, he is unambiguous in making it known he is referring to Michael Cohen.

Moreover, the language Donald Trump used on October 25 mirrors the language he used in public statements to the press on October 2, wherein he inappropriately and unquestionably spoke about my Principal Law Clerk, stating: “this rogue judge is a trump hater, the only one that hates trump more is his associate up there, this person that works with him, and she’s screaming into his ear.”

Using imprecise language as an excuse to create plausible ambiguity about whether defendant violated this Court’s unequivocal gag order is not a defense; the subject of Donald Trump’s public statement to the press was unmistakably clear. As the trier of fact, I find that Donald Trump was referring to my Principal Law Clerk, and that, as such, he has intentionally violated the gag order.

This is the second violation of this Court’s gag order in the less than one month since this trial commenced. Accordingly, this Court imposed a fine of \$10,000 on defendant Donald Trump, to be paid to the New York Lawyers’ Fund for Client Protection, within thirty (30) days of October 25, 2023.

Further, Donald Trump is ordered to post proof of payment, of this fine and the one imposed on October 10, 2023, to NYSCEF within two days of making such payments.



ARTHUR F. ENGORON, JSC

DATE: 10/26/2023

Check One:

Case Disposed

Non-Final Disposition

Check if Appropriate:

Other (Specify \_\_\_\_\_ )

# Transaction Record



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773879910885

SHIP DATE:

Oct 26, 2023

ESTIMATED SHIPPING CHARGES:

22.62 USD

## From address

Alina Habba  
Habba Madaio & Associates LLP  
1430 U.S. Highway 206  
Suite 240  
07921 NJ Bedminster  
US  
Phone: 9088691188  
ringram@habbalaw.com

## To address

Michael J. Knight, Exec. Director  
Lawyers Fund for Client Protection  
119 Washington Avenue  
12210 NY ALBANY  
US  
Phone: 9088691188

## Package information

Pieces	Weight	Dimensions (LxWxH)	Declared value	Package options
1 x	1.00 lb			n/a
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