
From: Hon. Juan M. Merchan <jmerchan@nycourts.gov>
Sent: Thursday, April 13, 2023 5:14 PM
To: Balin, Robert <robertbalin@dwt.com>
Cc: Hon. Ellen Biben <ebiben@nycourts.gov>; James Bergamo <jbergamo@nycourts.gov>; conroyc@dany.nyc.gov; HoffingerS@dany.nyc.gov; srn@necheleslaw.com; Chase, Jeremy <JeremyChase@dwt.com>; Holoszyc-Pimentel, Raphael <rhp@dwt.com>; Settlemayer, Alexandra <AlexandraSettlemayer@dwt.com>
Subject: RE: People v. Trump, IND-71543-23--Letter from News Organizations regarding applications filed under seal.

[EXTERNAL]

Good afternoon Mr. Balin,

It was a pleasure meeting you at last week's arraignment. As you are probably aware, CPL §190.25(4)(a) addresses grand jury operations and specifically, the rules surrounding secrecy. For that reason, I do not believe it is necessary to require the District Attorney's Office to set forth, in writing, its basis for sealing the applications. In light of the fact that the People have not consented to your requests for unsealing, it would appear that you will need to file a motion if you would like to pursue this further.

Separately, please be advised that it is not necessary to cc: Judge Biben on correspondence regarding the case of the *People v. Trump*. Judge Biben, as you can imagine, is quite busy handling her own cases and administrative matters. Further, I routinely consult with Judge Biben whenever I feel she should be made aware of any developments. Thank you, JMM

From: Balin, Robert <robertbalin@dwt.com>
Sent: Thursday, April 13, 2023 4:30 PM
To: Hon. Juan M. Merchan <jmerchan@nycourts.gov>
Cc: Hon. Ellen Biben <ebiben@nycourts.gov>; James Bergamo <jbergamo@nycourts.gov>; conroyc@dany.nyc.gov; HoffingerS@dany.nyc.gov; srn@necheleslaw.com; Chase, Jeremy <JeremyChase@dwt.com>; Holoszyc-Pimentel, Raphael <rhp@dwt.com>; Settlemayer, Alexandra <AlexandraSettlemayer@dwt.com>
Subject: People v. Trump, IND-71543-23--Letter from News Organizations regarding applications filed under seal.

Dear Justice Merchan: We are counsel for the news organizations listed in the attached letter request. We respectfully make this letter request in connection with applications submitted under seal by the Office of the District Attorney.

The News Organizations thank this Court for its time and consideration of this matter.

Respectfully Yours,

Robert D. Balin

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