

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, DONALD TRUMP,  
JR., ERIC TRUMP, IVANKA 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,

Defendants.

Index No. 452564/2022

**PRELIMINARY CONFERENCE  
ORDER**

**Plaintiff:** People of the State of New York, by Letitia James, Attorney General of the State of New York (“OAG”) - Kevin Wallace, Andrew Amer, Colleen Faherty, Eric Haren

**Defendants:** Donald J. Trump, Alen 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 (collectively the entity Defendants the “Trump Organization”) – Alina Habba, Michael Madaio (Habba Madaio & Associates LLP), Christopher Kise (Continental PLLC)

Donald Trump, Jr. and Eric Trump – Clifford Robert (Robert & Robert PLLC)

Ivanka Trump – Reid Figel (Kellogg, Hansen, Todd, Figel & Frederick, PLLC)

It is hereby ORDERED that disclosure shall proceed as follows:

**(1) Document Production:**

- (a) Demands for discovery and inspection shall be served by all parties on or before November 29, 2022.
- (b) Responses to demands shall be served by all parties on or before December 27, 2022.
- (c) Plaintiff shall produce all transcripts of testimony from Defendants and Trump Organization employees before November 29, 2022.
- (d) Plaintiff shall produce documents and transcripts of testimony from third parties promptly after notice is provided and after execution of a confidentiality order. In the event a third party objects, OAG will promptly notify the Trump Organization, and to the extent the objection cannot be resolved by the parties, both parties agree that the objection will be promptly raised with the Court.

**(2) Interrogatories:**

- (a) Plaintiff, and Defendants collectively, each shall be limited to 25 interrogatories.
- (b) Plaintiff, and Defendants collectively, each shall be limited to 25 contention interrogatories.
- (c) Interrogatories shall be served by all parties on or before November 29, 2022.
- (d) Answers to interrogatories shall be served by all parties on or before December 27, 2022.
- (e) Contention interrogatories shall be served by all parties on or before February 17, 2023.
- (f) Responses to contention interrogatories shall be served by all parties on or before March 20, 2023.

**(3) Depositions on Oral Questions:**

- (a) Plaintiff, and Defendants collectively, each shall be limited to 10 discovery depositions. Any party may apply to the Court for leave to conduct additional discovery depositions beyond the 10 provided for.
- (b) The parties may conduct additional trial depositions for non-party witnesses who are unavailable for trial, as provided for in CPLR 3117, upon application to the Court.
- (c) Discovery depositions for all parties and non-parties shall be held by March 20, 2023.
- (d) Trial depositions for all non-party witnesses who are unavailable for trial as provided for in CPLR 3117 shall be held by June 5, 2023.

**(4) Other Disclosure:**

- (a) Notices to admit pursuant to CPLR 3123 shall be served on or before February 17, 2023, with responses served on or before March 20, 2023.
- (b) Fact discovery shall close on March 20, 2023.
- (c) All parties shall identify the expert witnesses they will call at trial on or before March 27, 2023.
- (d) All parties shall produce their expert witness reports on or before April 3, 2023.
- (e) All parties shall identify any rebuttal experts on or before May 1, 2023.
- (f) All parties shall produce their rebuttal expert reports on or before May 8, 2023.
- (g) Depositions of expert witnesses (which may be taken at any point after the opening report is served) shall be completed on or before June 5, 2023. Parties are presumptively limited to one deposition of each expert identified by another party.
- (h) Expert discovery shall close on June 5, 2023.

**(5) End Date for All Disclosure: June 5, 2023.**

**(6) Note of Issue:** Plaintiff shall file a Note of Issue and Certificate of Readiness on or before June 9, 2023.

**(7) Dispositive Motions:** Any dispositive motions shall be made on or before June 12, 2023. Any opposition brief shall be filed on or before July 10, 2023. Any reply brief shall be filed on or before September 6, 2023.

**(8) Additional Directives:**

- (a) Final witness lists, final exhibit lists, deposition designations, proposed facts to be proven at trial and pre-trial motions shall be filed on or before September 1, 2023.
- (b) Any motions in limine shall be filed on or before September 11, 2023.
- (c) All parties shall prepare and exchange sworn statements containing the direct testimony of each witness they intend to call, other than hostile witnesses or witnesses outside of their control. These witness statements shall be submitted and exchanged on or before September 11, 2023 and shall be used at trial in accordance with the following procedure:
  - i. **Form of Statement:** For each witness whose direct testimony will be presented in statement form, prepare a statement setting forth in declaratory form all of the facts to which that witness will testify. The facts should be stated in narrative, rather than question and answer, form. The statement must contain all of the relevant facts to which the witness would testify, including

facts necessary to establish the foundation for the testimony. The statement need not be sworn or notarized. Documents to be offered as exhibits shall not be attached to witness statements but shall be pre-marked and exchanged along with other proposed exhibits in the usual fashion.

- ii. **Use of Statements:** At the trial, each witness whose direct testimony previously has been submitted in statement form will take the stand and under oath shall adopt the statement as true and correct. The party offering that witness will then offer the statement as an exhibit, subject to appropriate objections by the opposing party on which the Court will then rule. The witness then will be allowed to supplement his or her statement by any additional live direct testimony considered necessary by counsel, but may not repeat testimony covered by the written statement. Thereafter, cross-examination and any redirect will proceed in the ordinary course.
- iii. **Exception to Use of Statement:** Statements are required of the parties and other witnesses under their control. They are not to be used for adverse parties or for persons whose attendance must be compelled by subpoena.

(d) Final pre-trial conference is scheduled for September 18, 2023.

(e) Trial shall begin on October 2, 2023.

Dated: New York, New York  
November \_\_, 2022

\_\_\_\_\_, J.S.C.