

Hon. Arthur Engoron

From: Hon. Arthur Engoron
Sent: Monday, February 5, 2024 11:45 AM
To: kevin.wallace@ag.ny.gov; Clifford Robert; Alina Habba; ckise@continentalpllc.com; chris kise; Amer, Andrew; Faherty, Colleen; Solomon, Louis
Cc: Allison R. Greenfield
Subject: People v. Trump, et al., No. 452564/2022 - Request for Letter by 2.7.24
Importance: High

Dear Counselors,

As you are undoubtedly aware, in an article in the February 1, 2024 on-line edition of the New York Times, headlined "Trump's Former Finance Chief in Negotiations to Plead Guilty to Perjury," William K. Rashbaum, Jonah E. Bromwich, and Ben Protess write that defendant Alan Weisselberg "is negotiating a deal with Manhattan prosecutors that would require him to plead guilty to perjury." What's more, he "would have to admit that he lied on the witness stand" in the case pending before me (and during a pre-trial interview plaintiff conducted).

As the presiding magistrate, the trier of fact, and the judge of credibility, I of course want to know whether Mr. Weisselberg is now changing his tune, and whether he is admitting he lied under oath in my courtroom at this trial. Although the Times article focuses on the size of the Trump Tower Penthouse, his testimony on other topics could also be called into question. I also may use this as a basis to invoke *falsus in uno*.

As the article notes "perjury — particularly in a high-profile trial — undermines the broader ends of justice and cannot be ignored." I do not want to ignore anything in a case of this magnitude.

By Wednesday at 5pm, please submit, as officers of the court, a letter to me detailing anything you know about this that would not violate any of your professional ethics or obligations. I would also appreciate knowing how you think I should address this matter, if at all, including the timing of the final decision.

Thank you,

Justice Engoron