

PAPERLESS ORDER clarifying CIPA § 4 hearing for February 13, 2024. Starting at 10:30 A.M., the Court will conduct a sealed hearing with the Special Counsel and cleared counsel for Defendants Nauta and De Oliveira. Cleared counsel shall be prepared to discuss the classified information produced in classified discovery in the context of the "relevant and helpful" standard and the mens rea applicable to Counts 33-37 and 39-42 of the Superseding Indictment 85 ; to present argument on the Special Counsel's request to withhold all of that information from Defendants Nauta and De Oliveira pursuant to CIPA § 4; and to discuss specifics with respect to the current figures of materials produced in classified discovery, including whether any of that information overlaps with unclassified discovery and/or merits clarification. This hearing will be held in a facility suitable for the discussion of classified information. Defendants Nauta and De Oliveira may not be present. Defendant Trump is not required to appear. Counsel for Defendant Trump may attend. Final CIPA § 4 ex parte session with the Special Counsel to follow the 10:30 A.M. session. Nothing in this Order should be construed as altering the current ex parte nature of the Special Counsel's CIPA § 4 filings. Signed by Judge Aileen M. Cannon on 2/12/2024. (jf01) (Entered: 02/12/2024)

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