

SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF NEW YORK - CRIMINAL TERM - PART: 59

----- X

THE PEOPLE OF THE STATE OF NEW YORK,

Indict. No.  
71543-2023

-against-

CHARGE

DONALD J. TRUMP,

FALSIFYING BUSINESS  
RECORDS 1ST DEGREE

DEFENDANT.

JURY TRIAL

----- X

100 Centre Street  
New York, New York 10013  
April 16, 2024

B E F O R E:

HONORABLE JUAN M. MERCHAN  
JUSTICE OF THE SUPREME COURT

A P P E A R A N C E S:

FOR THE PEOPLE:  
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BY: SUSAN NECHELES, ESQ.  
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Attorneys for the Defendant

1                   THE CLERK: This is the People of the State of  
2 New York against Donald J. Trump, indictment number 71543  
3 of 2023. Appearances starting with the People, please.

4                   MR. STEINGLASS: For the People, ADAs Joshua  
5 Steinglass, Matthew Colangelo, Susan Hoffinger, Christopher  
6 Conroy, Rebecca Mangold and Katherine Ellis.

7                   THE COURT: Good morning.

8                   MR. BLANCHE: Good morning, Your Honor. On  
9 behalf of President Trump, I am joined at counsel table by  
10 Emil Bove, Susan Necheles and Gedalia Stern, and President  
11 Trump is here. Good morning.

12                   THE COURT: Good morning, counsel. Good morning,  
13 Mr. Trump.

14                   First I would like to apologize for getting  
15 started late. We have been waiting on some jurors. You  
16 may have heard that between the jurors that we had in the  
17 box and those that we had in the audience we had about 32  
18 jurors left.

19                   There are three jurors that we are still waiting  
20 on, two of them were in the box. So seat number two, we  
21 are still waiting on and seat number eight we are still  
22 waiting on.

23                   Seat number ten is here, but since last night she  
24 has expressed that she doesn't feel well. She feels sick.  
25 She is experiencing flu like symptoms, but she checked for

1 COVID. It's not COVID.

2 She is outside and separated from everybody else.  
3 She was wearing a mask. She was asked if she could serve  
4 day. She said, no.

5 Is there any objection to excusing her?

6 MR. STEINGLASS: No.

7 MR. BLANCHE: No.

8 THE COURT: Let's excuse juror number ten who is  
9 outside. She can go home. So that leaves the question of  
10 seat two and seat eight. We can wait a couple more minutes  
11 or we can just refill those seats and continue.

12 MR. STEINGLASS: I would give it a few minutes.

13 MR. BLANCHE: May I just have two seconds, Your  
14 Honor?

15 THE COURT: Sure.

16 (Defense counsel confer.)

17 MR. BLANCHE: Your Honor, our concern is that  
18 this is the second day and they are already over 15 minutes  
19 late. We think they should be excused, those two jurors,  
20 and we should proceed.

21 THE COURT: Let's give it another few minutes.

22 MR. BLANCHE: Sure.

23 (Off the record.)

24 THE COURT: All right. I asked the sergeant to  
25 get the jurors ready to come in.

1                   We are told that two of the three jurors missing  
2                   are here. We are trying to confirm whether they are two  
3                   and eight or somebody from the audience.

4                   (Off the record.)

5                   THE COURT: Apparently, we don't have the two  
6                   jurors that we were hoping for, so, the jurors are lining  
7                   up. They will be brought in in a minute.

8                   MR. BLANCHE: We are moving on without those two?

9                   THE COURT: Yes.

10                  MR. BLANCHE: Assuming that they don't walk in.

11                  THE COURT: Yes. If they walk in late, I don't  
12                  intend to excuse them. I will have them stay in the  
13                  audience and have them join the second round, unless there  
14                  is any objection to that.

15                  MR. BLANCHE: Understood.

16                  LIEUTENANT: Panel entering.

17                  (Whereupon the prospective jurors entered  
18                  the courtroom and were properly seated.)

19                  THE COURT: Good morning jurors. Welcome back.

20                  Jurors, I would like to apologize for the late  
21                  start. I will assure you most of us were here and ready to  
22                  go for quite some time ago; unfortunately, some of your  
23                  colleagues on the jury were late.

24                  So this is a good time for me to remind you to  
25                  please be here on time. The lateness of even one juror

1 will affect everyone in the courtroom, okay.

2 I see that one of the seats that we thought we  
3 did not have has been filled. So we have to refill seat  
4 number eight, please, and seat number ten.

5 THE CLERK: Refilling seat number eight, B354.  
6 Refilling seat number ten, B402. B402.

7 THE COURT: Okay. We are ready to start. We  
8 will begin with seat number eight.

9 Good morning. We can start. Just answer the  
10 questions.

11 PROSPECTIVE JUROR: One A, I live in NoMad. I  
12 have lived there a little over four years. I am not a  
13 native New Yorker. I am from Dallas, Texas.

14 I am a partner in an Italian finance consulting  
15 firm. I have been doing that 15 years. My current  
16 employer is Riveron.

17 My firm is over 700 people. I am not  
18 self-employed. Prior to Riveron I was at an oil and gas  
19 company called Magnum Hunter Resources.

20 I am not married, I have never been married. I  
21 do not have any children.

22 I am not living with anyone else. And in my  
23 spare time I play golf, watch sports, hang out with friends  
24 and travel.

25 I am on the board of Young Catholic Professionals

1 and I also participate in Make-a-Wish Foundation.

2 I have never served as a juror before.

3 From a newsstand point, the New York Times,  
4 Google, X, TikTok, Wall Street Journal, New York Post, Fox  
5 News, Yahoo.

6 I don't -- I listen to podcasts every once in a  
7 while.

8 THE COURT: I am sorry. Just one second.  
9 Counsel, please approach.

10 (Discussion is held at side-bar, on the  
11 record.)

12 THE COURT: So, juror number eight just arrived.  
13 I was thinking we can make this juror who is answering now,  
14 we can make him seat number ten and put number eight back  
15 in seat number eight and ask ten to go back in the audience  
16 if that's acceptable.

17 MR. STEINGLASS: Now they have to live with that.  
18 So, we should do what you said earlier, add them to the  
19 second round.

20 THE COURT: We can do that. It's just that they  
21 already have gone through it.

22 MR. STEINGLASS: Whatever you think, Judge.

23 MR. BLANCHE: We have no objection.

24 Whatever you think, Judge.

25 (Discussion at side-bar concluded, and the

1 following occurred in open court.)

2 THE COURT: I apologize for interrupting you.  
3 Apparently, the juror who sits in seat number eight is  
4 here. I would like to you continue.

5 We will seat you as seat number ten. The juror  
6 in seat number ten, we will ask you to step down and go  
7 back to the audience.

8 Okay. Let's continue, sir. So, we are all on  
9 the same page, can you read your number to me again,  
10 please.

11 PROSPECTIVE JUROR: B354.

12 THE COURT: B354 is now in seat number ten.

13 B285 remains at number eight.

14 Please continue.

15 PROSPECTIVE JUROR: Number ten, New York times.  
16 Google, X, TikTok, Wall Street Journal, New York Post, Fox  
17 News, Yahoo.

18 I don't listen to any podcasts.

19 If I get bored every once in awhile I will listen  
20 to Bartel Sports. I don't listen to talk radio.

21 Not a victim of a crime.

22 No, never been employed by a law enforcement  
23 agency.

24 I do have a fraternity brother that is sitting on  
25 the State House of Representatives as a Republican.

1 I am a partner in the accounting and financing  
2 firm. And all of my friends and close friends are mainly  
3 finance and professionals.

4 No experience in law. However, I had a lot of  
5 friends in the legal field both civil and criminal.

6 Eighteen no.

7 Nineteen, yes.

8 Twenty, no.

9 THE COURT: With regard to nineteen, was that you  
10 or a friend?

11 PROSPECTIVE JUROR: I had a DWI.

12 THE COURT: Okay. Thank you.

13 PROSPECTIVE JUROR: Twenty-one A, yes.

14 Twenty-one B.

15 THE COURT: You said, yes, to twenty-one A.

16 PROSPECTIVE JUROR: Yes.

17 THE COURT: Can you tell us a little bit more  
18 about that?

19 PROSPECTIVE JUROR: Yeah, being in this current  
20 time in the world a lot of people tend to intellectually  
21 slant Republican. So that even though I feel that I can be  
22 impartial, there could be some unconscious bias surrounding  
23 that.

24 THE COURT: At this moment as you sit here today,  
25 do you think that you can be impartial?



1 PROSPECTIVE JUROR: For this twenty-one A, yes.

2 THE COURT: Are there any other questions here  
3 that you believe that you would not be able to be fair and  
4 impartial for?

5 PROSPECTIVE JUROR: I think growing up in the  
6 State of Texas graduating from a certain university, Texas  
7 A&M University, and having my friends be from Texas, I  
8 believe I have some unconscious bias that could be weighed  
9 to not being impartial.

10 THE COURT: Okay. So, as you sit here today, you  
11 have concerns about being able to set that aside and be  
12 fair and impartial if you from were selected as a juror?

13 PROSPECTIVE JUROR: I don't know.

14 THE COURT: As you can imagine, it's very  
15 important to the attorney that they know who they are  
16 getting on their jury. So we need an unequivocal assurance  
17 from you that you can be fair and impartial and if you  
18 can't give us that unequivocal assurance, we need to know  
19 now.

20 PROSPECTIVE JUROR: You know, growing up with a  
21 bunch of family and friends who are Republican, it's  
22 probably going to be tough for me to be impartial.

23 THE COURT: Okay, please approach.

24 (Discussion is held at side-bar, on the  
25 record.)

1                   THE COURT:  So before we get to that, I just want  
2                   to note for the record that we had one bench conference  
3                   yesterday that your client did not appear for, that was a  
4                   misunderstanding.  You waived his appearance and this is  
5                   the second one today.  He has not appeared for this either.

6                   MR. BLANCHE:  Waived.

7                   MR. STEINGLASS:  I hate to be a stickler here.  
8                   The Antomarchi, he has to waive on the record himself.  The  
9                   defendant's attorney can't waive for him.

10                  MR. STERN:  I think that's actually not correct.  
11                  By chance I was reading other cases last night.  That's  
12                  incorrect.  A lawyer can do it for his client.

13                  THE COURT:  I want it on the record from the  
14                  defendant, because nothing that we discussed involved --  
15                  everything that we discussed, I believe, nothing involved  
16                  questions of law.

17                  I feel comfortable and we can continue for the  
18                  time being, you are representing to me right now that your  
19                  client is waiving?

20                  MR. BLANCHE:  I represent that he has waived and  
21                  I am happy to have him waive on the record.

22                  THE COURT:  And he will need to sign an  
23                  Antomarchi document on the record.

24                  Before we end this conference, can we print that  
25                  paper?

1                   While that's being printed, it seems to me this  
2                   juror will be excused for cause.

3                   MR. STEINGLASS: Yes, of course.

4                   MR. BLANCHE: Yes.

5                   THE COURT: Okay.

6                                 (Discussion is held at side-bar, on the  
7                   record.)

8                   THE COURT: Sir, we appreciate your candor. We  
9                   are going to have to excuse you at this time.

10                   Let's refill seat number ten.

11                   THE CLERK: Refilling seat number ten, B158.

12                   THE COURT: Good morning, sir. You can start  
13                   whenever you are ready.

14                   PROSPECTIVE JUROR: Okay. Question number one, I  
15                   live on Riverside Drive, uptown. I have been there for 14  
16                   years and I am a native New Yorker.

17                                 Number 2, I review disability benefit  
18                   administrative law decisions for the Social Security  
19                   Administration as an assistant regional counsel. I have  
20                   been doing that for 12 years.

21                                 My employer is the Social Security  
22                   Administration. It's large.

23                                 I am not self-employed and this is -- my last  
24                   job, I guess, would be a locksmith.

25                                 I have a JD.

1 I am married. No children.

2 My wife is a graphic designer. I like hiking and  
3 gardening.

4 Eight, no.

5 Nine, no.

6 Ten, mostly local news, New York One, the Times  
7 occasionally.

8 Eleven, no.

9 Twelve, no.

10 Thirteen, no.

11 Fourteen, no.

12 Fifteen, yes, me.

13 THE COURT: Okay. Would anything about that  
14 prevent you from being fair and impartial in this case?

15 PROSPECTIVE JUROR: No.

16 Sixteen, no.

17 Seventeen, yes.

18 Eighteen, no.

19 Nineteen, no.

20 Twenty, no.

21 Twenty-one, no.

22 Twenty-two, no.

23 Twenty-three, no.

24 Twenty-four, no.

25 Twenty-five, no.

1                   Twenty-six, yes.  
2                   Twenty-seven, yes.  
3                   Twenty eight, no.  
4                   Twenty-nine, no.  
5                   Twenty-nine C, no. D, no -- D and E, no. F, no.  
6                   G, no. H, no.  
7                   Thirty, no.  
8                   Thirty-one, no.  
9                   Thirty-two, no.  
10                  Thirty-three, yes.  
11                  Thirty four, no.  
12                  Thirty-five, no.  
13                  Thirty-six, no.  
14                  Thirty-seven, no.  
15                  Thirty-eight, yes.  
16                  Thirty nine, yes.  
17                  Forty, yes.  
18                  Forty-one, yes.  
19                  Forty-two, no.  
20                  THE COURT: Okay. Thank you.  
21                  We will continue with seat number 11. Good  
22                  morning.  
23                  PROSPECTIVE JUROR: Good morning. I will answer  
24                  the question you asked yesterday. As I was thinking  
25                  yesterday, I don't think I can be impartial and unbiased.

1 THE COURT: You don't think you could be fair and  
2 impartial in this case?

3 PROSPECTIVE JUROR: No.

4 THE COURT: Any objection?

5 MR. STEINGLASS: No, Judge.

6 MR. BLANCHE: No.

7 THE COURT: We will excuse you. Let's refill  
8 seat number 11, please.

9 THE CLERK: Refilling seat number 11, B 311.

10 Good morning. You can answer as soon as you are  
11 ready.

12 PROSPECTIVE JUROR: Your Honor, before I begin, I  
13 did want to mention, I have a wedding to attend on June --  
14 Friday, June 6th. My best man is getting married. I  
15 realize that may be --

16 THE COURT: Where is the wedding happening?

17 PROSPECTIVE JUROR: On Friday.

18 THE COURT: Do you know what time the wedding is?

19 PROSPECTIVE JUROR: It would be -- it's in the  
20 afternoon, probably a full day obligation.

21 THE COURT: Now, you said Friday, June 6th?

22 PROSPECTIVE JUROR: It is the Friday. Maybe it's  
23 the 7th.

24 THE COURT: That would be June 7th.

25 When are you coming back?

1 PROSPECTIVE JUROR: I would be back after that,  
2 that Monday.

3 THE COURT: You will be able to be here that  
4 Monday?

5 PROSPECTIVE JUROR: Yes.

6 THE COURT: Any objections to having him  
7 continue?

8 You can go ahead and answer the questions.

9 PROSPECTIVE JUROR: Upper east side, seven years,  
10 native New Yorker.

11 To an investment banking, seven years. Current  
12 employee is KPMG. Probably at least 10,000 employees.

13 Not self-employed. Prior employer was PWC.

14 Bachelor's degree.

15 Not married. Never been married. No children.

16 I live with my fiance. She works at a nonprofit.

17 In my spare time I go to the park, run, hang out  
18 with friends.

19 I have not served on a jury before.

20 CNN, MSNBC, Google, Facebook, X, TikTok, Wall  
21 Street Journal, New York Post. I think that's it.

22 Podcasts, yeah, sport podcasts, Part of My Take,  
23 maybe a couple others in the sports realm.

24 No talk radio.

25 Thirteen, no.

1 Fifteen, no.

2 Fifteen, no.

3 Sixteen, yes, I am.

4 Seventeen, yeah, I have some friends in the legal  
5 field. At least one I can think of that is in civil law.

6 Eighteen A, no. No, to eighteen.

7 Nineteen, no. Twenty, no.

8 Twenty-one A, no. B, no.

9 Twenty-two, no.

10 Twenty-three, no.

11 Twenty-four, might have some concerns around my  
12 work schedule with the commitment here.

13 THE COURT: If you were to be selected as a  
14 juror, you would be meeting four days a week. There might  
15 be an occasional holiday, or something like that, or an  
16 occasional day when we would break early, but you would be  
17 required to be here, obviously.

18 If you were selected as a juror, would you be  
19 able to give this matter the attention that it deserves?

20 PROSPECTIVE JUROR: I think so. Honestly, I  
21 think it would put a strain on my personal life. I would  
22 probably be leaving here and working to get by, you know,  
23 kind of I have concerns about that.

24 THE COURT: Would you be able to set aside those  
25 concerns for six weeks if you were selected as a juror or



1 do you think that would interfere with your ability to  
2 focus, concentrate and do what is expected of you here?

3 PROSPECTIVE JUROR: I think it might affect my  
4 ability to concentrate.

5 THE COURT: Okay. We are going to excuse you.  
6 Refill seat number 11, please.

7 THE CLERK: Refilling seat 11, B042.

8 THE COURT: All right. Before seat number 11  
9 starts, juror number one, did you have something you want  
10 to say.

11 PROSPECTIVE JUROR: Yes. I checked in on my  
12 vacation I had planned. It's an international flight and I  
13 am not able to change it. It would go into the weekdays.

14 THE COURT: Which day would you miss?

15 PROSPECTIVE JUROR: The Friday before Memorial  
16 Day and the Tuesday after.

17 THE COURT: Any objections to refilling seat  
18 number one?

19 Would you like to approach?

20 MR. STEINGLASS: Sure.

21 (Discussion is held at side-bar, on the  
22 record.)

23 MR. STEINGLASS: Are those the days, one of the  
24 days that you asked for off?

25 MR. BLANCHE: No.

1                   MR. STEINGLASS: I am just asking is the thinking  
2                   that it is two days instead of one?

3                   THE COURT: Yes. The other one is in June, so it  
4                   was further advanced. This one, you know.

5                   MR. BLANCHE: And it's two days.

6                   THE COURT: It's two days.

7                   MS. NECHELES: And Passover, that's two days.

8                                 (Discussion at side-bar concluded, and the  
9                   following occurred in open court.)

10                  THE COURT: We are going to excuse you.

11                  Let's refill seat number one. So we will  
12                  continue with seat number 11.

13                  Good morning again.

14                  PROSPECTIVE JUROR: I live on the upper west  
15                  side. I have lived there for twenty-eight years. I am a  
16                  native New Yorker.

17                  I work for a senior living company. I have been  
18                  doing that for about sixteen, seventeen years.

19                  Atria Senior Living, that's the name of the  
20                  company for number three. I would say maybe about over a  
21                  hundred.

22                  Some, I finished high school. I have some  
23                  college background.

24                  Not married. Never been married.

25                  I have three children, the adult children. One

1 is a postal worker. One is an account manager and the  
2 other one is a supervisor at a hospital.

3 In my spare time I spend it with my  
4 granddaughters. I have two grand daughters.

5 No, number eight, no.

6 Nine, yes. Civil.

7 THE COURT: Civil and without telling us the  
8 verdict, did you reach a verdict?

9 PROSPECTIVE JUROR: Yes. Daily News, number ten,  
10 TikTok.

11 No podcasts. No talk radio, no.

12 Thirteen, no.

13 Fourteen, no.

14 Fifteen, yes.

15 Sixteen, yes.

16 Seventeen, no.

17 Eighteen, no, A, B or C.

18 Nineteen, no.

19 Twenty, no.

20 Twenty-one, no.

21 No. No for twenty-two.

22 Twenty-three, no.

23 Twenty-four, no, but I have a prior court date.

24 THE COURT: When is that?

25 PROSPECTIVE JUROR: It's April 30th.

1 THE COURT: That's a Tuesday.  
2 Do you know what time that is?  
3 PROSPECTIVE JUROR: That is at 9:30.  
4 THE COURT: Where is that?  
5 PROSPECTIVE JUROR: Across the street.  
6 THE COURT: I think we can work around that. So  
7 you can stay with us for now.  
8 PROSPECTIVE JUROR: Twenty-five, no.  
9 Twenty-six, yes.  
10 Twenty-seven, yes.  
11 Twenty eight, no.  
12 Twenty-nine A, no.  
13 Twenty nine B, no. C, no. D, no. E, no. F,  
14 no. G, no. H, no.  
15 Thirty, no.  
16 Thirty-one, no.  
17 Thirty-two, no.  
18 Thirty-three, yes.  
19 Thirty four, no.  
20 Thirty-five, no.  
21 Thirty-six, no.  
22 Thirty-seven, no.  
23 Thirty-eight, yes.  
24 Thirty nine, yes.  
25 Forty, yes.

1 Yes, for 40.

2 Forty-one, yes.

3 Forty-two, no.

4 No, for forty-two.

5 (Continued on the following page.)

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1 THE COURT: Good morning.

2 PROSPECTIVE JUROR: B-49 is my number.

3 I just wanted to say, after having more time to  
4 think about it and also looking at the questions, I don't  
5 think I could be as impartial and unbiased as I thought I  
6 would be. So, I would like to be excused.

7 THE COURT: So, you believe at this time that you  
8 would be unable to be fair and impartial?

9 PROSPECTIVE JUROR: Not without having more  
10 information.

11 THE COURT: Any objections?

12 MR. STEINGLASS: No, Judge.

13 MR. BLANCHE: No.

14 THE COURT: You're excused.

15 (At this time, Prospective Juror B-49 was  
16 excused)

17 THE COURT: Let's refill seat number 12.

18 THE CLERK: Refilling seat number 12, B-381.

19 THE COURT: Good morning.

20 You can start whenever you're ready.

21 PROSPECTIVE JUROR: 1(A), Chelsea.

22 1(B), five years.

23 C, I am not a native New Yorker. I grew up in  
24 Oregon.

25 I'm an attorney for 2(A).

1                   2(B), five years.

2                   THE COURT: What kind of law do you practice?

3                   PROSPECTIVE JUROR: Corporate.

4                   2(C), inapplicable. I am not retired.

5                   3(A), Gunderson Dettmer.

6                   3(B), I think about 200 lawyers.

7                   3(C), no.

8                   D, Cravath & Moore.

9                   Four, J.D.

10                  5(A), no.

11                  5(B), no.

12                  5(C), no.

13                  6(A), inapplicable.

14                  6(B), inapplicable.

15                  7(A), I like to hike and run.

16                  B, same as A.

17                  8(A), no.

18                  8(B), no.

19                  9(A), no.

20                  9(B), inapplicable.

21                  Ten, New York Times, Wall Street Journal, Google,

22                  and that's it.

23                  Eleven, no.

24                  Twelve, no.

25                  Thirteen, no.

- 1 Fourteen, no.
- 2 Fifteen, no.
- 3 Sixteen, yes, friends.
- 4 Seventeen, yes, myself and friends.
- 5 18(A), no.
- 6 B, inapplicable.
- 7 C, no.
- 8 Nineteen, no.
- 9 Twenty, no.
- 10 21(A), no.
- 11 21(B), no.
- 12 Twenty-two, no.
- 13 Twenty-three, no.
- 14 Twenty-four, yes.
- 15 Twenty-five, no.
- 16 Twenty-six, yes.
- 17 Twenty-seven, yes.
- 18 Twenty-eight, no.
- 19 29(A), no.
- 20 B, no.
- 21 C, no.
- 22 D, no.
- 23 E, no.
- 24 F, no.
- 25 G, no.



1 H, no.

2 Thirty, no.

3 Thirty-one, no.

4 Thirty-two, no.

5 Thirty-three, yes.

6 Thirty-four, no.

7 Thirty-five, no.

8 Thirty-six, no.

9 Thirty-seven, no.

10 Thirty-eight, yes.

11 Thirty-nine, yes.

12 Forty, yes.

13 Forty-one, yes.

14 Forty-two, no.

15 THE COURT: Thank you.

16 Good morning.

17 PROSPECTIVE JUROR: Hi.

18 I live in the East Village.

19 B, about four years.

20 C, not native. I am from Philadelphia.

21 2(A), I am a technical program manager. I work

22 in cybersecurity. I've been doing that for about

23 two years.

24 I'm not retired.

25 My current employer is Abnormal Security.

1           We have 600-ish people at the moment.  
2           Not self-employed.  
3           I used to do lighting design for film.  
4           I have a Bachelor's Degree.  
5           Not married.  
6           Never been married.  
7           No children.  
8           Don't live with anyone else.  
9           In my spare time, I like to climb and swim.  
10          No organizations or advocacy groups.  
11          I have never served on a jury.  
12          Ten, Google and I read WIRED, which is tech news.  
13          Eleven, NerdWallet, Morning Brew, and a couple of  
14 climbing podcasts.  
15          For talk radio, I listen to Philly sports-talk  
16 radio and, occasionally, N.P.R.  
17          Thirteen, no.  
18          Fourteen, not a law enforcement agency, but I do  
19 work in cybersecurity, so, kind of.  
20          Fifteen, my father works for the  
21 Department of Defense.  
22          Sixteen, yes, my stepmother is an accountant and  
23 a very close family friend is an accountant.  
24          Seventeen, I dated a lawyer for a while. Ended  
25 fine. Sorry, lawyers.

1           18(A), no, except, again, I work in  
2 cybersecurity. So, I kind of consider myself law  
3 enforcement a bit.

4           B and C, no.

5           Nineteen, no.

6           Twenty, no.

7           21(A), no.

8           B, no.

9           Twenty-two, no.

10          Twenty-three, no.

11          Twenty-four, with some difficulty, yes.

12          THE COURT: It can be a challenge. I certainly  
13 understand that. It wouldn't happen very often. We would  
14 give you as much notice as possible.

15          PROSPECTIVE JUROR: Okay.

16          Twenty-five, no.

17          Twenty-six, yes.

18          Twenty-seven, yes.

19          Twenty-eight, no.

20          29(A), no.

21          B, no.

22          C, no.

23          D, no.

24          E, no.

25          F, no.

1 G, yes, previously.

2 H, yes, previously.

3 Thirty, no.

4 Thirty-one, I believe the law applies to  
5 everyone, so, yes.

6 Thirty-two, no.

7 Thirty-three, yes.

8 Thirty-four, again, I believe the law applies to  
9 everyone.

10 Thirty-five, no.

11 Thirty-six, no.

12 Thirty-seven, yes.

13 Thirty-eight, yes.

14 Thirty-nine, yes.

15 Forty, yes.

16 Forty-one, yes.

17 Forty-two, it is very difficult for me to take  
18 even a few days off of work due to the nature of my job and  
19 the industry in which I work. I would worry quite a bit  
20 about that. It's not something where I could get on at  
21 4:30 or afterwards and kind of do my individual work  
22 because my work is all involved with other people. I feel  
23 a sense of duty with my job. I would worry about how  
24 thinking about that would affect how present I was for  
25 these proceedings.

1 THE COURT: Any objections?

2 MR. STEINGLASS: No.

3 MR. BLANCHE: No.

4 THE COURT: You're excused.

5 (At this time, Prospective Juror B-377 was  
6 excused)

7 THE COURT: Let's refill seat 13, please.

8 THE CLERK: Refilling seat number 13, B-292.

9 THE COURT: Jurors, while we wait for seat 13, I  
10 encourage you, if you have an answer like that for one of  
11 the questions, please don't wait until you get to the end  
12 of the questionnaire. Just let us know up front so that we  
13 can resolve it quickly.

14 Good morning.

15 PROSPECTIVE JUROR: Good morning.

16 I'm B-292.

17 Number 1, I live in Hell's Kitchen.

18 I've been there for 12 years.

19 I am originally from Mexico. I became a citizen  
20 in 2017.

21 I work in asset management. I've been there for  
22 12 years.

23 I am not retired.

24 Number 3, my current employer is Lazard.

25 It's about 3,500 people globally.

1 I am not self-employed.

2 My prior employer was a market manager called  
3 Fixation Marketing.

4 My educational background is I have a B.A.

5 I'm not married.

6 I've never been married.

7 I don't have children.

8 I don't live with anybody else except my dog.

9 Number 6, I like to travel; I like to spend time  
10 with my dog, family, and friends; scuba diving; skiing.

11 Number 8, no.

12 Number 9, no, first time serving in jury duty.

13 Number 10, New York Times, a little bit of  
14 Huffington Post, MSNBC, Google, Facebook, X, Tik Tok.  
15 That's it.

16 Number 11, I do listen to a few podcasts. I  
17 don't remember the names, but they're LGBT-related.

18 I don't listen to talk radio, but, every once in  
19 a while, I listen to N.P.R.

20 Number 13, no.

21 Number 14, no.

22 Number 15, no.

23 Number 16, I work in finance myself, but it's not  
24 related to finance. I do marketing.

25 Number 17, no.

1                   Number 18(A), no.  
2                   B, no.  
3                   Number 19, no.  
4                   Number 20, no.  
5                   Number 21, no for A and no for B.  
6                   Number 22, no.  
7                   Number 23, no.  
8                   Twenty-four, yes.  
9                   Twenty-five, no.  
10                  Twenty-six, yes.  
11                  Number 27, yes.  
12                  Twenty-eight, no.  
13                  29(A), no.  
14                  B, no.  
15                  C, no.  
16                  D, no.  
17                  E, no.  
18                  F, no.  
19                  G, I used to get e-mails, but I'm not sure if I  
20   get them still.  
21                  H, no.  
22                  Thirty, no.  
23                  Thirty-one, no.  
24                  Thirty-two, no.  
25                  Thirty-three, yes.

1           Thirty-four, no.  
2           Thirty-five, no.  
3           Thirty-six, no.  
4           Thirty-seven, no.  
5           Thirty-eight, yes.  
6           Thirty-nine, yes.  
7           Forty, yes.  
8           Forty-one, yes.  
9           Forty-two, no.  
10          THE COURT: Thank you.  
11          Good morning.  
12          PROSPECTIVE JUROR: I live on the  
13 Lower East Side.  
14                I've lived there for more than 40 years.  
15                I'm not a native New Yorker. I'm Puerto Rican.  
16 I was born in Puerto Rico.  
17                I do I.T. training and I.T. consulting. I've  
18 been doing this for about 10 years.  
19                I'm not retired.  
20                I work for myself. I'm self-employed.  
21                I have one year of college.  
22                I'm married. I've been married a long time.  
23                I have one child and I have two grandchildren.  
24                My wife is a writer.  
25                My adult -- my child is in sales and research.



1 I have no spare time.

2 I guess my hobby is my family.

3 I participated in some community non-profits that  
4 I've worked with.

5 I served one time on a jury many years ago.

6 THE COURT: Was that criminal or civil?

7 PROSPECTIVE JUROR: Civil.

8 THE COURT: Without telling us the verdict, did  
9 you reach a verdict?

10 PROSPECTIVE JUROR: I don't remember. It was so  
11 long ago.

12 THE COURT: Okay.

13 PROSPECTIVE JUROR: The Daily News, The Times, I  
14 do Google, and I do X.

15 The podcasts I listen to are on YouTube.

16 I don't listen to talk radio.

17 No, I don't have anybody close to me who's been  
18 the victim of a crime.

19 Fourteen is no.

20 Fifteen is no.

21 Sixteen is no.

22 Seventeen is no.

23 18(A) is no.

24 B is no.

25 I guess C is no.

- 1 Nineteen is no.
- 2 Twenty is no.
- 3 21(A) is no.
- 4 B is no.
- 5 Twenty-two is no.
- 6 Twenty-three is no.
- 7 Twenty-four is no.
- 8 Twenty-five is no.
- 9 Twenty-six is yes.
- 10 Twenty-seven is yes.
- 11 Twenty-eight is no.
- 12 29(A) is no.
- 13 B is no.
- 14 C is no.
- 15 D is no.
- 16 E is no.
- 17 F is no.
- 18 G is no.
- 19 H is no.
- 20 Thirty is no.
- 21 No, 31.
- 22 Thirty-two is no.
- 23 Thirty-three is yes.
- 24 Thirty-four is no.
- 25 Thirty-five is no.

1           Thirty-six is no.

2           Thirty-seven is no.

3           Thirty-eight is yes.

4           Thirty-nine is yes.

5           Forty is yes.

6           I guess 41 is no.

7           THE COURT: Let's just go over 41 one more time.

8           Could you re-read it.

9           PROSPECTIVE JUROR: Oh, yeah, I'm not going to  
10          hold it against him.

11          THE COURT: Thank you.

12          PROSPECTIVE JUROR: No.

13          THE COURT: Thank you.

14          Good morning.

15          PROSPECTIVE JUROR: Good morning.

16          I live in Battery Park City.

17          I've lived there for eight years.

18          I've lived in New York for 30 years, but I'm not  
19          a native. I'm originally from Boston.

20          I run sales and revenue for a software company.

21          I've been doing that for about 25 years.

22          I'm not retired.

23          My current employer is BlockApps.

24          They have about 40 employees.

25          I'm not self-employed.

1 My prior employer was Diligent Corporation.

2 I have a Bachelor's Degree.

3 Yes, married.

4 I've been married twice.

5 I had a daughter with my first wife.

6 I live with my wife, who is a literary  
7 translator.

8 My daughter, who is deceased, was in real estate  
9 development and construction management.

10 I like to spend time at our second home in the  
11 country.

12 I like TV. I have a lot of interests--books,  
13 movies, current events, politics, travel, spend time with  
14 friends. I have some collectibles.

15 I'm on the board of my synagogue. My wife and I  
16 are members of the A.C.L.U. I belong to some charitable  
17 organizations either in a fundraising capacity or more  
18 direct capacity.

19 I have never been on a jury.

20 Question 10, New York Times, USA Today,  
21 Huffington Post, CNN, Google, Facebook, X, Tik Tok,  
22 Wall Street Journal, New York Post, Washington Post, and  
23 New York One.

24 Podcasts, yes, a lot of Serial, New York Times'  
25 podcasts, Rumble Strip.

1           Talk radio, N.P.R., sometimes.

2           Question 13, I was robbed at knifepoint once, I  
3    had a girlfriend once who was mugged and punched in the  
4    face, my mother was a victim of a violent assault from a  
5    burglar, and my daughter was a victim of a violent sexual  
6    assault.

7           Question 14, I had an uncle who was a cop in  
8    Pennsylvania, but he is deceased.

9           My mother worked in both state and local  
10   governments in North Carolina in a program-planning  
11   capacity. That was a long time ago.

12          I have close friends who either work or have  
13   worked on Wall Street.

14          I'm happy to say I have some friends who are  
15   lawyers, although, it tends to be corporate law, general  
16   counsels, or things like that as opposed to trial law.  
17   Although, I do have a close friend whose son is an ADA, I  
18   think here in Manhattan.

19          THE COURT: Would that affect your ability to be  
20   fair and impartial if you're selected as a juror?

21          PROSPECTIVE JUROR: It would not.

22          Eighteen, there was a trial related to my  
23   daughter's assault. I would describe that as primarily a  
24   traumatic experience, but I think that I was left with a  
25   generally favorable impression of the legal system. It

1 certainly would not--I don't think--have any impact on this  
2 case.

3 Nineteen, no.

4 Twenty, no.

5 21(A) and 21(B), no.

6 Twenty-two, no.

7 Twenty-three, no.

8 Twenty-four, fine.

9 Twenty-five, you discussed Passover yesterday.

10 THE COURT: Yes.

11 PROSPECTIVE JUROR: That's the only pending issue  
12 I would have.

13 THE COURT: Okay.

14 PROSPECTIVE JUROR: Twenty-six, yes.

15 Twenty-seven, yes.

16 Twenty-eight, no.

17 29(A), it says, "political entity affiliated with  
18 Mr. Trump," Republican Party.

19 THE COURT: Okay.

20 PROSPECTIVE JUROR: I have some relatives on my  
21 wife's side who are lobbyists and have done fundraising for  
22 the Republican Party.

23 29(B), no.

24 29(C), no.

25 29(D), when Mr. Trump was President, I followed

1 him on X, or what was Twitter at the time.

2 E, no.

3 F, no.

4 G, no.

5 H, no.

6 Thirty, no to any of those.

7 Thirty-one, yes. I feel that no one is above the  
8 law.

9 Thirty-two, no.

10 Thirty-three, yes.

11 Thirty-four, I don't think there's anything that  
12 will prevent me from being a fair and impartial juror.

13 Thirty-five, I'm not familiar with any of these  
14 things.

15 Thirty-six, yes. I read The Art of the Deal and  
16 I want to say How to be Rich and Think Like a Champion or  
17 something like that. Those aren't quite correct, but, yes,  
18 I read a lot of books.

19 Thirty-seven, yes.

20 Thirty-eight, yes.

21 I do have a question about 39.

22 THE COURT: Okay.

23 PROSPECTIVE JUROR: Where it says if I refrain  
24 from watching, reading, or listening to any accounts of  
25 this case or discussing it in general, I mean, I would be

1 lying if I said I would not discuss it to some degree with  
2 my wife.

3 THE COURT: Okay.

4 Well, obviously, that's your wife. You can tell  
5 her that you're here and you could tell her that you heard  
6 from witnesses, but you would not be permitted to discuss  
7 anything of substance with your wife because we would run  
8 the risk there that someone who's not a sworn juror could  
9 influence you. So, we would need your assurance that you  
10 would not discuss anything of substance with your  
11 wife--your thoughts or opinions about how things are going,  
12 things like credibility, and things of that nature.

13 PROSPECTIVE JUROR: That would be tough, but  
14 okay.

15 THE COURT: Can you do that?

16 PROSPECTIVE JUROR: Yeah, but she won't like  
17 that.

18 Forty, yes.

19 Forty-one, yes.

20 Forty-two, no.

21 THE COURT: Thank you.

22 Good morning.

23 PROSPECTIVE JUROR: I've lived on the  
24 Lower East Side for 51 years.

25 I'm not a native New Yorker. I was born in



1 Westchester in White Plains, New York.

2 I am retired, happily. That was since 2019.

3 Before that, I worked for the

4 M.T.A./New York City Transit. Then, I became the

5 chief of staff to the president of

6 M.T.A. Capital Construction.

7 No current employer.

8 Two years after I retired, I was walking and

9 training dogs in obedience. I was training dogs.

10 My educational background is I have a Bachelor's.

11 I was married. I am no longer married now.

12 I have four children and I have four

13 grandchildren.

14 One of my adult children lives with me; two of

15 them are in Boise, Idaho; and one is in Michigan.

16 The kids in Boise, Idaho, one is the manager of

17 an electrical warehouse and my daughter owns a nightclub.

18 My daughter in Chelsea, Michigan, is a Pilates instructor.

19 She's got three of my grandchildren that live there.

20 In my spare time, I love the theater, I love

21 music, and I travel back and forth between Boise and

22 Ann Arbor a lot. I hike with my dog. I spend a lot of

23 time on Cape Cod. I really like the ocean.

24 As far as interests, I play the guitar and I do a

25 lot of reading books, not political stuff.

1           None right now, no.

2           I have never been put on a jury before, even  
3 though I've been here many times.

4           Just to be clear, I do not read these every day.  
5 I mix them up:

6           New York Times, I watch CNN and MSNBC, and  
7 Daily News once in a while. I have a Facebook account.  
8 Wall Street Journal, when my next-door neighbor gives it to  
9 me. I do Fox News, sometimes. I also watch New York One  
10 and PBS.

11           I do have a couple of podcasts that I listen  
12 to--This American Life, The Argument with Ross Douthat,  
13 Jennifer Rubin, Ezra Klein. I listen to Hardcore History  
14 with Dan Carlin. Those are mostly in the car. If I'm in  
15 the car, I'll listen to Brian Lehrer in the morning.

16           The answer to 13 is no.

17           No.

18           I know people in the government only because I  
19 worked for the M.T.A. for years. My sister worked for the  
20 M.T.A. and my brother and father worked for Metro-North.

21           Nobody in accounting or finance, no.

22           My brother-in-law graduated law school, but he  
23 didn't practice law. He's my late brother-in-law. He  
24 owned a computer company. I also have two friends in  
25 Upstate New York. One of them, who's very close, is a

1 lawyer in general law. He did some criminal law. The  
2 other is in personal injury.

3 No.

4 No on 19.

5 Twenty, no.

6 21(A), no.

7 B, no.

8 Twenty-two, no.

9 Twenty-three, no.

10 Twenty-four, no.

11 Twenty-five, no.

12 Twenty-six, yes.

13 Twenty-seven, yes.

14 Twenty-eight, no.

15 29(A), no.

16 29(B), no.

17 No, C.

18 D, no.

19 E, no.

20 F, my granddaughter asked me to go to a  
21 pro-choice rally. I don't know that it had anything to do  
22 with Mr. Trump. It was in 2017, maybe. I can't remember  
23 whether it was in New York or it might have been in  
24 Ann Arbor. So, I said yes.

25 No to G.

1           H, if you were to look at my Facebook page,  
2 there's a lot of things on there that I didn't ask to be  
3 put on there and I can't seem to remove them. I try not to  
4 have too much, but there are a couple of things on there  
5 that would be considered -- one of them is called  
6 Occupy Democrats and stuff like that.

7           Thirty, no.

8           I think everybody should be treated fairly.

9           Thirty-two, no.

10          Thirty-three, yes.

11          No.

12          No on 35.

13          Thirty-six, no.

14          Thirty-seven, I'm resigned to the political  
15 contribution system we have. It just makes me sad that we  
16 spend so much money and candidates have to raise so much  
17 money for campaigns when there could be better use for that  
18 money.

19          Thirty-eight, yes.

20          Thirty-nine, yes.

21          Yes.

22          Yes.

23          No.

24          THE COURT: Thank you.

25          Good morning.

1 PROSPECTIVE JUROR: I'm a Harlem native. I still  
2 reside there, born and raised.

3 I am a school teacher. I teach  
4 middle school E.L.A. I've been doing that for eight years.

5 Before that, I was fresh out of undergrad and I  
6 was a case worker in a juvenile delinquent transitional  
7 home. Pretty much, I was just adjusting them back to home  
8 and school.

9 My current employer is KIPP NYC Charter School.  
10 I did five years with D.O.E., the Department of Ed, and I'm  
11 now in the charter school system.

12 I have a Master's in Education.

13 Never been married.

14 I don't have any children.

15 My brother is a basketball coach. He resides  
16 with me.

17 In my spare time, I'm a creator at heart. My  
18 friends are photographers and will do photo shoots. I love  
19 theater, I love writing, and I love traveling.

20 I'm not in any organizations.

21 I've never been to jury duty. Maybe before, but  
22 this is my first time with this.

23 For 10, Google and Tik Tok. I don't like the  
24 news or newspapers.

25 As to listen or watch podcasts, mainly

1 inspirational things like relationship topics, pop culture,  
2 and thinks like that.

3 Talk radio, Breakfast Club every now and then.

4 Myself nor anyone close to me has been a victim  
5 of a crime.

6 Number 14, my mother and my godfather are retired  
7 with the Police Department. My mother wasn't a police  
8 officer. She was an administrative aide. My godfather was  
9 a homicide sergeant. They're both retired.

10 For 15, I guess that would be yes.

11 Sixteen, no.

12 Seventeen, no.

13 Eighteen is no for all of those.

14 Nineteen, no.

15 Twenty, no.

16 Twenty-one, no for both.

17 Twenty-two, no.

18 Twenty-three, no.

19 Twenty-four, my classroom is digital. I actually  
20 discussed that with my principal yesterday. As long as I  
21 have my work posted that workday, it's fine, or their  
22 classwork, rather.

23 Twenty-five, no.

24 Twenty-six, yes.

25 Twenty-seven, yes.

1 Twenty-eight, no.

2 Twenty-nine, no for all of those.

3 Thirty, no.

4 Thirty-one, no.

5 Thirty-two, no.

6 Thirty-three, yes.

7 Thirty-four, I'm not going to sit here and  
8 pretend. Being in my generation during that candidacy,  
9 there was a divide in the country. I can't ignore that.  
10 However, I never equated that to one individual. So, I'm  
11 going to say I don't think that would allow me to be  
12 impartial, if that makes sense.

13 Thirty-five, no.

14 Thirty-six, no.

15 Thirty-seven, no.

16 Thirty-eight, yes.

17 Thirty-nine, yes.

18 For 39, to be honest, my generation is on social  
19 media a lot. So, if I'm scrolling, I usually see it, but  
20 I'm not necessarily looking at anything on the case, if  
21 that makes sense. It may just pop up.

22 THE COURT: If it pops up, you can't control  
23 that, but can you give us an assurance that you will not  
24 read it?

25 PROSPECTIVE JUROR: Yes.

1 THE COURT: Thank you.

2 PROSPECTIVE JUROR: Forty, yes.

3 Forty-one, yeah, I won't hold that against him.

4 Forty-two, no.

5 THE COURT: Thank you.

6 Good morning.

7 PROSPECTIVE JUROR: Good morning.

8 I have a question:

9 I realize this is way beyond the extent of what  
10 is expected for this trial, but my sister is getting  
11 married in September on a Sunday. Would that be any  
12 problem?

13 THE COURT: That should not be a problem. Well,  
14 if you are still here in September, that would be a big  
15 problem.

16 PROSPECTIVE JUROR: I live in Chelsea.

17 I have lived there for about a year-and-a-half.

18 I am a native New Yorker.

19 I am a software engineer. I have been doing that  
20 for a year-and-a-half.

21 Number 3(A), my current employer is the  
22 Walt Disney Company.

23 B, I think there is over 200,000 employees.

24 I am not self-employed.

25 D, I was a student prior to this.



1 Four, I have a Bachelor's Degree.

2 5(A), I am not married.

3 I have never been married.

4 I don't have any children.

5 6(A), I have three roommates. One of them is a

6 software engineer, one of them does fundraising for a

7 non-profit, and one of them is a consultant.

8 I don't have any adult children.

9 Seven, in my spare time, I like to spend time  
10 with friends and family, go to restaurants, go to plays.

11 For hobbies, I like to dance, snowboard, and  
12 watch TV.

13 8(A), no.

14 9(A), I've never served on a jury.

15 Ten, the New York Times, Google, Facebook,  
16 Tik Tok.

17 Eleven, I do not listen to podcasts.

18 Twelve, I don't listen to talk radio.

19 Thirteen, no.

20 Fourteen, no.

21 Fifteen, yes, a close friend in the past.

22 Sixteen, no.

23 Seventeen, yes, relatives.

24 18(A), no. So, no to the rest.

25 Nineteen, no.

1           Twenty, no.  
2           21(A), no.  
3           21(B), no.  
4           Twenty-two, no.  
5           Twenty-three, no.  
6           Twenty-four, yes.  
7           Twenty-five, no.  
8           Twenty-six, yes.  
9           Twenty-seven, yes.  
10          Twenty-eight, no.  
11          29(A), no.  
12          29(B), no.  
13          I guess C, D, E, F, G, and H are all no.  
14          Thirty, no.  
15          Thirty-one, no.  
16          Thirty-two, no.  
17          Thirty-three, yes.  
18          Thirty-four, I will be fair and impartial.  
19          Thirty-five, no.  
20          Thirty-six, no.  
21          Thirty-seven, no.  
22          Thirty-eight, yes.  
23          Thirty-nine, yes.  
24          Forty, yes.  
25          Forty-one, yes.

1           Forty-two, no.

2           THE COURT: Thank you.

3           We need to refill seat number 1, please.

4           THE CLERK: Refilling seat number 1, B-250.

5           THE COURT: Good morning.

6           PROSPECTIVE JUROR: Good morning.

7           I live on the Upper East Side.

8           I have lived there for 25 years.

9           I am not a native New Yorker, but I've lived here  
10 most of my life.

11           My husband and I are self-employed. We have a  
12 healthcare consulting company that we've had for 20 years.  
13 So, I'm not retired.

14           My current employer is Cotton Consulting.

15           There are three of us in the company.

16           Yes, I'm self-employed. I own my own business.

17           My prior employers were large advertising  
18 agencies--Saatchi & Saatchi and Young & Rubicam.

19           I have a Bachelor's Degree.

20           I went to graduate school twice for an M.B.A. and  
21 also in Narrative Medicine, but I didn't finish either of  
22 those.

23           I'm married.

24           I don't have children. I have a dog.

25           My husband and I work together in healthcare

1 consulting.

2 I don't have adult children.

3 In my spare time, I like to go to museums, I like  
4 to travel, and I like to read. Those are my interests and  
5 hobbies.

6 I don't participate in any organizations or  
7 advocacy groups.

8 I served on a jury before twice on criminal  
9 cases.

10 THE COURT: Did you reach verdicts in those  
11 cases?

12 PROSPECTIVE JUROR: Yes, both times.

13 Number 10, the New York Times, CNN, MSNBC,  
14 Wall Street Journal, the Washington Post. That's it.

15 I don't listen to or watch podcasts.

16 I don't listen to talk radio.

17 Thirteen, no, no one I know nor myself have been  
18 the victim of a crime.

19 Fourteen, no.

20 Fifteen, my husband was in wage price  
21 administration in the '70's before I met him, but,  
22 otherwise, no.

23 We have a close friend who was an accountant, but  
24 he's retired.

25 In the legal field, my husband has a law degree,

1 but he's never practiced law.  
2 18(A), criminal justice system, no.  
3 B, no.  
4 C, irrelevant.  
5 Nineteen, no.  
6 Twenty, no.  
7 21(A), no.  
8 B, no.  
9 Twenty-two, no.  
10 Twenty-three, no.  
11 Yes.  
12 Twenty-five, no.  
13 Twenty-six, yes.  
14 Twenty-seven, yes.  
15 Twenty-eight, no.  
16 29(A), no.  
17 29(B), no.  
18 C, no.  
19 D, no.  
20 E, no.  
21 F, no.  
22 G, no.  
23 H, no.  
24 Thirty, no.  
25 Thirty-one, I believe no one is above the law.

1 So, I guess that's a strong opinion.

2 Thirty-two, I think he's being treated fairly.

3 So, 33 and 34, I'm not sure that I can say that I  
4 can beyond a reasonable doubt. I would certainly try and I  
5 think I can, but I'm not a hundred percent sure that I  
6 could be fair.

7 THE COURT: Okay.

8 Any objections?

9 MR. BLANCHE: No, Judge.

10 MR. STEINGLASS: No.

11 THE COURT: We're going to excuse you.

12 (At this time, Prospective Juror B-250 was  
13 excused)

14 THE CLERK: Refilling seat number 1, B-133.

15 THE COURT: Good morning.

16 PROSPECTIVE JUROR: Good morning.

17 Number 1, Upper West Side.

18 Seven years.

19 I'm not a native New Yorker. I was born in  
20 New Jersey and spent some time in Maryland.

21 I am a high school teacher for 20-some years.

22 I'm not retired.

23 My employer is the Department of Education, which  
24 is very large. My school has about 80 employees or maybe  
25 80 to 100 at school.

1 I'm not self-employed.

2 My prior employer was Montgomery County  
3 Public School in Maryland.

4 I have a Master's Degree.

5 I am married.

6 I have two children.

7 My husband is a computer programmer.

8 I have no adult children.

9 I sew in my spare time and I spend time with my  
10 kids, my dog, and my family.

11 I love reading, biking, hiking.

12 Eight, no.

13 Nine, no.

14 Ten, New York Times, scrolling Facebook,  
15 occasional articles probably from USA Today and  
16 Huffington Post, CNN, Google, Wall Street Journal,  
17 Washington Post.

18 No podcasts.

19 No talk radio.

20 My brother was shot by a stray bullet in his leg.

21 My catalytic converter was stolen from my car, if  
22 that counts as a crime.

23 No, 14.

24 No, 15.

25 No, 16.

1 I have a close friend, who is a lawyer. She did  
2 family law. She now works for a non-profit.

3 18(A), no.

4 No for B and C also.

5 Nineteen, no.

6 Twenty, no.

7 21(A), no.

8 B, no.

9 Twenty-two, no.

10 Twenty-three, no.

11 Twenty-four, yes, my schedule would permit me to  
12 work later.

13 Twenty-five, no.

14 Twenty-six, I can give assurance.

15 Twenty-seven, yes.

16 Twenty-eight, no.

17 29(A), no.

18 B, no.

19 C, somehow, I get e-mails from it's called

20 The Daily Caller or something. I don't know. I ended up  
21 on an e-mail list, but I don't generally read the e-mails.

22 D, no.

23 E, no.

24 F, no.

25 G, no.



1 H, no.  
2 Thirty, no.  
3 Thirty-one, no.  
4 Thirty-two, no.  
5 Thirty-three, yes.  
6 Thirty-four, no.  
7 Thirty-five, no.  
8 Thirty-six, no.  
9 Thirty-seven, no.  
10 Thirty-eight, yes.  
11 Thirty-nine, yes.  
12 Forty, yes.  
13 Forty-one, yes.  
14 Forty-two, no.

15 \* \* \* \* \*

16 (At this time, Vincent M. Gerald, III was  
17 relieved by Susan Pearce-Bates as Senior Court Reporter)

18  
19  
20  
21  
22  
23  
24  
25

1 (Continued from the previous page.)

2 THE COURT: Okay. Thank you, jurors.

3 If you haven't done so already, please pass the  
4 questionnaires to your right. You are going to be handed a  
5 second microphone.

6 At this time the attorneys will address you in  
7 the jury box. They will each speak to you for about 30  
8 minutes.

9 The law requires that the Assistant District  
10 Attorney speak to you first. Please remember that whatever  
11 the lawyers say at any time is not evidence. So, what the  
12 lawyers are about to say to you now is not evidence.

13 As with all stages of the criminal trial, there  
14 are rules that the lawyers must follow. If one lawyer  
15 believes that another lawyer is not following one of those  
16 rules, that lawyer will object and that objection creates a  
17 question of law for me to decide.

18 The objection will be one word only and I may on  
19 occasion ask for the basis or grounds for the objection.  
20 At that time the attorney will provide only the legal  
21 basis, such as for example, hearsay.

22 If I sustain an objection to the question, or  
23 comment to the lawyer, that question or comment will be  
24 stricken from the record and you must disregard that  
25 question or comment as though it was never said.

1           If I overrule any objection, the question or  
2 comments stands.

3           Of course whether I sustain or overrule an  
4 objection, my ruling indicates only that the question or  
5 comment is, or is not, in accord with one of the rules of  
6 law set out for lawyers to follow during this stage of the  
7 proceedings.

8           The ruling expresses no opinion about the facts  
9 of the case or whether the defendant is guilty or not  
10 guilty.

11           Remember, you the jury, and you alone, judge the  
12 facts and reach a verdict of guilty, or not guilty, not I  
13 and not the lawyers.

14           MR. STEINGLASS: This is so far away.

15           THE COURT: You can move it a little closer if  
16 you want.

17           Not a whole lot.

18           MR. STEINGLASS: Good morning everyone. My name  
19 is Joshua Steinglass. I am an Assistant District Attorney  
20 here in Manhattan together with Susan Hoffinger, Matthew  
21 Colangelo, Christopher Conroy, Betty Mangold and Katherine  
22 Ellis, we represent The People of the State of New York and  
23 I am sure many of you are -- I don't have a microphone. I  
24 am loud but --

25           THE COURT: So, jurors, you are going to have one

1 microphone. Please pass it around as necessary.

2 MR. STEINGLASS: Thank you.

3 So, I am sure many of you are saying to yourself,  
4 how am I being considered for this case?

5 And we are going to ask you to not try to get out  
6 of it without being too obvious, if that's what you are  
7 thinking, and just to kind of resist the urge to flee the  
8 courtroom if you are feeling that and just give us the most  
9 honest answers you can.

10 That's what we are really trying to do here, not  
11 pry into your lives. We are trying to pick a jury that can  
12 be fair to both sides, fair to the defense and fair to the  
13 prosecution.

14 You are really the best judge's of that. If you  
15 have some issues, we are hoping you raise them with us.

16 Let's start with the obvious, the defendant in  
17 this case is both the former President and a current  
18 candidate for that office.

19 And no one is suggesting that you can't be a fair  
20 juror because you heard of Donald Trump. We don't expect  
21 you to have been living under a rook for the last eight  
22 years or the last thirty years.

23 That said, as the Judge suggested, we need jurors  
24 who can set aside any strong feelings that they may have  
25 one way or the other and focus on the evidence.

1           This case has nothing to do with your personal  
2 politics, your views on a particular political issue. It's  
3 not a referendum on the Trump presidency or a popularity  
4 contest or any indication of who you are going to vote for  
5 in November. We don't care.

6           This case is about whether this man broke the  
7 law.

8           Did he falsify business records in order to cover  
9 up an agreement to unlawfully influence the 2016  
10 presentation election.

11           That's all this case is about and at the end of  
12 case the Judge will give you the law pertaining to  
13 falsifying business records, 34 counts of falsifying  
14 business records and he will tell you exactly what it is we  
15 have to prove and that's all we have to prove.

16           Can you promise to do that, to follow the Judge's  
17 instructions on what we have to prove to find the defendant  
18 guilty.

19           In other words, does anyone feel that some how  
20 because of the defendant's position we should have to prove  
21 more than what the judge says the law requires?

22           Does anyone feel that way?

23           No. No.

24           This defendant is just like any other defendant  
25 in any other criminal case. There is no special formula

1 that applies to him simply because of who he is.

2 Does anyone feel that they question whether they  
3 are able to follow the law as the Judge gives it simply  
4 because the defendant is Donald Trump?

5 Does anyone feel that way?

6 It is a little strange to call people by number,  
7 but B133, how do you feel about that?

8 PROSPECTIVE JUROR: I think that this job of the  
9 jury, like the judge said yesterday, is to understand  
10 what's fact. I don't think it matters what my political  
11 beliefs are or in relation to the defendant. I think you  
12 listen to the facts of the case and you rule on the facts  
13 of the case.

14 MR. STEINGLASS: That's right. You are judges of  
15 the fact and what we want you to do is faithfully find  
16 those facts.

17 Any reason to believe you won't be able to do  
18 that?

19 PROSPECTIVE JUROR: No.

20 MR. STEINGLASS: How do other people feel?

21 Do they agree with B133?

22 I feel like we are playing Bingo here.

23 Anyone disagree or would like to share any  
24 thoughts that they have on this matter?

25 Does anyone have such strong feelings about

1 Donald Trump that they think that they can't just set that  
2 aside and judge this case based on the evidence?

3 May we start passing the mike down.

4 How do you feel about that B038?

5 PROSPECTIVE JUROR: I don't have strong feelings  
6 about that.

7 MR. STEINGLASS: You can follow the law and give  
8 both sides a fair trial?

9 PROSPECTIVE JUROR: Absolutely. Nobody is above  
10 the law.

11 MR. STEINGLASS: Nobody is above the law.

12 B330, how do you feel about this?

13 PROSPECTIVE JUROR: I am a public servant and I  
14 built my entire career upon trying to serve the city I live  
15 in and this is an extension of that. We have to follow  
16 policies regularly and I think about this as, again, an  
17 extension of what's required of me as a citizen.

18 MR. STEINGLASS: Thank you for that.

19 Now, I thought yesterday you said something about  
20 having some opinions about campaign finance limits?

21 PROSPECTIVE JUROR: I did say that.

22 MR. STEINGLASS: Why don't you tell us what those  
23 opinions are?

24 PROSPECTIVE JUROR: I don't think that I am  
25 actively pursuing those opinions. I have strong ones.

1           I think currently the idea that you have to raise  
2 a lot of money to serve and to be in service or elected is,  
3 unfortunate because there are a lot of people committed and  
4 devoted to making their city and states and country great  
5 and they are discouraged from that because they have to  
6 raise a lot of money.

7           MR. STEINGLASS: Is there anything about those  
8 feelings, your understandable feelings, anything about that  
9 that's going to affect your ability to listen to the  
10 evidence in this case knowing the little you do about what  
11 it is about?

12           PROSPECTIVE JUROR: I don't believe so.

13           MR. STEINGLASS: Can you pass the microphone back  
14 to, I guess it is B146?

15           I thought I heard you answer that question  
16 yesterday as well, that you had some opinions about  
17 campaign finance limits?

18           PROSPECTIVE JUROR: Yeah, I do. I do. I  
19 would -- sorry. Trying to find the sweet spot.

20           I would agree with what the previous B330 said  
21 about the -- about the --

22           THE COURT: Hand up on the microphone.

23           PROSPECTIVE JUROR: Thank you.

24           MR. STEINGLASS: Nothing that would affect your  
25 ability to be fair.



1           PROSPECTIVE JUROR: No, because it really doesn't  
2 have anything to do with this case.

3           MR. STEINGLASS: I thought you also said that you  
4 had opinions about how Mr. Trump is being treated in this  
5 case?

6           Did I misunderstand that or did you answer that,  
7 yes?

8           PROSPECTIVE JUROR: If I implied that I have  
9 feelings about how he was being mistreated, I misspoke,  
10 because I don't have any opinion on that.

11          MR. STEINGLASS: Is there anything that you heard  
12 so far that causes you to doubt your ability to be a fair  
13 and impartial juror and give both sides a fair shake?

14          PROSPECTIVE JUROR: No. I think that the --  
15 because of the particulars of this case, it really doesn't  
16 have anything to do with my political inclinations or  
17 however I might feel about the defendant.

18          MR. STEINGLASS: That's a perfect example, or a  
19 good way to say it, because this case really is not about  
20 whether or not you like Donald Trump. This case is about  
21 the rule of law and whether or not Donald Trump broke it.

22          Do you think that whatever feelings you have  
23 about Donald Trump, whether they be favorable or  
24 unfavorable, that you can put that aside and just answer  
25 the question that you are being asked which is, did he

1     commit this crime and have we proven it?

2                 PROSPECTIVE JUROR:  Yeah, absolutely.  I mean, I  
3     can judge this case for the merits of the case.

4                 MR. STEINGLASS:  That's exactly what we want.

5                 Does anybody else want to have anything to say  
6     about this matter or want to share an opinion about this?

7                 Because this is really the crux of the case, your  
8     ability to do this.  We are kind of counting on you to kind  
9     of raise it with us.

10                Is that a, yes, or want to say anything?

11                PROSPECTIVE JUROR:  No, I agree with you.

12                MR. STEINGLASS:  Okay, good.

13                Now, as you know, this case has generated a fair  
14     amount of publicity.  It's been all over the news,  
15     newspapers, TV, social media.

16                We don't expect you not to have heard about it or  
17     not to have even discussed the case with friends.  What we  
18     do need is your assurance that you can keep an open mind.

19                I am sure we can all agree that media accounts  
20     may be inaccurate or only tell parts of the story.  After  
21     all, the media has not yet had access to the evidence that  
22     you are going to see in this case.

23                Similarly, it seems that everyone and their  
24     mother has an opinion about this case and what the right  
25     outcome should be, however uninformed that opinion may be.

1           But unlike the opinionated masses, you are going  
2 to have two things by the end of this case that they don't  
3 have, or at least haven't had yet, and that is access to  
4 all of the evidence and testimony in this case and the  
5 Judge's instructions on the law.

6           So, my question is, can you all promise to  
7 faithfully find the facts?

8           Like the judge said and talked about a minute  
9 ago, you are the judges of the facts. Can you all promise  
10 to faithfully find the facts as they actually are and apply  
11 the law as the Judge gives it?

12           Does anybody have any question about their  
13 ability to do that?

14           Can you pass the mike over to B128?

15           PROSPECTIVE JUROR: I was away all of February  
16 and half of March living on a lake with no Wi-Fi, not  
17 anything.

18           MR. STEINGLASS: That sounds lovely.

19           PROSPECTIVE JUROR: It wasn't tough at all.

20           MR. STEINGLASS: Lovely.

21           PROSPECTIVE JUROR: It was. Before I left I had  
22 postponed jury duty. The lady was very nice. It was my  
23 second postponement.

24           When I came back I realized I had said mid-April.  
25 And knowing that this was going to happen, I really did

1 try, and I don't really know the particulars of this case,  
2 I am coming to it, I really tried not to, and I do have two  
3 news blocked days that I will listen to no news and it's  
4 off in my house, much to the consternation of my daughter.

5 So I don't really have -- I don't really know  
6 what exactly this case is about at this point. So I am --  
7 I mean, if you want me to have that knowledge, if you wish  
8 I did have more, may be I am not the person you want  
9 sitting here, but I really haven't followed this exact  
10 case.

11 MR. STEINGLASS: We don't want you to have heard  
12 about it, or not to have heard with it. What we want you  
13 to be able to do, is if you have heard hit, put aside what  
14 you heard and judge the case based on the evidence. And if  
15 you haven't heard about it, all the easier to do that.

16 PROSPECTIVE JUROR: I will absolutely put that  
17 aside. I do believe we have a great judicial system. It  
18 could use some tweaking in some places certainly,  
19 everything else can. I will absolutely be able to do that  
20 and give this man a fair shake.

21 MR. STEINGLASS: If we had more time I would ask  
22 you more about that. We will have to save that.

23 Does anybody else have a view one way or the  
24 other in this case?

25 Is everybody going to be able to keep an open

1 mind, notwithstanding anything they may have heard and  
2 judge the case based on the facts that come out during this  
3 trial, the witnesses who testify, the documents that are  
4 introduced?

5 Anybody question their ability to do that?

6 Could you pass the microphone up to some folks in  
7 the front row?

8 Okay, B285?

9 PROSPECTIVE JUROR: Hi.

10 MR. STEINGLASS: Hi. Any concerns about this?

11 PROSPECTIVE JUROR: No concerns.

12 MR. STEINGLASS: Anything you heard so far makes  
13 you wonder whether you are able to be a fair and impartial  
14 juror in this case?

15 PROSPECTIVE JUROR: No, I really haven't heard  
16 anything.

17 MR. STEINGLASS: Now, you will learn that the  
18 charged crimes in this case took place in 2017, and some of  
19 the key evidence in this case, includes conduct that  
20 happened as far back as 2015.

21 And you may be curious why the case is going to  
22 trial now, but you are never going to learn the answer to  
23 that question. And you are not allowed to speculate as to  
24 why the trial hasn't happened until now.

25 Can you all give us your assurance that you won't

1 let your curiosity, distract you from listening to and  
2 judging the evidence in this case?

3 I see you nodding, B14.

4 How do you feel about that?

5 PROSPECTIVE JUROR: Yeah, it wouldn't bother me  
6 at all.

7 MR. STEINGLASS: Anybody feel that the case is  
8 less deserving of their attention because of the passage of  
9 time?

10 Does anybody feel that way?

11 Now, along those lines, you have to keep in mind  
12 that unlike what you might see on television, the witnesses  
13 in this case are not actors reading from scripts. They are  
14 real people testifying about events that happened some time  
15 ago and as they testify you may or may not notice minor  
16 inconsistencies between the testimony of different  
17 witnesses.

18 We all agree that people often see or remember  
19 the same event or different parts of the same event  
20 differently? Yes?

21 Baseball season just started. Who has been to a  
22 baseball game?

23 Almost everybody. Have you ever gone to a  
24 baseball game and disagreed with the umpire about whether a  
25 ball was a pitch or a strike? Or maybe with a friend who

1 happens to be sitting on the other side of the stadium and  
2 you realize the next day you were both at the same game and  
3 you are disagreeing about whether the guy was safe at  
4 second?

5 That didn't actually, exactly happen that way,  
6 did it?

7 Because I see a lot of people nodding and that  
8 would be a lot off people who had the same dispute about  
9 second. But you understand what I am getting at here which  
10 is kind of minor discrepancies, and unimportant details  
11 like that, don't speak to the truth of what happened either  
12 at the game or what happened here back in 2015 and 2017.

13 The real question is, can you be fair in  
14 evaluating the testimony of several witnesses,  
15 acknowledging that they are real people testifying about  
16 events that happened some time ago and that they may have  
17 perceived or remembered some things a little bit  
18 differently?

19 Anybody have an opinion on that that they want to  
20 share with us?

21 Can you accept the fact that even the same  
22 witness may describe the event differently -- an event  
23 differently from the way that he or she has in the past  
24 especially regarding less significant details?

25 For example, a person may remember dates a little

1 differently or switch the order of a particular  
2 conversation or not be able to remember whether the  
3 conversation happened in person or on the telephone.

4 I am just making this stuff up. The question is,  
5 can you be realistic and not hold the witnesses to  
6 unrealistic standards when they are talking about,  
7 testifying about events that happened some time ago?

8 Anybody question their ability to do that?

9 Now, you are going to learn, and we are going to  
10 be very up front about the fact that several of the  
11 witnesses in this case have what you made might consider to  
12 be some baggage.

13 The witnesses include a tabloid publisher, an  
14 adult film star, and a former lawyer for Mr. Trump named  
15 Michael Cohen who has pled guilty to several federal  
16 crimes, including lying to Congress.

17 Some of these witnesses have written books, done  
18 podcasts, or appeared in documentaries in which they  
19 discussed some of the same subject matter that they will be  
20 testifying about here.

21 And you will learn that several of the witnesses  
22 have in the past publicly denied many of the same facts  
23 that they are going to testify to here and you will learn  
24 why they spent so long lying to prevent the public from  
25 learning the truth.



1           Furthermore, you are going to learn that some of  
2 these witnesses were given immunity as part of an effort to  
3 get them to come clean in this case.

4           In fact, you will learn that any witness that  
5 testifies before the Grand Jury is given immunity and every  
6 one of those things that I just said is a factor that you  
7 can and should take into account in assessing the  
8 credibility of those witnesses.

9           But my question to you is, are those the only  
10 factors you are going to take into account?

11           Does anyone feel that if they learned those  
12 things they are going to shut their ears to anything the  
13 witness has to say?

14           Who have I not spoken to yet?

15           B280, how do you feel about that?

16           PROSPECTIVE JUROR: I am going to say now, I am  
17 going to listen to all the facts and just like everybody  
18 said before, whatever outside influences there are, they  
19 are not going to influence me here.

20           MR. STEINGLASS: You can keep an open mind and  
21 hear what a witness has to say before you decide whether or  
22 not to believe them?

23           PROSPECTIVE JUROR: Yes.

24           MR. STEINGLASS: Let me give you an example.

25           Jack and Jill rob a bank together. And when Jill

1 is first caught she denies having robbed a bank and she  
2 denies even knowing Jack, but later she decides to come  
3 clean and she cooperates with law enforcement. She tells  
4 them the truth about what she did and she testifies against  
5 Jack.

6 Now, the fact that she initially denied having  
7 been in the robbery, or even knowing Jack, that's a factor  
8 that you should consider in evaluating her credibility when  
9 she testifies, am I right?

10 Right, we can all agree about that, that's  
11 relevant to the credibility of the witness?

12 The question is, is that the only thing that is  
13 relevant?

14 In other words, would you keep an open mind until  
15 you hear all of the testimony of a particular witness and  
16 to see how does that witness' testimony kind of fit with  
17 the other evidence in the case?

18 Does it make sense? Is it logical?

19 In fact, the Judge will give a whole host of  
20 factors that you can use to help evaluate the believability  
21 of a witness.

22 So the question really is, as I keep saying, can  
23 you wait until you hear, not only the witness' testimony,  
24 but the rest of the evidence in the case, before you decide  
25 whether or not you are going to believe someone?

1 Can you do that?

2 Does anybody have any questions about their  
3 ability to do that?

4 Can we pass the mike on down a little bit. I  
5 think I have a front row bias. I will get to the back row,  
6 I promise.

7 What do you think B193?

8 PROSPECTIVE JUROR: No, I agree with everything  
9 that everyone else said. I have no reservations.

10 MR. STEINGLASS: Okay. Can you, you know, just  
11 as this case is not a referendum on whether or not you like  
12 President Trump, former President Trump, it's also not a  
13 referendum on whether you like the witnesses, right?

14 This is not whether you want to socialize with  
15 them. This is about whether they have material, reliable  
16 truthful evidence to give you about happened in this case.

17 Can you all separate believability from  
18 likability, yes?

19 Was that a hesitation, is it B374?

20 PROSPECTIVE JUROR: No. I said you actually made  
21 a good point.

22 MR. STEINGLASS: Oh, thank you.

23 THE COURT: Anyone else have any thoughts on this  
24 matter?

25 Now, the defendant in this case is being charged

1 under a theory known as accessorial or accomplice  
2 liability. And the Judge is going to explain accessorial  
3 liability at the end of the case.

4 But for now, we need to discuss the fact that if  
5 two or more people are acting together they can each be  
6 held criminally liable for the acts of the others.

7 So my general question is, would anyone have a  
8 problem holding the defendant responsible for something his  
9 partners did?

10 Does anybody think that that's a problem?

11 I see people shaking their head. Let me give you  
12 an example that clearly has nothing to do with this case.

13 Let's say a hit man hires -- or a husband hires a  
14 hit man to kill his wife and the husband may not even be  
15 present when the hit man actually carries out the murder,  
16 but the husband is every bit as guilty as the person that  
17 pulled the trigger, even though he wasn't there.

18 Can you all follow the same kind of logic in this  
19 case?

20 And can you follow the Judge's instructions about  
21 accessorial liability even though it may mean holding the  
22 defendant responsible for acts that he may not have  
23 committed personally?

24 Yes? Who has the microphone?

25 Can you pass it down? Is it B400?

1 PROSPECTIVE JUROR: Yes.

2 MR. STEINGLASS: Did you have any problem with  
3 the concept of accessorial liability?

4 PROSPECTIVE JUROR: None at all.

5 MR. STEINGLASS: Any reason to think you couldn't  
6 follow the Judge's instructions?

7 PROSPECTIVE JUROR: None at all.

8 MR. STEINGLASS: Now, one of the things that you  
9 are going to be asked to do in this case is to determine  
10 the defendant's intent.

11 You will need to decide what Mr. Trump's intent  
12 was in making or causing the false entries in his business  
13 records. And as you know, we can't get inside someone's  
14 head and read their mind. But juries do this every day.

15 They are routinely called upon -- they don't read  
16 minds every day, what they do is determine a defendant's  
17 intent every day.

18 Intent is an element of so many crimes,  
19 intentional murder, a lot of crimes involve intent. And as  
20 in your every day life, you can rely on common sense clues  
21 to help you make this determination.

22 Most importantly, what are all the surrounding  
23 circumstances?

24 What were Mr. Trump and the other people involved  
25 in this case saying or doing leading up, to around the time

1 of and after the time of the payoffs in this case.

2           What were Mr. Trump's and his partners saying or  
3 doing leading up, to around the time of and after they  
4 created the false entries in the business records?

5           What was Mr. Trump and his cohorts saying or  
6 doing around the time that the truth began to come out?

7           And what was the climate in which the key  
8 decisions were being made?

9           What was the context that Mr. Trump's actions and  
10 the actions of his cohorts were taking place?

11           Like I said, there are certain -- to determine  
12 someone's intent is something we all do on a routine basis.

13           Here is an example, you are crossing the street  
14 and someone drives by and honks at you.

15           Were they honking to say hello or honking to say  
16 get the heck out of the way?

17           You have to look at the clues, right?

18           Is the driver speeding up or slowing down?

19           Are you crossing against the light?

20           Do you recognize the driver?

21           Is the driver waving hello or doing some other  
22 hand gesture that will let you know whether or not he is  
23 honking to say hello or honking to say get the heck out of  
24 the way?

25           That's an obviously simple example.

1           But can everybody use that same kind of logic in  
2 this case to determine the defendant's intent?

3           If I can't read his mind, how can I possibly know  
4 what he intended?

5           Anybody feel that way?

6           Can we send it to the back row. I don't think we  
7 have talked to some people back there.

8           B381, how do you feel about that?

9           PROSPECTIVE JUROR: Yes, I don't think I need to  
10 read someone's mind to determine their intent or at least  
11 make a guess as to it.

12          MR. STEINGLASS: Common sense. You can look at  
13 the clues. What was going on at the time, that kind of  
14 reason that you do in your every day live.

15          PROSPECTIVE JUROR: Sure.

16          MR. STEINGLASS: How do you feel B402?

17          PROSPECTIVE JUROR: I am okay with just  
18 understanding exactly what the clues was. You have to see  
19 the evidence. You have to see what's going on.

20          You can't assume. You can't assume what anyone  
21 is doing. So I have to look at it and see from what I see,  
22 not every way. I can't see what everyone else sees. I  
23 just have to know by what was brought in front of me.

24          MR. STEINGLASS: Can you see a scenario where you  
25 would be able to determine the defendant's intent by

1 looking at those surrounding circumstances, looking at  
2 things the people were saying and doing around the time  
3 that the key actions and decisions were taking place?

4 PROSPECTIVE JUROR: Yes.

5 THE COURT: Mr. Steinglass, are you just about  
6 done?

7 MR. STEINGLASS: Am I?

8 THE COURT: Yes. Just start.

9 MR. STEINGLASS: All right. I will skip to my  
10 last question if that's okay.

11 The bottom line is, there are people who for a  
12 variety of reasons may feel uncomfortable with returning a  
13 verdict of guilty in a criminal case and you are really the  
14 best judge's of that.

15 It's our burden. We have to proof this case  
16 beyond a reasonable doubt and you have to hold us to that  
17 burden.

18 On the other hand, if we do prove the case beyond  
19 a reasonable doubt, you have to be able to basically come  
20 back in after the deliberations and look the defendant in  
21 the eye and say guilty.

22 And really only you know if you can do that. I  
23 am just going to -- you don't even have to pass the  
24 microphone.

25 I am just going down the line and ask each of you



1 to take a moment and look at the defendant and look inside  
2 yourselves and ask yourselves if this case is proven beyond  
3 a reasonable doubt, will you be able to render a verdict of  
4 guilty? Can you do that?

5 PROSPECTIVE JUROR: Yes.

6 PROSPECTIVE JUROR: Yes.

7 PROSPECTIVE JUROR: If you prove it, yes.

8 PROSPECTIVE JUROR: Yes.

9 PROSPECTIVE JUROR: Yes.

10 MR. STEINGLASS: Answer out loud for the court  
11 reporter.

12 PROSPECTIVE JUROR: Yes, I could.

13 PROSPECTIVE JUROR: Yes.

14 PROSPECTIVE JUROR: Yes.

15 PROSPECTIVE JUROR: Yes.

16 PROSPECTIVE JUROR: Yes.

17 PROSPECTIVE JUROR: Yes, sir.

18 PROSPECTIVE JUROR: Yes.

19 PROSPECTIVE JUROR: Yes.

20 PROSPECTIVE JUROR: Yes.

21 PROSPECTIVE JUROR: Yes.

22 PROSPECTIVE JUROR: Yes.

23 PROSPECTIVE JUROR: Yes.

24 PROSPECTIVE JUROR: Yes.

25 MR. STEINGLASS: Thank you so much.

1 THE COURT: Thank you, Mr. Steinglass.

2 MR. BLANCHE: May we have a very brief side-bar?

3 THE COURT: Sure.

4 Can you bring that along with you?

5 MR. BLANCHE: Yes, of course.

6 (Discussion is held at side-bar, on the  
7 record.)

8 THE COURT: All right. Just for the record, let  
9 the record reflect that I am holding the Antomarchi Waiver  
10 which has been signed by the Court.

11 And is that your signature, Mr. Blanch?

12 MR. BLANCHE: Yes.

13 THE COURT: Your client at this time is waiving  
14 his Antomarchi Rights.

15 MR. BLANCHE: Yes. My question is, can we take a  
16 very quick break?

17 Myself and my client, it's been about  
18 two-and-a-half hours, over two-and-a-half hours.

19 THE COURT: We are literally taking a ten-minute  
20 break. I need everybody back in their seats in ten  
21 minutes.

22 MR. BLANCHE: Understood, thank you.

23 (Discussion at side-bar concluded, and the  
24 following occurred in open court.)

25 THE COURT: Jurors, we are going to take a very

1 short recess, literally ten minutes. I would like  
2 everybody back here in ten minutes.

3 Don't come in until you are invited back in.  
4 Right now the clock says, 12:05. I want to be starting  
5 again at 12:15. Please follow the instructions of the  
6 officers.

7 (The prospective jurors exited the courtroom  
8 and the following occurred:)

9 THE COURT: All right. Before everybody steps  
10 out, I just want to go over the Antommarchi waiver with  
11 your client.

12 And so, Mr. Trump, yesterday we discussed whether  
13 you wanted to be present at side-bars. You indicated that  
14 you did and that's how we proceeded.

15 Your attorney has today indicated to me that you  
16 changed your mind and that you are now willing to waive  
17 your Antommarchi Rights to be present at side-bars.

18 There is a form that is in front of you that  
19 appears to indicate that you have signed that form?

20 MR. TRUMP: Yes, I have.

21 THE COURT: Is that your signature?

22 MR. TRUMP: Yes.

23 THE COURT: And have you discussed the issue with  
24 your attorney?

25 MR. TRUMP: Yes, I have.

1 THE COURT: And so, you agreed that you would  
2 like to have waive right to be present at side-bars?

3 MR. TRUMP: Yes.

4 THE COURT: Okay. Thank you. See you in ten.

5 MR. BLANCHE: Thank you, Your Honor.

6 (Short recess is taken.)

7 THE COURT: Let the record reflect that all the  
8 parties are back in the courtroom. Let's lineup the  
9 jurors. As soon as they are ready to come in, let's bring  
10 them in.

11 (Continued on the following page.)

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1                   (At this time, the panel of prospective jurors  
2 entered the courtroom)

3                   THE COURT: Welcome back, jurors.

4                   Thank you for being so prompt.

5                   Let the record reflect that all the jurors are  
6 back and properly seated.

7                   Mr. Blanche?

8                   MR. BLANCHE: Thank you, your Honor.

9                   Hi, everybody.

10                  You heard us introduced earlier. My name is  
11 Todd Blanche. I represent President Trump. You all see  
12 President Trump here and the rest of our team--Emil Bove,  
13 Gedalia Stern at the very end, and Susan Necheles.

14                  You just did 30 minutes of this. Thank you for  
15 another half hour. I appreciate it.

16                  I want to start off by saying that you heard  
17 Mr. Steinglass talk about some examples like a baseball  
18 game. This isn't a baseball game. This is extraordinarily  
19 serious. It's extraordinarily important to President Trump  
20 that we know that we're going to get a fair shake. I'm not  
21 judging at all, but it's easy to read something off of a  
22 sheet of paper and say, "Yes, I could be fair and  
23 impartial," but what I want to do is test that a little  
24 bit.

25                  This is not like every other case. Most cases,

1 as you can imagine, if a potential juror raised their hand  
2 and said, "Wait, I know that guy," everybody would agree  
3 that they can leave, but, here, we all know that every one  
4 of you knows President Trump. You all know him in  
5 different ways and you all have different views of him  
6 based upon all kinds of factors in your life--maybe they're  
7 recent views, maybe they're views from before he ran for  
8 President from years and years ago, maybe they're while he  
9 was President.

10 Look, there are no wrong answers. I mean that.  
11 You're not going to offend me, you're not going to offend  
12 the Court, the People, or even President Trump by really  
13 talking about your opinion of President Trump. It's  
14 extraordinarily important and I really want to spend our  
15 time doing that.

16 You know what, I will start at the end just  
17 because the microphone is down there.

18 Juror B-280, can you talk a little bit more about  
19 your opinion of President Trump.

20 PROSPECTIVE JUROR: I don't really have one,  
21 especially in this courtroom. I think that he will be  
22 treated as anybody else would be treated. No one is above  
23 the law. So, I am here just to hear the facts, both sides,  
24 and make a decision based on what is factual here.

25 MR. BLANCHE: That's fair. I appreciate that.

1           How about beyond this case? I understand that  
2 you're going to hear about the facts and the law, but what  
3 about your opinion of him having nothing to do with this  
4 case? What I mean by that is what opinion did you walk in  
5 here with, having heard no evidence yet?

6           PROSPECTIVE JUROR: I didn't even know I was  
7 walking into this. So, I didn't even have an opinion. I  
8 thought I was going home yesterday and going to work.

9           I mean, I just -- I'm here for my civic duty.  
10 I'm here just to listen to the facts and to not let  
11 anything persuade me either way.

12           MR. BLANCHE: Thank you.

13           Can you pass the microphone to Juror number 285.

14           The same question to you:

15           One thing to think about, by the way--and there  
16 is no right way or wrong way to think about this--but think  
17 about your social media. I think almost every one of you  
18 gets some news from Facebook or X or most of you read the  
19 New York Times. So, think about your social media, "What  
20 do I see on social media? What do I post on social media?"  
21 That can go to your opinion of President Trump. So, go  
22 ahead.

23           PROSPECTIVE JUROR: I'm not someone who's really  
24 into politics. I have a career in sports. So, all my  
25 social media revolves around sports. Obviously, I know

1 about President Trump. I'm a female. He's targeted some  
2 females. I would say that some of my friends have strong  
3 opinions on him, but, that being said, I'm not political.  
4 I really don't pay attention to a lot of this stuff.

5 MR. BLANCHE: What do you mean when you say  
6 you're a female? What's that mean?

7 PROSPECTIVE JUROR: Well, I'm a female. I know  
8 there's been cases--well, maybe not cases--but I know that  
9 there's been opinions on how he doesn't treat females  
10 correctly, stuff like that.

11 MR. BLANCHE: What's your view of that?

12 PROSPECTIVE JUROR: I obviously don't really know  
13 the story. So, I just don't really, like, have a view on  
14 it.

15 MR. BLANCHE: Understood.

16 B-14--if you could pass it on--how about for you?

17 For you, let me start with something different:

18 You're a prosecutor?

19 PROSPECTIVE JUROR: I am.

20 MR. BLANCHE: So, you have the same job but in a  
21 different borough as the folks here?

22 PROSPECTIVE JUROR: Correct.

23 MR. BLANCHE: You said you could be fair and  
24 impartial to that, but how would you deal with that? How  
25 would you deal with the fact that you know the rules as



1 well or maybe even better than some of the prosecutors or  
2 some of the lawyers in this case? A lot of what happens  
3 maybe at sidebar or during the case that may not be obvious  
4 to the jury, you might have an assumption about what that  
5 means.

6 PROSPECTIVE JUROR: Well, I think what it really  
7 boils down to at the end of the day is to listen to the law  
8 as given by the judge. No matter what things I've learned  
9 or things I have from my job, at the end of the day, it's  
10 about whether or not the People, over here (Indicating),  
11 can prove the case beyond a reasonable doubt because, at  
12 this point, he's presumed innocent. So, he has that  
13 presumption. I haven't heard anything from the People.  
14 It's up to them to actually prove the case and then apply  
15 the law as the judge gives it.

16 MR. BLANCHE: Thank you.

17 What about the general question I'm asking?  
18 What's your view, putting aside the facts of this case, of  
19 President Trump?

20 PROSPECTIVE JUROR: I don't really follow  
21 national politics that much. There's things associated  
22 with him that I agree with and things that I don't really  
23 have an opinion on. I have a lot of friends in law  
24 enforcement who are fairly pro Trump, but I don't really  
25 have an opinion on a national level.

1 MR. BLANCHE: Great.

2 Can you pass the microphone down.

3 We might jump around a little bit, but, for now,  
4 we'll just continue with what we're doing.

5 I believe you're Juror number 113?

6 PROSPECTIVE JUROR: Yeah.

7 MR. BLANCHE: You said yesterday, "No one's above  
8 the law, whether a former President, a sitting President,  
9 and not even a janitor." Talk about that, but also talk  
10 about my question that I posed to the group, which is you  
11 came in here with an opinion about President Trump. It's  
12 impossible not to. Talk a little bit about that.

13 PROSPECTIVE JUROR: Well, first of all, I think  
14 that my opinion of President Trump--whether as a President,  
15 former President, or candidate--has absolutely no bearing  
16 on the case that you're presenting or you're defending.  
17 That is a separate thing. That's what I'm here to do as a  
18 juror--is decide those facts on their own. What I think  
19 about President Trump outside of this room has nothing to  
20 do with what goes on inside this room and would not, in my  
21 mind, prejudice my view.

22 MR. BLANCHE: I appreciate that.

23 What is your view of President Trump?

24 PROSPECTIVE JUROR: That's what I'm saying. My  
25 view doesn't matter.

1 MR. BLANCHE: Well, what --

2 PROSPECTIVE JUROR: If you were sitting in a bar,  
3 I'd be happy to tell you, but, in this room, what I feel  
4 about President Trump is not important or imperative to  
5 either the case you're presenting or the case you're  
6 defending. It just isn't.

7 MR. BLANCHE: So, do you remember yesterday  
8 when--and this isn't directed to you; it's directed to  
9 everybody--there was I think a video that you were all  
10 shown downstairs about the idea of bias, implicit bias, and  
11 things like that? That's real. That's real. That's  
12 extraordinarily important to everybody in this room--not  
13 just to President Trump, but to everybody. So, while I do  
14 appreciate the distinction you're trying to make, I still  
15 would ask you to give us a little bit because we want to  
16 evaluate whether you're fair and impartial--not just me and  
17 not just President Trump, but everybody in this room.

18 PROSPECTIVE JUROR: But you're asking me to play  
19 my political views into a criminal case and, to me, they're  
20 two different things. At this juncture, what we're doing  
21 right now, is apples and oranges. They're not the same.

22 Look, I'll say I'm a Democrat. So, there you go,  
23 but that's it. That's where it goes for me. I walk in  
24 here and he's a defendant. That's all he is. If I'm  
25 picked for the jury, my job is to judge him as a defendant.

1 MR. BLANCHE: I agree with that--I do--and I  
2 think everybody agrees with that, but I think the question  
3 is whether you're separating what your view of somebody who  
4 you know outside of this courtroom and inside of this  
5 courtroom -- the question is whether you can do that and  
6 whether we get a fair shake without us knowing what that  
7 view is.

8 PROSPECTIVE JUROR: I believe I can. The whole  
9 thing is that it doesn't matter what my view is because I  
10 honestly believe that I can view this as completely  
11 separate. I can compartmentalize. My view outside of here  
12 doesn't play into what's going on in this room.

13 MR. BLANCHE: Thank you very much.

14 Can you pass it along.

15 You're an attorney. You work at Davis & Polk?

16 PROSPECTIVE JUROR: Yes.

17 MR. BLANCHE: I may have misheard, but did you  
18 say something happened during your clerkship that was  
19 either negative or positive?

20 PROSPECTIVE JUROR: No. I just had a criminal  
21 docket when I clerked.

22 MR. BLANCHE: I understand.

23 PROSPECTIVE JUROR: An appellate docket.

24 MR. BLANCHE: Fair enough.

25 So, same question to you about your views of

1 President Trump outside of the facts of this case and your  
2 opinion of President Trump.

3 PROSPECTIVE JUROR: I think I followed everything  
4 like everyone else. I was a big fan of The Apprentice when  
5 I was in middle school at the time. I watched that. When  
6 he became President, there were some things I agreed with  
7 and some things I disagreed with.

8 MR. BLANCHE: Fair enough.

9 I'm going to jump around a little bit because I'm  
10 going to run out of time.

11 Can you pass it two over, not that I don't want  
12 to speak with you, sir.

13 So, the same question:

14 I think you said you use Facebook and you follow  
15 the news. This is not an unfamiliar face to you. When you  
16 came in here, what's your opinion? What's your view of  
17 President Trump?

18 PROSPECTIVE JUROR: I think I disagree with  
19 several policies. As far as information shared on social  
20 media, I have a diverse collection of friends and family  
21 and they all sort of post things in favor of or opposed to  
22 previous presidential policies and federal policies. I  
23 feel like I try to stay the middle ground. I'm not trying  
24 to make enemies of past friends and family members over  
25 politics. I see a lot on both sides and I just try to keep

1 my head down and do what I need to do every day.

2 MR. BLANCHE: Thank you.

3 You can pass the microphone.

4 By the way--and Mr. Steinglass said this  
5 earlier--I don't care about your politics. I'm really  
6 genuinely not asking about that. I'm not trying to put  
7 anybody on the spot on who you voted for or if you're a  
8 Democrat or a Republican. I'm asking about the individual.  
9 So, try to separate that. It doesn't matter who you voted  
10 for.

11 So, with that being said, B-38, same question to  
12 you, sir. Again, not politics, just your opinion of  
13 President Trump.

14 PROSPECTIVE JUROR: I can separate the politics  
15 from the person and my opinion. I don't have a strong  
16 opinion either way. I mean, like she said and everyone  
17 else said, we all follow politics or see what we see, but  
18 I'm here to judge the facts that are presented and not the  
19 individual. So, I can separate the two.

20 MR. BLANCHE: I appreciate you could judge the  
21 facts, but what is your opinion of President Trump?

22 PROSPECTIVE JUROR: My opinion?

23 MR. BLANCHE: Yes.

24 PROSPECTIVE JUROR: He was our President. Like  
25 he said, I agree with some things and, some things, I don't

1 agree with. That's based on my feelings, I guess.

2 MR. BLANCHE: You think whatever your agreements  
3 and disagreements are wouldn't affect your ability in this  
4 courtroom to be --

5 PROSPECTIVE JUROR: Not at all because I don't  
6 look at the person as the President or whatever. I look at  
7 the person sitting there as an individual. So, I can  
8 separate the two.

9 MR. BLANCHE: Thank you.

10 Can you -- Actually, I don't need to speak with  
11 you. Can you go right behind. That's perfect.

12 Juror number 158, same question to you, sir:

13 You're an attorney. You read a lot of the same  
14 news that everybody else reads, which would necessarily  
15 give you a lot of information about President Trump.  
16 What's your opinion of President Trump?

17 PROSPECTIVE JUROR: I agree with the others about  
18 separating politics from in here. I think I read less than  
19 the others. My wife does not like the news. So, she  
20 doesn't really keep it on in the house. I probably have  
21 stronger opinions about local stuff than national stuff.

22 MR. BLANCHE: Thank you.

23 Can you actually pass the microphone three people  
24 down to you, sir, Juror number 292.

25 Is that you?

1 PROSPECTIVE JUROR: That's me.

2 MR. BLANCHE: All right.

3 Same question to you:

4 What's your opinion of President Trump?

5 PROSPECTIVE JUROR: Well, I don't -- Feelings  
6 are not facts, right? So, we're here to see the evidence,  
7 to look at the facts, to look at the time line, and all of  
8 that. Policy, of course, I disagree with some things. I  
9 also agree with some others. I think the media and the  
10 opinions of my Facebook friends or whoever shouldn't be  
11 consequential to this trial. Yeah, that's how I feel about  
12 it. Feelings are not facts.

13 MR. BLANCHE: Fair enough.

14 So, you also became a citizen while  
15 President Trump was President; correct?

16 PROSPECTIVE JUROR: Correct.

17 MR. BLANCHE: Anything about that experience or  
18 the time leading up to that that gives you any concern one  
19 way or another about your ability to be fair and impartial?

20 PROSPECTIVE JUROR: No, not at all. I'm very  
21 grateful to be an American and that happens on the first  
22 year that he was President.

23 MR. BLANCHE: Thank you.

24 Could we pass one over to B-89.

25 Sir, same question to you:



1           You talked a little bit about what you're doing  
2 now and your background, but what is your opinion over the  
3 past eight, 10, or 12 years observing President Trump or of  
4 President Trump?

5           PROSPECTIVE JUROR: I find him fascinating and  
6 mysterious. He walks into a room and he sets people off,  
7 one way or the other. I find that really interesting.  
8 "Really? This one guy could do all of this? Wow." That's  
9 what I think.

10          MR. BLANCHE: With that foundation, is that as  
11 far as it goes, just fascinating and interesting?

12          PROSPECTIVE JUROR: Well, certainly, he makes  
13 things interesting, one way or the other. So, I find that  
14 interesting. I follow it because so many people are set  
15 off one way or the other and that is interesting to me.

16          MR. BLANCHE: Thank you.

17          How about two over? We'll go to, I think,  
18 Juror number 128. Is that right?

19          PROSPECTIVE JUROR: Yes.

20          MR. BLANCHE: Sorry. We're using numbers.

21          PROSPECTIVE JUROR: I've lived in New York for  
22 50 years. So, President Trump has been a notable figure in  
23 real estate here as a developer--although, I don't follow  
24 that. There's very little we probably agree on  
25 policy-wise. Sometimes, I get frustrated with it, like

1 anybody does.

2 I have family members that support him. We  
3 manage to have decent conversations about that.

4 I feel sort of embarrassed. I don't even know  
5 much about this because I wasn't paying attention to this  
6 particular issue, but I don't think -- I consider myself a  
7 thoughtful person and I understand how important this is to  
8 everybody here. I think I would be able to -- I know I'll  
9 be able to separate my policy issues from what's going on  
10 here. I don't think those will touch on that for me.

11 MR. BLANCHE: As Mr. Steinglass mentioned a  
12 little bit ago, you're going to hear evidence of stuff that  
13 happened a really long time ago--as late as 2015, 2016,  
14 when President Trump first took office that first year.  
15 You're going to be going back a long time and maybe  
16 bringing up memories that you haven't thought about in a  
17 long time. It's another question; right? Normally, there  
18 would be no memory. You would be hearing about a fact for  
19 the first time. Here, you're going to see  
20 potentially--potentially--tweets and you're going to  
21 remember seeing that tweet and where you were seven or  
22 eight years ago or think you might remember. So, again,  
23 what we're trying to make sure is that President Trump is  
24 starting out at zero with you--literally, at zero. So, you  
25 know who he is--of course, you do--but that you have no

1 opinion of him that will cause you to not be completely  
2 fair and impartial.

3 PROSPECTIVE JUROR: Whatever came of tweets and  
4 whatever I read or pull out on the news, somebody's behind  
5 that filtering it in a way. I am very very skeptical of  
6 what I get on the news. I don't tweet. I was on Twitter  
7 for two days and that was it. I do not tweet. So, I don't  
8 think that I am going to have a problem separating that and  
9 starting out at zero. I don't know how to convince you of  
10 that. I understand your dilemma. I truly do. You want  
11 your client to have a fair shake here, just like the  
12 District Attorney wants the same thing. I will do my  
13 level-headed best to make sure that happens if I'm sitting  
14 here. I don't know how to give you any more assurance than  
15 I possibly can. I didn't sleep last night thinking about,  
16 "Could I really do that?" It's just so important. Nobody  
17 is sitting here that doesn't have that. I get what you're  
18 doing and why you have to do this.

19 MR. BLANCHE: Can you pass it one over.

20 Thank you very much.

21 So, look, you've heard everybody talk and all  
22 those questions. Same question to you:

23 At its root, your opinion of President Trump?  
24 It's tough to talk about him. He's right here, but --

25 PROSPECTIVE JUROR: I don't think it's difficult,

1 not to cut you off.

2 MR. BLANCHE: Go ahead.

3 PROSPECTIVE JUROR: I'm not a political person.

4 I'm not just saying that just because. I'm not into  
5 politics. I don't really care for the news. I have  
6 friends that are in entertainment media. So, I know how  
7 that could get construed.

8 During the election, obviously, I'm a person of  
9 color. So, I'm around people who did have an opinion  
10 during the election. I try to avoid political  
11 conversations. To be completely honest with you, my  
12 response is President Trump speaks his mind. I would  
13 rather that in a person than someone who's in office and  
14 you don't know what they're doing behind the scenes. So,  
15 my opinion was never -- I don't feel like I have a strong  
16 opinion either way. It's just, like, this is the case.

17 MR. BLANCHE: Thank you.

18 Could you pass it to B-297.

19 Same question for you.

20 PROSPECTIVE JUROR: I would say that I think that  
21 Trump and I probably have different beliefs, but I don't  
22 think that that invalidates anything about who he is as a  
23 person. This is a free country. We can think certain  
24 things and that's fine. I think that I can look at this as  
25 a person on trial, any other American citizen, and not take

1 this person who used to be the President as that and just  
2 stick to what's being shown to me.

3 MR. BLANCHE: Thank you.

4 So, let me ask you a question:

5 Almost everybody here reads the  
6 New York Times--not everybody, but most of you guys--and  
7 follows the news. Who knows that President Trump is  
8 charged in other cases? Raise your hands.

9 (HANDS RAISED)

10 MR. BLANCHE: Who knows what he's charged with  
11 outside of this case?

12 (HANDS RAISED)

13 MR. BLANCHE: It looks like we got mostly  
14 everybody.

15 Anybody have no idea? Is anybody getting this  
16 news for the first time?

17 (HAND RAISED)

18 MR. BLANCHE: One, 374.

19 Fair enough.

20 My last question--I'm running out of time--is how  
21 does that affect you? I'm not saying that it should or  
22 shouldn't, but it's important that we understand that.  
23 Those of you who read the New York Times or watch CNN, it's  
24 difficult to watch that at all without hearing about one of  
25 the other charges that President Trump faces. So, how does

1 that, if in any way, affect you?

2 Why don't we go back to you, sir, B-113.

3 PROSPECTIVE JUROR: I think this is a different  
4 case than any of those cases. I didn't follow them  
5 specifically line by line, but I know there are other  
6 cases. I know there are other cases in other states, but  
7 they're about different things and different courts, if I'm  
8 correct. This is a case that we have to take, all of us,  
9 on its own merits here. Again, to me, it feels relatively  
10 simple to do, to compartmentalize like that.

11 MR. BLANCHE: Okay.

12 You could pass two more over and I will give you  
13 a shot to speak, sir.

14 That's 400?

15 PROSPECTIVE JUROR: Yes.

16 MR. BLANCHE: Same question to you:

17 Do you have any opinion, positive or negative?  
18 What is your opinion of the fact that there are other  
19 charges that exist for President Trump?

20 PROSPECTIVE JUROR: I don't have an opinion at  
21 all.

22 MR. BLANCHE: Do you know about the other  
23 charges?

24 PROSPECTIVE JUROR: I've heard of some of them,  
25 yeah.

1 MR. BLANCHE: Fair enough.

2 Can you pass it back 381. Is that you?

3 PROSPECTIVE JUROR: Yes.

4 MR. BLANCHE: Same question to you about the  
5 other charges:

6 You read the news. You constantly are seeing  
7 information about other charges. Where does that leave  
8 you, if anywhere, with respect to what you're supposed to  
9 do here?

10 PROSPECTIVE JUROR: I'm actually not super  
11 familiar with the other charges. I don't really follow the  
12 news that closely, unfortunately. It's a little  
13 embarrassing to say. So, I just don't have that much  
14 information. I'm sorry.

15 MR. BLANCHE: That's fair. That's an honest  
16 answer. That's fine.

17 Can you pass it to your left.

18 Juror 402, how about you?

19 PROSPECTIVE JUROR: I can't judge him. I've  
20 heard about the other cases--and I'm not following it all  
21 the way through--but I just feel like, with anyone, until  
22 you prove him guilty, why should I just outright judge him?  
23 I don't know his business. I can't say. He speaks his  
24 mind. That's something that -- He stirs the pot. He  
25 stirs the pot. He speaks his mind. You can't judge him

1 because he speaks his mind. The way that everyone wants to  
2 judge him for speaking his mind, I just can't say. Will I  
3 be impartial to things? Of course. I know what's right  
4 and what's wrong. The evidence has to be brought to me for  
5 me to see. He speaks his mind. I mean, come on. What can  
6 you say about that? If I told you what I thought all the  
7 time about people --

8 MR. BLANCHE: Sure.

9 PROSPECTIVE JUROR: He just says it and that's  
10 it. You can't blame him for speaking. He says what he  
11 wants to say. I want to say some things to people, but my  
12 mother said to be nice. So, that's it.

13 MR. BLANCHE: Fair enough.

14 The last question is just to the group. You  
15 heard Mr. Steinglass talk about this, but you also heard it  
16 yesterday from Judge Merchan:

17 You're going to hear a lot of names besides  
18 President Trump, a lot of names that some of you would have  
19 heard a lot about over the past eight  
20 years--Kellyanne Conway; Michael Cohen; Hope Hicks,  
21 potentially; people that were involved with President Trump  
22 during the White House before and even up to now for some  
23 reason. So, back it out and remember what it was like in  
24 your life during President Trump's presidency, which, now,  
25 with what we're going to be talking about, was a really



1 long time ago. Is there anything about hearing testimony  
2 about those other witnesses, who, in their own right, you  
3 know at least over social media and video news, that makes  
4 you feel like, "You know what, I can't commit to being fair  
5 and impartial," or, "I have an opinion about those  
6 individuals that will keep me from being fair and  
7 impartial?" Anybody?

8 (NEGATIVE RESPONSE FROM PROSPECTIVE JURORS)

9 MR. BLANCHE: Everybody is shaking their heads.

10 So, the last area that I want to talk about,  
11 which Mr. Steinglass addressed a little bit, is  
12 President Trump and the fact that he has no burden to do  
13 anything here. Judge Merchan said that and I expect that  
14 Judge Merchan will say that again:

15 We can literally sit here and do nothing the  
16 entire time. From the moment this trial starts until the  
17 end, the entire burden is on the folks in front of me, with  
18 the People. We've all heard that since grade school. It's  
19 easy just to say, "Yeah, you don't have to do anything.  
20 It's the government's job to prove you guilty beyond a  
21 reasonable doubt," but think about whether you will have  
22 any issues or maybe question if there isn't a defense  
23 raised or if there isn't a question asked that you think  
24 should be asked. Think about whether you can accept the  
25 burden from now until the end that President Trump is

1 innocent--innocent--until such time that you go back to  
2 deliberate and, then, we expect he'll still be innocent,  
3 but that's the point. Can you commit from now until the  
4 end that that will be what you come into this courtroom  
5 with every day--that he is innocent of any crime charged?  
6 Anybody have any concerns?

7 (NO RESPONSE FROM PROSPECTIVE JURORS)

8 MR. BLANCHE: By the way, there's no wrong  
9 answers. If you raise your hand and have a question or a  
10 follow-up or you want to understand what I mean, please do.  
11 Please do. It's extraordinarily important.

12 (HAND RAISED)

13 MR. BLANCHE: Go ahead.

14 PROSPECTIVE JUROR: He's innocent until proven  
15 guilty. That's it.

16 MR. BLANCHE: Look, you say that and --

17 PROSPECTIVE JUROR: But I believe it.

18 MR. BLANCHE: You believe it. That's the  
19 question; right? That's the important question. It's not  
20 only whether you say it.

21 Go ahead, ma'am.

22 Where's the microphone?

23 PROSPECTIVE JUROR: That's all right.

24 MR. BLANCHE: Speak loudly. Go for it.

25 PROSPECTIVE JUROR: Your client has no -- If he

1 decides not to speak and you decide not to present  
2 anything, that's your right. That's a right thing. So, we  
3 can't presume that that makes him guilty because he's not  
4 saying anything. It's really -- The prosecutor is the one  
5 that has to prove that.

6 MR. BLANCHE: That's right.

7 PROSPECTIVE JUROR: They have to present those  
8 facts and prove them.

9 As I said, he has the right not to say anything.  
10 Any right that you have, if you decide to assert that  
11 right, that means you're being quiet. I'm sorry, but  
12 that's not a presumption of guilt.

13 MR. BLANCHE: I don't think I could have said it  
14 better myself. I wish you would have had the microphone.

15 Thank you.

16 That is something that's important. It's  
17 something that, maybe, we sometimes not take for granted,  
18 but we just put it in the back of our head instead of the  
19 beginning of our heads.

20 So, one last question and I'm out of time:

21 Is there something that I didn't ask that you  
22 think I need to know about you so that, when we go back and  
23 decide who would be the fairest and the most impartial  
24 juror, you think we should know something, one way or the  
25 other? It's an open-ended question. Please feel free to

1 answer it. There's no right answers.

2 (NO RESPONSE FROM PROSPECTIVE JURORS)

3 MR. BLANCHE: Nothing.

4 Thank you, your Honor.

5 THE COURT: Thank you, Mr. Blanche.

6 Jurors, at this time, the law provides that the  
7 attorneys be given some time to review their notes and make  
8 some decisions. So, I'm going to ask you to please step  
9 outside. We'll try to be as quick as we can, but it will  
10 be a few minutes.

11 I remind you of my instructions yesterday:

12 Please do not discuss this case either among  
13 yourselves or with anyone else.

14 (At this time, the panel of prospective jurors  
15 exited the courtroom)

16 MR. STEINGLASS: Can we approach for one second,  
17 Judge?

18 THE COURT: Sure.

19 (The following occurred at sidebar)

20 MR. STEINGLASS: I didn't necessarily need the  
21 record.

22 I was just going to ask if you might want to -- I  
23 don't know if we're going to have an answer in five minutes  
24 or 10 minutes.

25 THE COURT: We're not going to stop at 1:00. If

1 we have to go to 1:15, we'll do that.

2 MR. STEINGLASS: Okay.

3 MS. NECHELES: Judge, where can we work since we  
4 need to talk with the client?

5 THE COURT: I'm sorry?

6 MS. NECHELES: Where can we do this? We need to  
7 talk to the client. We can't really do it here. Can we go  
8 back to --

9 THE COURT: You can go back, but I need you back  
10 at 1:00 sharp.

11 MS. NECHELES: Your Honor, I'm afraid it's not  
12 going to be enough time to discuss it with the client. He  
13 really needs to be able to have his participation in this.  
14 By the time we get back there and get back here, we just  
15 won't be able to get this done with the client, I'm afraid.

16 MS. HOFFINGER: I believe you have access to the  
17 courtroom across the way.

18 MS. NECHELES: I know, but, by the time we --

19 THE COURT: It's right across the hall and you're  
20 wasting time right now. Why don't you go ahead and get  
21 started. It's literally right across the hall.

22 \* \* \* \* \*

23 (RECESS TAKEN)

24 \* \* \* \* \*

25 THE COURT: Let the record reflect counsel is

1 back in the courtroom.

2 The jurors are not present.

3 Counsel, is there anything you wanted to say?

4 Ms. Necheles, is there anything you wanted to say?

5 MS. NECHELES: No, your Honor.

6 THE COURT: Did you have enough time to review  
7 your notes?

8 MS. NECHELES: No, your Honor.

9 MR. BLANCHE: No. We need more time.

10 THE COURT: Okay.

11 So, we're going to adjourn to 2:15.

12 When you come back at 2:15, I expect you to be  
13 prepared to go through it.

14 MR. BLANCHE: Of course.

15 THE COURT: We still have six people in the  
16 audience. I'm going to put them in the box. I want to go  
17 through them. Then, I still want to be able to get to a  
18 new panel today to at least swear them in.

19 MS. HOFFINGER: Your Honor, will we be  
20 questioning the six in the box before we get the new panel?

21 THE COURT: Yes.

22 My rationale for that is we know that those six  
23 people did not self-excuse. So, hopefully, they're viable  
24 candidates.

25 Let's bring the jurors in so that I could excuse

1     them for lunch.

2                     (At this time, the panel of prospective jurors  
3     entered the courtroom)

4                     THE COURT: Let the record reflect that the  
5     18 jurors are back in the jury box and the six jurors who  
6     are still in the audience are back in the audience.

7                     Jurors, as you know, this is a very important  
8     part of the process here and I don't want to rush the  
9     attorneys through it. So, rather than having you wait  
10    outside while we go through what we need to do here, I'm  
11    going to excuse you now for lunch--that will be the 18 of  
12    you and the six of you in the audience. I'm going to  
13    excuse you for lunch. I would like you to be back in the  
14    building at whatever time you need to get back so you could  
15    be up here at 2:15. I want to start at 2:15.

16                    Before I excuse you, I remind you of the  
17    instructions you heard me give yesterday:

18                    Please do not discuss this case either among  
19    yourselves or with anyone else.

20                    Please continue to keep an open mind.

21                    Do not form or express an opinion as to the  
22    defendant's guilt or innocence until you have heard the  
23    evidence, you've heard my instructions on the law, and I  
24    have directed you to begin your deliberations.

25                    Again, do not, at any time during the trial,

1 request, accept, agree to accept, or discuss with any  
2 person the receipt or acceptance of any payment or benefit  
3 in return for supplying any information concerning the  
4 trial.

5           You must promptly report directly to me any  
6 incident within your knowledge involving an attempt by any  
7 person improperly to influence you or any member of the  
8 jury.

9           Do not read, view, or listen to any accounts or  
10 discussions of the case reported by newspapers, television,  
11 radio, the internet, or any other news media.

12           Do not attempt to research any fact, issue, or  
13 law related to the case whether by discussion with others,  
14 by research in a library or on the internet, or by any  
15 other means or source.

16           When you step outside, the court officers and  
17 lieutenant will tell you what time you need to get back to  
18 the building to ensure that you're back up here by 2:15.

19           Enjoy your lunch.

20           (At this time, the panel of prospective jurors  
21 exited the courtroom)

22           THE COURT: At 2:15, I will be back on the bench  
23 and I'll start taking your challenges.

24           The way I do it is we take as many challenges as  
25 there are available seats. The first go-through, we will



1 go through 12 seats, which will be the first 12 seats.  
2 First, will be challenges for cause from the People, then  
3 challenges for cause from the defense, then peremptory  
4 challenges by the People, and then peremptory challenges by  
5 the defense. Let's say we got 11 jurors out of that, then  
6 we would only look at one more seat at a time because  
7 that's all we would have available.

8 Enjoy your lunch.

9 \* \* \* \* \*

10 (At this time, a luncheon recess was taken and  
11 the trial adjourned to 2:15 p.m.)

12 \* \* \* \* \*

13 (At this time, Vincent M. Gerald, III was  
14 relieved by Vikki Benkel as Senior Court Reporter)

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A F T E R N O O N S E S S I O N

\* \* \*

THE COURT: Good afternoon.  
Case on trial continued.

Let the record reflect the People are present, the  
Defense counsel are present, Mr. Trump is present.

Anyone else we are waiting for?

MR. BLANCHE: No.

THE COURT: Okay.

Are you ready now to go through the challenges?

MR. BLANCHE: Yes, we appreciate the extra time.

Your Honor, I am sorry, we are ready to start, we  
certainly have issues to discuss and for cause challenges.

THE COURT: Okay.

MR. BLANCHE: So I did not understand your  
question, I am sorry.

THE COURT: I was ready to take the challenges, I  
did not know if there was an issue.

What is the issue?

MR. BLANCHE: The issue that we can take up now as  
part of the for cause challenges, there is a number of the  
jurors that we have social media posts for that are very  
much contrary to the answers that they gave.

Because there is the names are anonymous, we

1 certainly did not want to confront them in open court with  
2 their social media posts, which would then let them know  
3 that we knew their names and whatnot.

4 THE COURT: You asked that I not tell anybody that  
5 this was an anonymous jury. I have not told them it is an  
6 anonymous jury.

7 MR. BLANCHE: Our understanding is they were told  
8 downstairs.

9 THE COURT: They were told downstairs they would  
10 go by number, no one told them it is an anonymous jury.

11 MR. BLANCHE: Well, Your Honor, we certainly did  
12 not want to point out to them after using numbers the whole  
13 time in open court with reporters confronting them with  
14 that. So our asking, we can certainly talk about the posts  
15 and if there is an issue, either if there is not an  
16 agreement that they should be struck for cause, we would  
17 very much respectfully request they be brought back in and  
18 questioned, whether outside the presence of the press or  
19 whatever.

20 It is a difficult situation, we don't want to  
21 embarrass them, Your Honor.

22 THE COURT: That's fine. If there is a question  
23 we will bring each juror in, as we get to that juror we will  
24 bring that juror in.

25 MR. BLANCHE: Okay.

1 THE COURT: We can start taking the challenges  
2 now.

3 So looking at seats one through 12. People, are  
4 there any challenges for cause?

5 MR. STEINGLASS: No, Judge.

6 THE COURT: Defense, one through 12, any  
7 challenges for cause?

8 MR. BLANCHE: Yes, Your Honor.

9 First juror number one.

10 THE COURT: Tell me why?

11 MR. BLANCHE: Your Honor, juror number one in  
12 answer to questions about opinions of President Trump,  
13 indicated that she did not have any, and that whatever  
14 opinions she has, you know, did not rise to the level of not  
15 being fair and impartial, she can decide fairly.

16 Juror number one has a series of extraordinarily  
17 hostile Facebook posts.

18 THE COURT: Can I see them?

19 (Whereupon, the documents were handed to the  
20 Judge)

21 THE COURT: I am not sure was I handed the right  
22 thing?

23 MR. BLANCHE: Pardon me?

24 Yes, Your Honor, I can put some context around it.

25 THE COURT: Just so the record shows, I was handed

1 a sheet that appears to have, and I apologize if I use the  
2 wrong terminology, please correct me if I do, two screen  
3 grabs. The first one depicts a number of people in what  
4 looks like some sort of ocular location, at the top it says,  
5 "I had to get in the car to spread the honking cheer".  
6 "There is an actual dance party at 96th Street".

7 Then beneath that is another screen grab that  
8 looks like it might have been taken from a fire escape of  
9 some sort.

10 Are we all looking at the same thing?

11 MR. STEINGLASS: I am not looking at anything.

12 MR. BLANCHE: Sorry.

13 THE COURT: It appears to be looking across to  
14 another building and it says "Okay, so I have been in the  
15 middle of the ocean for the last week, what is going on".

16 MR. BLANCHE: Yes, Your Honor.

17 So those two posts are on the day of the election.  
18 It was shortly after it was announced that President Trump  
19 had lost the election.

20 So the first post says, there is a full out party,  
21 and the rest of the post she had to get in the car and  
22 spread the honking cheer, it is a full on dance party at  
23 96th Street.

24 I mean that is somebody who is actively --

25 THE COURT: Where does it refer here to your

1 client or to the election?

2 MR. BLANCHE: I mean it is the date at the top,  
3 Your Honor, the date that it was posted.

4 It is clear from the video, we can pull up the  
5 video if Your Honor wants, it is clear from the video it is  
6 a celebration of the results of the election.

7 THE COURT: People?

8 MR. STEINGLASS: This seems to me to be  
9 ridiculous. A juror, even if this is the juror's, which we  
10 have no idea how it is because we don't know how they  
11 conducted this research, that they appear to have conducted,  
12 there is no reference at all to any anti Trump bias.

13 THE COURT: Show me the bias, show me? I am  
14 serious. I am sorry, I don't mean to be signaling for you  
15 to sit, I am trying to understand how is this that I am  
16 looking at here, how does that call into question what the  
17 juror said when that juror was answering questions?

18 MR. BLANCHE: When the question was asked, what is  
19 your opinion not about the facts of this case, but what is  
20 your opinion of the defendant, of President Trump, is there  
21 anything we should know about your opinion? The juror  
22 answered no. And fair, this has nothing to do with whether  
23 they happen to vote or not vote for President Trump. It is  
24 somebody that thought it significant and important enough  
25 when President Trump lost the election to not only take

1 video, but post on Facebook the fact that they were  
2 celebrating, and there was a celebration of his loss. Not  
3 only just celebrations from their house, they actually were  
4 getting in the car and spreading the honking cheer.

5 If you step back from this case, Your Honor,  
6 imagine a regular case.

7 THE COURT: Hold on a second, can you play this  
8 for me so I can see it in context?

9 MR. BLANCHE: Pardon me?

10 THE COURT: Can you play what you are describing  
11 for me so I can see it in context?

12 MR. BLANCHE: We should be able to, Your Honor.  
13 I am worried about the juror's name.

14 THE COURT: We don't want to give out the juror's  
15 name, so bring it up here to the bench so I can look at it.

16 People, you can come up as well.

17 Can we turn off the screen and leave the volume  
18 on, thank you.

19 We are turning off the screen.

20 So you can just play it so we can all see it.

21 MR. BLANCHE: We are getting it, Your Honor, we  
22 are being careful not to go on the website to not violate  
23 any rules.

24 One second.

25 THE COURT: How many of these do you have for

1 cause?

2 MR. BLANCHE: Four, there are four -- sorry, there  
3 are five, four for the first 12.

4 THE COURT: While we wait for it to be set up, how  
5 have you confirmed this is the juror's account?

6 MR. BLANCHE: Simply through open source using the  
7 juror's name.

8 THE COURT: So just based on the name?

9 MS. NECHELES: Her picture.

10 MR. BLANCHE: Not just based on the name,  
11 confirming with information provided and face as well.

12 THE COURT: Confirming what has been provided?

13 MR. BLANCHE: For example, information provided by  
14 the juror, the way she looks and name.

15 THE COURT: Okay.

16 Can we get this going?

17 MR. BLANCHE: Your Honor, may I approach and show  
18 it on this?

19 THE COURT: All right.

20 Let the record reflect that counsel is attempting  
21 to play a video for me. It looks like it is the second  
22 video that I referred to earlier.

23 I don't hear anything or see anything.

24 (Whereupon, the aforementioned videotape was played  
25 up at the bench)



1 THE COURT: So I hear what sounds like a cowbell,  
2 hear people cheering.

3 And what is the date on this video again?

4 MR. BLANCHE: It is November 7th of 2020, Your  
5 Honor.

6 THE COURT: Is that the date after the election?

7 MS. NECHELES: The election was not decided for a  
8 couple of days, that was the day it was decided. That was  
9 the parties that were going on in the streets after it was  
10 decided.

11 THE COURT: This is taking way too long.

12 I definitely want to hear you out on this and I  
13 want to give this as much weight as I can possibly give it,  
14 but we cannot take this long with each of the four, you need  
15 a better system.

16 MS. NECHELES: The other things we have printed  
17 out, the others are much more inflammatory, but we have  
18 print outs for them.

19 THE COURT: Let me see.

20 MR. BLANCHE: It is loading.

21 (Whereupon, the aforementioned videotape was played  
22 up at the bench)

23 THE COURT: All right.

24 MS. NECHELES: Can I just note this is a woman who  
25 specifically said --

1 THE COURT: We will go back to your tables.

2 Yes, Ms. Necheles, you were saying.

3 MS. NECHELES: This is a woman who specifically  
4 said she had never attended an anti Trump rally or campaign.  
5 This is clearly an anti Trump event that she is out  
6 celebrating and partying.

7 THE COURT: Look, it would appear that, I  
8 certainly agree with you that it would appear to be, we  
9 don't know that for a fact right now, not based on the  
10 information we have right now, nor do we know she was there.  
11 There is nothing depicting her there. I agree there is  
12 enough there for us to want to look further.

13 People?

14 MR. STEINGLASS: Judge, if that is your decision I  
15 am certainly not going to try to persuade you otherwise.

16 But to me this is nothing of the sort, this is not  
17 a rally, this is somebody filming other people celebrating  
18 from a remote distance, maybe celebrating the election,  
19 probably it is celebrating the election results.

20 I fail to see how a juror videotaping other people  
21 celebrating the election results somehow indicates an anti  
22 Trump bias that she did not reveal during questioning. In  
23 fact, she said the exact opposite during questioning.

24 THE COURT: It may not, it may not, and we don't  
25 even know she filmed this, somebody may have sent it to her

1 and she posted it.

2           There is enough questions here that I think in  
3 order to ensure that there is finality with this case  
4 whenever we do get done with it, we just want to clarify  
5 this. I am going to ask her to come in and I will allow you  
6 to ask her questions about it.

7           MR. BLANCHE: Thank you, Your Honor.

8           THE COURT: If you can bring in the juror who was  
9 seated in seat number one, that is B-133.

10           Before she comes in, I don't want this to be a  
11 cross examination. What I want it to be, I want you to  
12 clarify what this is and give her the opportunity to explain  
13 why it is inconsistent or is consistent with whatever she  
14 said when she was in the jury box. It is not an opportunity  
15 to conduct another voir dire with her.

16           I am satisfied that you gave me enough here that  
17 we need to look into it.

18           I am bringing a juror in and that is what we are  
19 going to do, okay.

20           (Whereupon, the aforementioned prospective juror  
21 stepped into the courtroom)

22           THE COURT: I thank you for coming back in, we  
23 just wanted to clarify something. Counsel has some follow  
24 up questions for you.

25           Go ahead.

1 MR. BLANCHE: Thank you.

2 So we had a question about a Facebook post around  
3 the time of the 2000 election.

4 THE COURT: What year?

5 MR. BLANCHE: The 2020 election.

6 And it appears from the Facebook post, although it  
7 is not clear that you had recorded, a video had been  
8 recorded of a celebration maybe around 96th Street, and  
9 there were a couple of videos, and we wanted to understand  
10 or just ask you about those.

11 PROSPECTIVE JUROR: Uhm, I think I went to move  
12 the car to alternate side parking or something like that and  
13 there were people dancing in the street and stuff. And  
14 maybe I was, I don't know where I was going, I do remember  
15 being in the car and I do remember people dancing in the  
16 street and honking the horns. It reminded me of the 7:00  
17 cheer for the healthcare workers which we did for a very  
18 long time with my kids out on the fire escape, and it just  
19 was like a New York City celebratory moment.

20 I think that is the one you are talking about.

21 MR. BLANCHE: I think you are right.

22 It looked like I think it was you who posted, it  
23 was a celebration in New York City with a heart and  
24 exclamation point, that you had to get in the car to spread  
25 the honking cheer.

1           THE COURT: Counsel, we are talking about two  
2 different videos and each one has its own caption. So just  
3 be clear about which caption refers to each video.

4           MR. BLANCHE: Yes.

5           One of the captions where it appeared that you  
6 were recording -- there was a video being recorded from  
7 inside suggested there was a full on celebration in New York  
8 City with exclamation point and a heart.

9           The other one which appeared to be from when you  
10 were possibly in the car, was that you had to get in the car  
11 to spread the honking cheer. It is a full on dance party at  
12 96th Street.

13           And I guess the question is, whether you were  
14 writing that and something about it, what you remember about  
15 it?

16           PROSPECTIVE JUROR: I mean I can only say what I  
17 just said before, that it seemed like a celebratory moment  
18 in New York City, I know you are part of history, and yeah,  
19 I mean I think that was it, I think.

20           I don't know if I am allowed to speak further?

21           THE COURT: Sure, go ahead.

22           PROSPECTIVE JUROR: The question was not or maybe  
23 it was already asked of me, I think to the point that I  
24 understand the question, you are asking to see if I have  
25 biases that lead me one way or the other, I assume that is

1 where the question comes from. I understand that bias  
2 exists, I understand implicit bias exists, we are aware of  
3 it or not. I very very strongly believe that regardless of  
4 my thoughts about anyone or anything or political feelings  
5 or convictions, that the job of a juror is to understand the  
6 facts of the trial and to be the judge of those facts. I  
7 love the way you phrased it. I have never been on a jury  
8 before, I never had this experience, I have never been in a  
9 courtroom like this before. That is thoroughly absolutely  
10 my belief.

11 So yesterday when people walked out because they  
12 thought they couldn't, I don't believe that about myself at  
13 all. So yes.

14 THE COURT: Thank you.

15 Anything else before I ask the juror to step out?

16 MR. BLANCHE: No.

17 THE COURT: Thank you very much, I appreciate you  
18 coming in.

19 (Whereupon, the aforementioned prospective juror  
20 left the courtroom)

21 THE COURT: Before we continue I want to put  
22 something on the record.

23 So Mr. Blanche, while the juror was at the podium  
24 maybe 12 feet from your client, your client was audibly  
25 uttering something, I don't know exactly what he was

1 uttering, he was audibly gesturing, speaking in the  
2 direction of the juror. I won't tolerate that. I will not  
3 have any jurors intimidated in this courtroom. I want to  
4 make that crystal clear.

5 MR. BLANCHE: Yes, Your Honor.

6 THE COURT: Take a minute, speak to your client  
7 about it.

8 MR. BLANCHE: Yes, Your Honor.

9 (Whereupon, there was a brief conference  
10 between defense counsel and the defendant)

11 MR. BLANCHE: Thank you, Your Honor.

12 THE COURT: What is your argument on this?

13 MR. BLANCHE: Your Honor, as the Court is aware,  
14 there is a different standard when a juror's potential bias  
15 is something from other than the case. The Court of Appeals  
16 People v Torpe, 63 NY2d 361, 1984 states: "Therefore, where  
17 a potential juror's actual bias is caused by a highly  
18 unfavorable impression of the defendant's overall reputation  
19 or character, the test for whether such bias has been  
20 overcome by declaration is even stricter than where the  
21 juror has expressed an opinion as to the defendant's guilt".

22 So the case at large, in a case such as the  
23 present one, talking about the case, the prospective juror  
24 should be dismissed if there appears to be any possibility  
25 that his impressions of the defendant might influence his

1 verdict.

2           And so it is in our view easy to say I, you know,  
3 I can be fair and impartial. That is not what the law says,  
4 it says if there is any possibility.

5           In a normal case, Your Honor, where any potential  
6 juror who is posting something -- I have a copy of the case,  
7 Your Honor.

8           THE COURT: It's fine.

9           MR. BLANCHE: I should have offered it.

10          MR. STEINGLASS: Can I have it?

11          MR. BLANCHE: Sure.

12                 In a normal case if we are talking about posting  
13 about a defendant on someone's Facebook, it wouldn't. Here  
14 we are trying to rehabilitate a juror that has said about  
15 the election, which is the People's view not of the election  
16 she is talking about, the People's theory of the case has to  
17 do with President Trump attempting to commit this crime in  
18 order to influence the election.

19                 This is not just her posting a video, she is  
20 commenting about it as well. There is no scenario under  
21 which given the comment, the Facebook post, and the law  
22 which is that any possibility that his impressions of the  
23 defendant might influence in this case her verdict, she must  
24 be dismissed.

25          THE COURT: Let me hear from the People.



1           MR. STEINGLASS: Not withstanding the propriety of  
2 trolling the internet looking for any kind of interpreting  
3 this as any kind of appropriate inquiry into a juror who has  
4 not expressed any bias, let me first point out that the case  
5 that counsel is referring to refers to jurors that have a  
6 highly unfavorable overall impression of the defendant.  
7 This juror has said nothing like that, she does not have to  
8 be rehabilitated, she has not endorsed that at all. Her  
9 answers to the questions were very clear, she understood  
10 what was being asked of her, if she had strong feelings  
11 about Mr. Trump one way or the other.

12           I fail to see how we are even having this  
13 conversation where a juror --

14           THE COURT: I will not go back and forth, this is  
15 not going to turn into an appellate argument here. I heard  
16 what you had to say, I am listening to the People, then I am  
17 going to rule.

18           MR. STEINGLASS: What I was saying was, I fail to  
19 see how posting a video of other people celebrating and even  
20 indicating a favorable view of other people celebrating,  
21 implicates this juror's ability to be fair.

22           As we have said, this case is not about politics,  
23 people could have favorable or unfavorable views of Mr.  
24 Trump, and the question is whether they could be fair and  
25 impartial jurors. I don't even think that based on the

1 record that you have in front of you that you could conclude  
2 that anyone could conclude that she has an unfavorable  
3 opinion, much less a highly unfavorable overall impression  
4 based on this record.

5 THE COURT: I agree, there is no need for  
6 rehabilitation. What I did was brought the juror in to give  
7 you an opportunity to explore this.

8 I don't want a juror on this panel who lies to us.  
9 I don't want a juror on this panel who misleads us as to his  
10 or her views about your client and opinions about your  
11 client. For that reason I did want to hear from this juror.

12 The juror came in, she was confronted with both of  
13 these and she provided what I believe were reasonable  
14 explanations for both.

15 The second one, by the way, clearly was taken from  
16 a fire escape. She referred to the fact that they  
17 celebrated the first responders, healthcare workers, every  
18 evening beginning in March of 2020 or around the time of  
19 Covid. Nowhere in here does it say, is there anything  
20 posted that I find to be, I don't remember what the term was  
21 that you used, not offensive, I don't see anything here that  
22 is offensive, that is why when I first looked at it I was  
23 not sure you had given me the right thing.

24 More importantly, the juror stood here directly in  
25 front of me and I was able to observe her demeanor, I was

1 able to hear her voice, I was able to form an opinion as to  
2 her credibility. And that juror looked me right in the eye  
3 and when she said she could be fair and impartial, she meant  
4 it.

5           Once a juror gives that quote unequivocal  
6 assurance, then the trial court has discretion to deny the  
7 challenge for cause if it determines that the juror's  
8 promise to be impartial is credible. I find her to be  
9 credible. That is People v Arnold 96 NY2d 358 at 363, 729  
10 New York subsection 51.

11           Your challenge for cause as to this juror is  
12 denied.

13           I will mark this as Court Exhibit 1 and we will  
14 make it part of the file.

15           So the challenge for number one is denied.

16           Who is your next one?

17           MR. BLANCHE: Juror number two.

18           THE COURT: Tell me more.

19           MR. BLANCHE: I have something to hand up to the  
20 Court.

21           (Whereupon, the document was handed to the Court)

22           THE COURT: Thank you.

23           MR. BLANCHE: I have redacted the juror's name and  
24 replaced it with B-38, Your Honor.

25           This is a post from right during the conduct

1 during the case, meaning right during the trial the People  
2 are going to offer evidence around what was happening in the  
3 White House with President Trump and Michael Cohen and he  
4 writes, "Good news, Trump lost his court battle and his  
5 unlawful travel ban".

6 Then totally separate says "get him out and lock  
7 him up". "Watch out for stupid tweets by DJT".

8 Again, in answering our questions he did not in  
9 any way answer in the affirmative around a bias around  
10 something that could effect his ability to be fair and  
11 impartial.

12 Look, in this case with this type of a tweet  
13 saying "get him out and lock him up", we cannot have a juror  
14 like that on the jury, Your Honor.

15 THE COURT: People, do you want to be heard?

16 MR. STEINGLASS: First of all, I certainly think  
17 it is worth bringing the juror in for further inquiry on  
18 this point.

19 I am also confused as to how the defense is  
20 determining whose Facebook accounts this is, how this  
21 research was conducted. I don't see the name, I see the  
22 name blacked out, which I understand why. I see a photo  
23 that contains two people in the photo, I am not sure what  
24 that means.

25 I think the first inquiry has to be, did this

1 juror make this post. Then the second inquiry, does that  
2 mean the juror cannot be a fair impartial juror.

3 I do think it is worth bringing the juror in to  
4 inquire about that.

5 MR. BLANCHE: On foundation, Your Honor, that is  
6 fine. I want to make sure that we understand when this  
7 juror was asked a question about President Trump, he said, I  
8 do not have a strong opinion of DJT, President Trump, either  
9 way. So to the extent the foundation is laid. We don't  
10 think any other questions should be asked.

11 THE COURT: No, no, the foundation is laid, that  
12 warrants further inquiry for sure, no question about that,  
13 and we are going to conduct further inquiry.

14 But you actually touch on an important issue, that  
15 is the question that you asked, what is your opinion of  
16 Donald Trump, that is really a problematic question. There  
17 was no objection so I did not rule on it. Really that is  
18 just another way of saying, do you like or not like Donald  
19 Trump. The answer to that question could refer to the way  
20 he dresses, the way he talks, whether he was a good  
21 president or bad president, it could refer to anything. And  
22 because it can refer to absolutely anything, we don't know  
23 that it goes to the issue in the case.

24 So I would encourage you to avoid running into  
25 these problems and perhaps getting more direct answers from

1 the jurors, to sharpen your question a little bit so it is  
2 not so broad.

3 What is your opinion? I really don't know.

4 MR. BLANCHE: It is open ended for the reasons  
5 Your Honor said, based on the way he is dressed, that is  
6 certainly no reason for us to be concerned. But because of  
7 who he is and who he has been to the City for the past many  
8 years, past eight years, that is exactly what Torpe talks  
9 about, that is exactly why we are asking open ended  
10 questions, to identify an opinion or bias that does not have  
11 to do with the guilt of the defendant in this case. So  
12 there is a different standard.

13 THE COURT: I don't think that goes to an opinion  
14 or bias.

15 But turning back to this, let's bring this juror  
16 back in please, it is B-38.

17 What kind of account was this, is this a Facebook  
18 account?

19 MR. BLANCHE: Yes, Your Honor.

20 THE COURT: By the way, we are only taking  
21 challenges for cause right now one through 12, not beyond  
22 12.

23 MR. BLANCHE: Yes, Your Honor.

24 (Whereupon, the aforementioned prospective juror  
25 stepped into the courtroom)

1 THE COURT: Good afternoon, sir.

2 Thank you for coming back in, we wanted to ask you  
3 a follow up question.

4 Mr. Blanche.

5 MR. BLANCHE: Good afternoon.

6 So we have a question about what we believe is a  
7 Facebook post of yours from many years ago.

8 PROSPECTIVE JUROR: Okay.

9 MR. BLANCHE: I am just going to, is it okay if I  
10 show it to him?

11 THE COURT: Yes.

12 MR. BLANCHE: I will show it to you.

13 PROSPECTIVE JUROR: If it is on my account it has  
14 to be me. But I don't remember what this is pertaining to.

15 MR. BLANCHE: Sorry, did you say it is your  
16 account or is not?

17 PROSPECTIVE JUROR: It is my account.

18 MR. BLANCHE: Sorry, I misunderstood.

19 Do you have any recollection of putting this up on  
20 Facebook?

21 PROSPECTIVE JUROR: I don't. But again, it is on  
22 my account so it has to be me.

23 MR. BLANCHE: Fair enough.

24 Look, I think the question is, reading that, you  
25 seem to express your views of President Trump as a person

1 talking about his character not politics, and asking whether  
2 you, reading that, whether you have an unfavorable opinion  
3 of President Trump's character or what your reaction to  
4 reading this Facebook post, which admittedly is from 2017.

5 PROSPECTIVE JUROR: At the time if I did post it I  
6 had strong feelings at the time. Today, like I said, I  
7 could be unbiased and open about what we are talking about  
8 today. But you know, that was a place and time.

9 THE COURT: Any follow up questions?

10 MR. STEINGLASS: I little bit, if you don't mind.

11 Do you feel that way now, do you feel, for  
12 example, that Mr. Trump should be locked up?

13 PROSPECTIVE JUROR: No -- well, unless you prove  
14 your case in trial, then the judge decides, that is not my  
15 decision.

16 MR. STEINGLASS: That is a good point, that is not  
17 what I meant, but thank you for clarifying that.

18 Do you feel that -- do you have a highly  
19 unfavorable view of Mr. Trump as you stand here now?

20 PROSPECTIVE JUROR: No.

21 MR. STEINGLASS: Is there anything about your  
22 previous post or your previous feelings from 2017 that would  
23 mean that you could not set any feelings aside and give the  
24 defendant and the People a perfectly fair trial?

25 PROSPECTIVE JUROR: I can set all the prior



1 feelings aside that you just mentioned.

2 MR. STEINGLASS: And you don't endorse those  
3 feelings currently?

4 PROSPECTIVE JUROR: No.

5 MR. STEINGLASS: I am sorry, I don't mean to --  
6 but we have to have a clear answer, so what we really need  
7 is your unequivocal assurance that you could be fair and  
8 impartial if you are selected as a juror to both sides.

9 PROSPECTIVE JUROR: I can be fair and impartial to  
10 both sides should you keep me.

11 THE COURT: Thank you, sir.

12 You can step out.

13 (Whereupon, the aforementioned prospective juror  
14 left the courtroom)

15 THE COURT: All right, I had the opportunity to  
16 hear the questions that were asked by both Mr. Blanche and  
17 Mr. Steinglass, I had the opportunity to observe the  
18 prospective juror.

19 I will just read the language into the record  
20 again. Good news exclamation mark, exclamation mark, Trump  
21 lost his court battle on his unlawful travel ban, three  
22 exclamation marks. If it ended there I would not really  
23 have a major problem with it, but it continues and it says,  
24 get him out and lock him up.

25 So this is a person who has expressed, at least at

1 one time, it was several years ago, the desire that Donald  
2 Trump be locked up. Everyone knows that if Mr. Trump is  
3 found guilty in this case he faces a potential jail  
4 sentence, which would be lock up. I don't think that I can  
5 allow this juror to remain.

6 I am going to grant your challenge for cause as to  
7 juror number two.

8 Who is the next one?

9 MR. BLANCHE: This is juror number three, Your  
10 Honor.

11 (Whereupon, a document was handed to the Court)

12 THE COURT: Would you like to describe what you  
13 handed me? It is two pages, it appears to be three memes or  
14 screen grabs.

15 Let me go ahead and describe it for the record  
16 please.

17 MR. BLANCHE: Just to be clear, we are talking  
18 about juror 330.

19 This is screen grabs of her husband, not of her.  
20 And the screen grabs, again they are three separate screen  
21 grabs showing an anti Trump bias.

22 The first one, you know, is a video the Avengers  
23 unite against Donald Trump, then something else.

24 The second is a picture of President Obama and  
25 President Trump and it is from 2016, it says, I don't think

1 this is what they meant orange is the new black.

2 The third one from 2016 is just a meme of a  
3 character holding President Trump's head in their hands.

4 THE COURT: Sorry, the third one -- the first one  
5 was I guess it is a character from the Simpsons.

6 MR. BLANCHE: Yes, Your Honor.

7 THE COURT: What is the name of this character?

8 MR. BLANCHE: I do not know.

9 THE COURT: I don't know either.

10 He is holding what is supposed to be your client's  
11 head. There are no words, there is nothing there but it  
12 does show him -- I also note he appears to be wearing a mock  
13 white shirt and mock red tie. That is dated March 3, 2016.

14 Beneath that there is one image of Barack Obama,  
15 beneath that is an image of your client -- I apologize, I  
16 don't mean to offend anyone, but it is important that we  
17 make a clear record, the caption beneath it reads, I don't  
18 think this is what they meant that orange is the new black.  
19 Again this is from March 23, 2016.

20 The third one is a little bit more difficult to  
21 describe, it is a well known comedian whose name escapes me.

22 Anybody know who that is?

23 MS. MANGOLD: Keegan Michael Peele.

24 THE COURT: It is just depicting him and it says  
25 decisions in its history, you have a chance, you have an,

1 then appears to be cut off. Beneath that somebody wrote,  
2 the Avengers unite against Donald Trump, and to get Mark  
3 Ruffalo naked. This is from September 21, 2016.

4 And it is from the juror's husband?

5 MR. BLANCHE: Correct.

6 Our question here is to follow up, it is not when  
7 we ask questions during our voir dire about whether they  
8 could be fair and impartial and the questions that the Court  
9 asked, and even the People asked, about other people in  
10 their lives. Here you have a potential juror whose husband  
11 is posting anti Trump. We think it is appropriate to ask an  
12 inquiry, even if not about these posts directly, of the  
13 juror about whether she has any concerns about whether  
14 family is against or has serious views against the  
15 defendant, right, which in a normal case this would be of  
16 course an issue that you would inquire about.

17 THE COURT: Why didn't you --

18 MR. BLANCHE: Well, for the reason I said earlier,  
19 we did not want to --

20 THE COURT: We are not going to keep going through  
21 this, we are not going to go through the full panel then  
22 break for an hour and 15 minutes and then come back and have  
23 argument for what is going on now for 45 minutes now, and  
24 then hope to ever pick a jury, we will not, we are not going  
25 to do that. If you have the goods on somebody, you need to

1 politely respectfully figure out a way to confront them with  
2 it. I don't think you need to -- all you need to do is ask,  
3 do you have any family members who feel a certain way? Who  
4 is it? And will that impact upon you, will that effect your  
5 ability to be fair and impartial in this case?

6 People.

7 MR. STEINGLASS: Well, of course we agree with  
8 that. This is not even the juror who is being asked about  
9 it.

10 Second of all, it is from 2016.

11 Third of all, if you look at all three of this in  
12 context, it quite clearly is humor, people post political  
13 humor all the time, that is not a window into their sole.

14 That actually dovetails into my last point about  
15 this, which is, I think the problem with using social media  
16 posts, especially social media posts from seven or eight  
17 years ago, as some kind of litmus test for someone's  
18 deep-seated political feelings. People send photographs and  
19 things on social media that are reposts of things on social  
20 media that seem to be funny at the time or they have an  
21 opinion at the time, that is not necessarily as weighty as  
22 is being suggested that it is. That is a conceptual problem  
23 with the whole notion that something that somebody posts on  
24 social media in a remote point in time is really a window  
25 into their current views and ability to be fair for the

1 other reasons that Your Honor mentioned and I mentioned.

2 I don't think it is even necessary to make further  
3 inquiry with this juror.

4 THE COURT: I will not make further inquiry.  
5 There are posts from more than eight years ago not involving  
6 the juror, involving the juror's husband. And honestly, if  
7 this is the worst thing that you were able to find about  
8 this juror, that her husband posted this humor, albeit not  
9 very good humor, from eight years ago, then it gives me  
10 confidence that this juror can be fair and impartial.

11 I deny your challenge for cause to number three.

12 MR. BLANCHE: Yes, Your Honor.

13 THE COURT: Who is your number four?

14 MR. BLANCHE: The next one is juror number six,  
15 Your Honor.

16 THE COURT: Tell me about that one?

17 MR. BLANCHE: Can I have one moment with the  
18 People.

19 (Whereupon, there was a brief conference  
20 between defense counsel and the prosecution)

21 THE COURT: I observe that counsel is conferring  
22 with the DA's.

23 I am being handed a sheet, bear with me a second  
24 as I try to understand it. I have been handed a sheet that  
25 seems to contain three different posts.

1           The first one says, want to beat Trump in 2024,  
2 help fund the local organizing groups who can turn out the  
3 exact voter.

4           Beneath that there appears to be some sort of  
5 display table with a Biden Harris poster on it, some other  
6 political displays also displaying Biden Harris.

7           And the third one is a photograph of the defendant  
8 and above it says, Trump indicted in documents case.

9           MR. BLANCHE: Just so Your Honor to complete that  
10 last one, the juror wrote, "no one is above the law" to the  
11 right of it.

12          THE COURT: Yes, thank you.

13          MR. BLANCHE: Two additional issues.

14          The juror also has an AI video which we can show  
15 the Court that was posted, it is a one minute and 30 second  
16 video, it is titled, I Am Dumb As Fuck Trump. And it goes  
17 on for a minute. It is a parody video that mocks President  
18 Trump the whole time.

19          THE COURT: Do you have the date of when that was  
20 posted?

21          MR. BLANCHE: I will get that date, Your Honor.

22          Moreover, this juror on Facebook in response to an  
23 article about the more than half, he posted the article --  
24 no, sorry, someone posted the article about yesterday's  
25 proceedings, including the 96 jurors, and asked whether he

1 was a juror. He said, can't comment. And the response was  
2 juror's name, understood. And then another question from  
3 another Facebook friend asked, did you get picked? To which  
4 he said, I have to return tomorrow.

5 And the video, the AI video I spoke about was  
6 posted on March 27th of this year. And we can play it for  
7 Your Honor.

8 THE COURT: I don't think that is necessary.  
9 People, what is your position on this?

10 MR. STEINGLASS: Well, I think there are two  
11 separate claims they are making. The first relates to the  
12 posts from yesterday, which don't seem violative of the  
13 Court's orders at all, it is perfectly appropriate to tell  
14 people you are on jury duty. It is also appropriate to say,  
15 I cannot discuss anything about the case. Which sounds like  
16 that is what the juror did. In response to, did you get  
17 picked? The juror said, have to go back tomorrow. So it  
18 sounds like, if anything, the juror is honoring Your Honor's  
19 instructions not to discuss the case. That is not even  
20 worthy of further inquiry, as far as I am concerned.

21 But the video raises a couple of questions. First  
22 of all, is it his account?

23 Second of all, did he make the video or just  
24 repost it?

25 And third of all, does it speak to any bias?



1 I think we have to make inquiry about that.

2 MR. BLANCHE: Judge, just to make sure which juror  
3 this was, there was extensive colloquy between myself and  
4 this juror just asking repeatedly for him to talk about his  
5 views of President Trump. And not only did he not discuss  
6 his views, he actually affirmatively refused and made it  
7 clear in his view his views had nothing to do with this  
8 case. That is not the law. We have a right to know his  
9 views. We have a right to explore his views. I don't know  
10 that a juror can say, I will not tell you my views because  
11 in my view my views don't matter.

12 Now we know why he did not tell us his views, it  
13 is pretty obvious from his postings. April 9th --

14 THE COURT: I hear you.

15 First of all, you said a juror cannot just say, I  
16 am not going to tell you my views. This goes back to that  
17 question, it is a very open ended question, what is your  
18 opinion? I think a juror can say in response to that, I am  
19 not going to tell you my views. I think if you had asked a  
20 different question, then you had objected when he said, I  
21 really want him to answer, I think you would have had a  
22 better leg to stand on.

23 However, I think there is enough here that we need  
24 to bring him in and I would like to confirm this is his  
25 account and ask if he posted this.

1 MR. BLANCHE: Yes, Your Honor.

2 THE COURT: Let's bring B-113.

3 (Whereupon, the aforementioned prospective juror  
4 stepped into the courtroom)

5 THE COURT: Good afternoon, sir.

6 Thank you for coming back in.

7 PROSPECTIVE JUROR: Thank you.

8 THE COURT: We just wanted to follow up with a  
9 couple of questions.

10 Mr. Blanche.

11 MR. BLANCHE: Good afternoon.

12 PROSPECTIVE JUROR: Good afternoon.

13 MR. BLANCHE: I will just show you something and  
14 ask you, is that from your account?

15 PROSPECTIVE JUROR: That is from my Facebook  
16 account. I sell buttons on the street corner of 86th and  
17 Columbus to raise money for a pack that supports grass roots  
18 organizations that bring out the vote across the country,  
19 just bring out the vote, there is not a specific party.

20 MR. BLANCHE: What type of organization, what are  
21 the names of some of the organizations?

22 PROSPECTIVE JUROR: Movement For Voters.

23 MR. BLANCHE: Any others, are there any other  
24 organizations other than the Movement For Voters that you  
25 support with the button efforts?

1 PROSPECTIVE JUROR: As far as things like, no,  
2 that I give money to, no.

3 MR. BLANCHE: Thank you.

4 I will show you another post.

5 PROSPECTIVE JUROR: Sure.

6 MR. BLANCHE: Showing you a posting from March  
7 27th. Is that, did you post that?

8 PROSPECTIVE JUROR: Yes, it was just something  
9 that I reposted.

10 MR. BLANCHE: So you did not create that but you  
11 reposted it on that date on March 27th?

12 PROSPECTIVE JUROR: Yes. And as I stated before,  
13 my opinion of what I think of the defendant outside of this  
14 room has nothing to do with the merits of the case.

15 MR. BLANCHE: So sir, just to test that a little  
16 bit. Did you watch this before you posted it?

17 PROSPECTIVE JUROR: I don't think I did.

18 MR. BLANCHE: You just reposted it?

19 PROSPECTIVE JUROR: I think so.

20 MR. BLANCHE: Why?

21 PROSPECTIVE JUROR: Probably because if I did  
22 watch it, I honestly don't remember if I did or not, it may  
23 have been on somebody's page that I know who I trust that I  
24 thought it would be funny. I did not -- I don't recall  
25 watching it.

1 THE COURT: Anything else from the People?

2 MR. STEINGLASS: Is it okay?

3 THE COURT: If you have a question.

4 MR. STEINGLASS: Is there anything about that  
5 video -- let me ask you this. Do you have a highly  
6 unfavorable overall impression of Donald Trump?

7 PROSPECTIVE JUROR: Asking directly I would have  
8 to say that politically, yes, I do.

9 MR. STEINGLASS: Okay, thank you.

10 THE COURT: Thank you, sir, you can step out.

11 PROSPECTIVE JUROR: Thank you.

12 (Whereupon, the aforementioned prospective juror  
13 left the courtroom)

14 THE COURT: Just so you know, the overflow room is  
15 expressing some frustration. When we don't use the mic they  
16 don't hear us. So let's make sure that we always use the  
17 mic.

18 I would not have a problem with each of these  
19 posts in and of itself, and possibly even all three in their  
20 totality. However, viewing the prospective juror's answers  
21 in conjunction with his post and with these here and some of  
22 the answers that he gave, I am having a hard time crediting  
23 his responses. If I cannot credit a juror's responses, then  
24 we cannot have him on the jury.

25 So I will grant the challenge for cause as to

1 number six.

2 MR. BLANCHE: Thank you.

3 Can I just have 20 seconds with my team to make  
4 sure that I did not miss anything?

5 THE COURT: Sure.

6 (Whereupon, there was a brief conference between  
7 the defense team)

8 MR. BLANCHE: For one through 12 that is all the  
9 for cause.

10 THE COURT: Okay.

11 Looking at one through 12. People, any peremptory  
12 challenges?

13 MR. STEINGLASS: Yes, Judge.

14 The People move to strike seat number seven, that  
15 is juror B-14. Seat number eight, that is juror number  
16 B-285. And seat number 11, that is juror number B-402.

17 THE COURT: Okay.

18 Looking through 12, do you have any peremptory  
19 challenges?

20 MR. BLANCHE: Yes, Your Honor, President Trump  
21 strikes seat number one. Let me just get my ducks in a row.

22 THE COURT: That would be B-123?

23 MR. BLANCHE: Yes, Your Honor.

24 Seat number three, which is I believe B-330. Seat  
25 number five, which is B-193. Then seat number ten, which is

1 B-158, I am confirming.

2 THE COURT: Yes.

3 MR. BLANCHE: Thank you.

4 THE COURT: That's it?

5 MR. BLANCHE: Yes.

6 THE COURT: Okay.

7 So seat number four, B-400, becomes juror number  
8 one and our foreperson.

9 Seat number nine, B-280, becomes juror number two.

10 And seat number 12, B-381, becomes juror number  
11 three.

12 Looking now at seats 13 through 18.

13 People, are there any challenges for cause?

14 MR. STEINGLASS: No, Judge.

15 THE COURT: Does the defense have any challenges  
16 for cause?

17 MR. BLANCHE: We do, Your Honor, we have one.

18 THE COURT: Okay.

19 I have been handed two pages that contain three  
20 posts. Again, I apologize for the attempt at humor, but it  
21 is important we make a clear record.

22 So the first page at the top has several  
23 photographs, it appears to depict some young men on the  
24 left, a photo of the defendant and underneath the photo of  
25 the defendant a photo of the White House. It says, Trump

1 invites Thai boys to White House. Boys request to return to  
2 cave.

3 Beneath that there is another photograph, I cannot  
4 really make out what it says. Can you read it into the  
5 record, Mr. Blanche? I can read republicans projected to  
6 pick up 70 seats in prison.

7 MR. BLANCHE: That's correct, it appears to be  
8 dated, I apologize for the print quality, August 8, 2018.  
9 And it is the Borowitz Report not the news. Republicans  
10 expected to pick up 70 seats in prison. Then the bolded  
11 title then below that it says, according to these  
12 projections republicans are running for prison especially  
13 well in districts and then it continues on. But that is all  
14 that the post shows.

15 THE COURT: This is seat 16, right, B-128?

16 MR. BLANCHE: Yes, Your Honor.

17 THE COURT: The next one appears to be a  
18 photograph of some sort of parody of Space Wars, instead of  
19 Space Wars or Star Wars it says Space Force and it says the  
20 new Star Wars team, it depicts your client and several other  
21 well known republicans.

22 Make your record.

23 MR. BLANCHE: Both sides had a fair amount of  
24 colloquy with the juror in seat number 16. She said such  
25 things like she lost sleep last night trying to think about

1 whether she could be fair and impartial. She expressed  
2 some, not some hesitation, I think a fair amount of  
3 hesitation about reaching that conclusion. And we believe  
4 that we understand now why potentially we think we should  
5 inquire about these posts. And she did make reference that  
6 she thought she probably had posts on Facebook but says she  
7 did not remember. I am not sure if she said exactly that,  
8 but said she was not sure exactly what was on Facebook.

9 Certainly these types of posts mocking President  
10 Trump, again although it is historical, this case is  
11 historical. So it is not the typical situation where you  
12 say, this was a post that was six years ago. The evidence  
13 at trial will be from six years ago. So the same tweets and  
14 the same issues, Kelly Ann Conway will be a witness -- not a  
15 witness, sorry, not going to be a witness, will be  
16 referenced at trial.

17 THE COURT: This was from six years ago.

18 People, would you like to be heard?

19 MR. STEINGLASS: I suppose it is worth making  
20 further inquiry of the juror given Your Honor's previous  
21 ruling, so we do that.

22 Nothing struck me here as anything other than  
23 humor.

24 THE COURT: Let's bring in juror B-128.

25 (Whereupon, the aforementioned prospective juror



1 stepped into the courtroom)

2 THE COURT: Good afternoon.

3 Thank you for coming back in. We just have a  
4 couple of follow up questions.

5 Mr. Blanche.

6 MR. BLANCHE: I will talk into the microphone to  
7 make sure everybody can hear.

8 I will share something that we believe is from  
9 your Facebook but we want to confirm.

10 PROSPECTIVE JUROR: Okay, it might be from  
11 Instagram.

12 MR. BLANCHE: You could be correct, it could be  
13 Instagram, I am not positive, it is several years old.

14 PROSPECTIVE JUROR: When was this, 2018?

15 Yeah, I would like to say I remember posting this,  
16 but I do not. I am perfectly willing to admit that I might  
17 have done that. If you look at my social media you can see  
18 there is very little on there that I post now that has  
19 anything to do with politics, it got too vitriolic for  
20 people, people that I know for years, I don't want to do  
21 that.

22 So yeah, I may have posted this, but I learned a  
23 good lesson from it.

24 MR. BLANCHE: Just to make sure I understand. Is  
25 that your Facebook header, does it look familiar to you?

1                   PROSPECTIVE JUROR: Yes, it is. This little thing  
2 here, that is my -- is that my, I think that is my -- wait,  
3 wait, I guess it is, yeah. I have my phone here if you  
4 wanted to look. It is not my picture, but it is my social  
5 media. It looks like there is Central Park, I mean FDR  
6 Drive, that picture I took, yeah, yeah. So probably is  
7 mine, but I don't remember.

8                   MR. BLANCHE: It is from a long time ago, as you  
9 just said. The reason why we wanted, all of us wanted to  
10 follow up with you, is to understand when we were talking  
11 with you there was some, you know, you said I think you had  
12 to sleep on it to make sure you could be fair and impartial.

13                   PROSPECTIVE JUROR: I did not have to sleep on it  
14 about being impartial, I slept on it in terms of seriousness  
15 of what is going on in this room, it was not that I could  
16 not be impartial, I know I can. But this is, like there is  
17 like there is like a bigger weight on this than there is in  
18 other trials. Not that it is less important for anybody,  
19 but this is, you know, this is like a bigger deal in the  
20 grander scheme of things.

21                   But yeah, this is probably mine.

22                   MR. BLANCHE: Thank you.

23                   Just the final question is having kind of  
24 appreciating it is from a long time ago, having looked at  
25 that and taking a look at it, does that change any of the

1 things that you said earlier today on the questionnaire or  
2 even right now?

3 PROSPECTIVE JUROR: What do you mean?

4 MR. BLANCHE: I mean we use the term refresh your  
5 recollection. So looking at a document from something that  
6 you posted from many years ago and thinking about your  
7 answer to the questionnaire and the questions and my  
8 questions and the People's questions, is there anything that  
9 you would change in your answer after having reviewed that?

10 PROSPECTIVE JUROR: In my answer today, no. I  
11 think I feel the same way, I feel that politically we have  
12 big disagreements, your client and myself. There are  
13 certain things he said that I don't care for. But that --  
14 lots of people say things I don't care for. But when I came  
15 in here, that can't count, that has to go away, it just has  
16 to be whatever the facts are on the table before me. And I  
17 don't think I will -- I don't know what to say.

18 THE COURT: People, do you have any follow up  
19 questions?

20 MR. STEINGLASS: One quick question.

21 Do you have any doubt in your ability to do that,  
22 to base your decision solely on the evidence that is brought  
23 forth during this trial?

24 PROSPECTIVE JUROR: No, I don't have any doubt, I  
25 really don't.

1 MR. STEINGLASS: Thank you.

2 THE COURT: Ma'am, do you have any recollection  
3 about any of these three posts?

4 PROSPECTIVE JUROR: I remember seeing this one,  
5 this one.

6 THE COURT: Hold on a second please.

7 PROSPECTIVE JUROR: You know, I do like satire and  
8 cartoons and irony, but I don't remember, and I do read the  
9 Borowitz Report, I find him very funny and I remember the  
10 issue, sort of.

11 THE COURT: Thank you, ma'am, you can step out.

12 PROSPECTIVE JUROR: Thank you.

13 MR. BLANCHE: Thank you.

14 (Whereupon, the aforementioned prospective juror  
15 left the courtroom)

16 THE COURT: So although she has no recollection of  
17 having posted the first two, possibly the third one, she  
18 does not deny that this is probably her account. She  
19 indicates that she enjoys satire. In fact, she refers to  
20 the Borowitz Report.

21 Do you want to bring this all together?

22 MR. BLANCHE: Yes, please, Your Honor.

23 I think her answer at the end, her answers at the  
24 end are instructive. We are trying to -- again, we may be  
25 in an alternate universe because President Trump is known to

1 everybody, but when trying to make sure we have a juror,  
2 even though they say they could be fair and impartial in the  
3 same sentence as I don't agree with him politically, I don't  
4 agree with a lot of things he said, but I will be able to  
5 separate that. That cannot be true, it cannot be true that  
6 -- I mean you are raising your eyebrows, Your Honor, but if  
7 you think about it, the testimony at trial will be in large  
8 part around the election and then the first year that  
9 President Trump is in office. So politics and whether a  
10 juror likes what President Trump says is part of this case.  
11 Why take the chance, I mean the cases that we are thinking  
12 about and we look to about being sure, being sure that you  
13 have a juror that is fair and impartial. In this case when  
14 you have somebody that said they already have to think about  
15 and talked about it a fair amount before, just said they do  
16 not like the politics or some things that the defendant  
17 says, then we have the postings, albeit old and satirical,  
18 but very critical of President Trump.

19 THE COURT: I am just obviously I did not look at  
20 her page, your team did. Was there anything else in there  
21 that was also satire unrelated to Mr. Trump?

22 MR. BLANCHE: One second, Your Honor.

23 MS. NECHELES: From a quick look, Your Honor, no,  
24 dancing, flowers, family, family, it is not satire.

25 MR. STEINGLASS: Unlike the juror who we let go

1 because he said he wanted to see Mr. Trump locked up, and  
2 for whom it was certainly arguable that the juror had a  
3 highly unfavorable overall impression of Mr. Trump. This  
4 juror said nothing of the sort. She didn't even say she did  
5 not like him, she did not express anything bad about him  
6 other than the fact she disagrees with some of his policies  
7 and some of the things he said, and she disagrees with  
8 things that lots of people said. That she could be a fair  
9 and impartial juror. There is nothing even kind of to  
10 suggest that she has a deep-seated anti Trump sentiment or  
11 dislikes him as a person.

12               So I don't think this is even close to a cause  
13 challenge.

14               THE COURT: I tend to agree with the People.  
15 These are three posts, they are all fairly characterized as  
16 satire I believe, none of them expresses any of the  
17 sentiments we saw in some of the others, a desire to see  
18 your client locked up or beheaded or anything of that  
19 nature. It is three posts that have to do with satire.

20               She was pretty open and honest that she has  
21 disagreements with his political views on many issues. But  
22 again, as you agreed, the question is not whether someone  
23 agrees with your client politically or not, the question is  
24 whether or not they can be fair and impartial, I don't want  
25 to put words in your mouth.

1           I don't believe this calls for a cause challenge.  
2    So your challenge for cause is denied.

3           MR. BLANCHE: Even the statements though, it is  
4    not just politics, also things that President Trump says.  
5    It is not just that simply saying I am a democrat is not  
6    enough, we appreciate the courts decision on that, that is  
7    not what she said. She also says, I don't like some of the  
8    things he says, that is a different sort.

9           THE COURT: I imagine he says thing about his  
10   political views and his political decisions, right. It is  
11   not surprising that she does not like some of his political  
12   views.

13          MR. BLANCHE: There are a lot of political speak.

14          THE COURT: Hold on.

15          It is not surprising that she would not like some  
16   of the things he says.

17          MR. BLANCHE: That is not the issue. We have a  
18   defendant who potentially has a juror that is not struck for  
19   cause who has said, I don't like some of the things that  
20   that man has said.

21          THE COURT: Your record is made.

22          MR. BLANCHE: So that in and of itself, Your  
23   Honor, runs afoul of, especially when it has nothing do with  
24   the fact of the case, the Court of Appeals said that you  
25   have to hold that type of juror to a much higher standard,

1 and we are not doing that.

2 THE COURT: I disagree. Your challenge for cause  
3 as to this juror is denied.

4 Looking now at seats 13 through 18.

5 People, are there any peremptory challenges?

6 MR. STEINGLASS: Yes, Judge, the People strike  
7 juror number 15, or seat number 15, juror number B-146.

8 THE COURT: Okay.

9 MR. STEINGLASS: That's all.

10 THE COURT: Okay.

11 How about for the defense?

12 MR. BLANCHE: We strike juror number 13, B-292.  
13 And juror number 16, B-128. That's it.

14 THE COURT: That's it?

15 MR. BLANCHE: Yes, Judge.

16 THE COURT: Okay.

17 Seat number 14, B-89, becomes juror number four.

18 Seat number 17, juror B-74, becomes juror number  
19 five.

20 And seat number 18, juror B-297, becomes juror  
21 number six.

22 Before we bring them in, I want to let you know  
23 that we are trying to sort out different things at the same  
24 time as far as jury selection. We had a panel waiting all  
25 day, as you know we will not meet tomorrow and we have a



1 fresh panel coming in Thursday. The problem is that if we  
2 wait for that panel on Thursday, we will not start until  
3 about 11:00 again by the time that everything gets sorted  
4 out. So what I am trying to work out is to have this panel  
5 that is here get sworn in this afternoon and have them come  
6 back Thursday at 9:30 so we can shave off a couple of hours.

7 I am taking my lead from the sergeant, and by the  
8 way, the officers, everyone is just really doing an amazing  
9 job juggling and coordinating with the Secret Service, and  
10 everybody else is doing an amazing job. I am taking my lead  
11 from them when we can take certain jurors from over here and  
12 when we have to bring them here, just letting you know.

13 Right now I will ask these jurors to come back  
14 Monday at 9:30, with the caveat that could change depending  
15 on how long it takes and depending on who else we select on  
16 this jury, if there is anyone that needs the day off for  
17 Passover, that could possibly change.

18 Any thoughts about that?

19 MR. STEINGLASS: I think that sounds fine.

20 MR. BLANCHE: No objection.

21 THE COURT: All right, so let's bring in the six  
22 jurors that have been selected -- actually, they should all  
23 sit in the audience, they should all sit in the audience and  
24 we will call the ones that have been selected.

25 (Whereupon, the panel of prospective jurors

1 entered the courtroom)

2 THE COURT: Jurors, first thank you very much for  
3 your patience, I know that took a lot longer than we  
4 expected. The clerk of the court will call out a few ballot  
5 numbers. If your name is called, please come up with your  
6 belongings, the court officer will show you where to sit.  
7 Your seat may be different now than it was before, this will  
8 be your permanent seat for the duration of the trial.

9 So please listen for your number.

10 COURT CLERK: Seat number one will be B-400.

11 Juror number two is B-280.

12 Juror number three is B-381.

13 Juror number four is B-89.

14 Juror number five is B-374.

15 And juror number six is B-297.

16 THE COURT: If you are one of the six jurors who  
17 have not yet had the opportunity to sit in the jury box,  
18 please remain in the seat.

19 If you are one of the jurors who was in the jury  
20 box and your name was not called, you can step out and  
21 please follow the instructions of the court officers.

22 COURT CLERK: Are the remaining jurors  
23 satisfactory to the People?

24 MR. STEINGLASS: Yes, they are.

25 COURT CLERK: Defense?

1 MR. BLANCHE: Yes, Your Honor.

2 COURT CLERK: Will the unsworn jurors please rise  
3 and raise your right hand.

4 Do you solemnly swear or affirm that you will try  
5 the case of the People of the State of New York against  
6 Donald Trump in a fair impartial manner and to the best of  
7 your ability render a true verdict according to the law and  
8 evidence, do you swear or affirm?

9 JURORS: Yes.

10 COURT CLERK: Thank you, you may be seated.

11 THE COURT: Jurors, as you can see you are the  
12 first six jurors selected for this trial. We need to select  
13 six more jurors to complete the 12, then we are also going  
14 to select some alternate jurors, right now I am thinking  
15 perhaps about six. We don't know exactly how long that will  
16 take, but for the time being I will ask you to please come  
17 back for opening statements or first my instructions then  
18 opening statements on Monday at 9:30. If there is any  
19 change, if we are delayed or if things run any longer than  
20 we anticipate, you will hear from us and we will let you  
21 know so you don't have to come Monday morning unnecessarily.

22 So you are going to go in the back with the court  
23 officer and clerk, we will give you our contact information,  
24 we will take your contact information. Again, if you are  
25 going to be delayed for any reason, please give us a call to

1 let us know so that we can let everybody else know and we  
2 can minimize everyone else's inconvenience.

3 As you have seen already, it takes a little while  
4 to get in the building. So in order for us to start at  
5 9:30, you need to arrive downstairs at nine at the latest,  
6 probably earlier than that.

7 You heard me give you some instructions before, I  
8 will give them to you again. And I apologize now, because  
9 you are going to hear these instructions many many times  
10 during the course of the trial. I am required by law to  
11 read them to you, so please bear with me.

12 I ask you to please not converse either among  
13 yourselves or with anyone else about anything related to the  
14 case. You may tell the people with whom you live and your  
15 employer that you are a juror, and give them information  
16 about when you will be required to be in court. But you may  
17 not talk with them or anyone else about anything related to  
18 the case.

19 Do not at any time during the trial request,  
20 accept, agree to accept or discuss with any person the  
21 receipt or acceptance of any payment or benefit in return  
22 for supplying any information concerning the trial.

23 You must promptly report directly to me any  
24 incident within your knowledge involving an attempt by any  
25 person improperly to influence you or any member of the

1 jury.

2 Do not visit or view any of the locations  
3 discussed in the testimony.

4 Do not use Google Earth or any other program or  
5 device to search for any other location.

6 Do not read, view or listen to any accounts or  
7 discussions of the case reported by newspapers, television,  
8 radio, internet or any other news media.

9 And do not attempt to research any fact, issue or  
10 law related to the case, whether by discussion with others,  
11 by research in a library or on the internet or by any other  
12 means or source.

13 Again, in this age of instant electronic  
14 communication and research, I emphasize that in addition to  
15 not conversing face to face with anyone about the case, you  
16 must not communicate with anyone about the case by any other  
17 means, including by telephone, text messages, E-mails, chat  
18 room, blogs and social websites.

19 These rules are designed to help guarantee a fair  
20 and orderly trial and our law accordingly does set forth  
21 serious consequences if the rules are not followed. I trust  
22 that you will follow these rules.

23 One other instruction, again, if you happen to see  
24 me or the attorneys or anybody else that you recognize out  
25 in the hallways, please do not be offended if we don't greet

1 you or talk to you, we are just trying to comply with our  
2 ethical obligations and avoid even the appearance of  
3 impropriety.

4 Again, for the time being I will see you Monday at  
5 9:30. If there is any changes, we will let you know.

6 Please follow the instructions of the court  
7 officers.

8 (Whereupon, the chosen jurors exit the courtroom)

9 THE COURT: Addressing the six jurors in the  
10 audience, we are not done with you, we will continue with  
11 jury selection. But I am going to ask you to follow the  
12 officer's instructions in a minute to step out. The reason  
13 we are having you do that is I am bringing in another panel  
14 of 96 jurors. I will swear them in so they can leave for  
15 the day and I will pick it up again on Thursday, but we want  
16 to finish up with you today. We will probably work beyond  
17 4:30. If anyone has a hardship with that, please raise your  
18 hand.

19 Okay, I see no hands.

20 Thank you.

21 (Whereupon, the panel of prospective jurors left  
22 the courtroom)

23 THE COURT: Counsel, please approach for a minute.

24 (Whereupon, a bench conference was held on the  
25 record)

1           THE COURT:  So when we swear in the panel and  
2  excuse them until Thursday morning at 9:30, obviously they  
3  will know what case they are on.

4           So I am going to give them the admonitions that I  
5  just gave this other group, if that is satisfactory to  
6  everyone.

7           MR. BLANCHE:  Yes, definitely.

8           THE COURT:  And direct them not to speak to anyone  
9  and everything else.

10          MR. STEINGLASS:  That works for us.

11          (Whereupon, Senior Court Reporter Vikki Benkel was  
12  relieved by Senior Court Reporter Susan Pearce-Bates)

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1 (Continued from the previous page.)

2 THE COURT: While we wait for the panel, I want  
3 to ask the defense team, can you confirm all this media  
4 that you are accessing, this is all public media, right?

5 MR. BLANCHE: Very much in the affirmative.

6 THE COURT: Thank you.

7 (Short recess is taken.)

8 LIEUTENANT: Panel entering.

9 COURT OFFICER: This way, please. This way.

10 THE CLERK: Can all the prospective jurors please  
11 stand and raise your right hand.

12 Do you solemnly swear or affirm that you will  
13 truthfully answer all questions put to you relative to your  
14 qualifications to serve as jurors in the case of the People  
15 of the State of New York against Donald J. Trump, do you  
16 swear or affirm?

17 (Whereupon, the prospective jurors were duly  
18 sworn.)

19 (In open court, jurors present.)

20 THE CLERK: You may be seated. Thank you.

21 THE COURT: Good afternoon jurors.

22 Welcome to New York County Supreme Court, Part  
23 59. My name is Juan Merchan and I will be the Judge  
24 presiding over this matter.

25 Before going any further, I just want to



1 apologize to all of you. I know that you have been sitting  
2 around all day waiting for something to happen and I want  
3 you to know that that wasn't lost on us. We were very much  
4 aware of your presence and we are doing everything possible  
5 to make sure that your time is not wasted.

6 I asked that you be brought in now and that we  
7 swear you in now, so that when you come back on Thursday  
8 you will not have to sit around.

9 I am going to excuse you in a minute, but when  
10 you come back on Thursday morning, we will be able to get  
11 started a right away. As of this moment you are now  
12 connected to Part 59.

13 Because I want to get started at 9:30, I will ask  
14 that you please arrive at the building around 8:30, 8:45  
15 the latest. As you know, you have to go through the  
16 magnetometers and other security checks and I would like to  
17 get started on time.

18 Before I do excuse you, I am required by law to  
19 read admonitions, which you will hear mentioned numerous  
20 times during the course of the trial.

21 I ask you please do not discuss this case either  
22 among yourselves or with anyone else.

23 Do not discuss anything related to the case.

24 You may tell the people with whom you live and  
25 your employer that you are a juror and give them

1 information about when you are required to be in court, but  
2 you may not talk with them or anyone else about anything  
3 related to the case.

4 Do not at any time during the trial request,  
5 accept, agree to accept or discuss with any person the  
6 receipt or acceptance of any payment or benefits in return  
7 for supplying any information concerning the trial.

8 You must promptly report directly to me any  
9 incident within your knowledge involving an attempt by any  
10 person to improperly influence you or any members of the  
11 jury.

12 You are directed to not visit any of the  
13 locations discussed, or associated with the case.

14 You must not use the internet maps, Google Earth  
15 or any other program or device to search for and view any  
16 of the locations associated with this case.

17 Do not read, view or listen to any accounts or  
18 discussions of this case reported by newspapers,  
19 television, radio, the internet or any other news media.

20 Do not attempt to research any fact, issue or law  
21 related to the case whether by discussion with others, by  
22 research in a library or on the internet or by any other  
23 source.

24 I want to emphasize that in addition to not  
25 talking face-to-face with anyone about the case, you must

1 not communicate with anyone about the case by any other  
2 means, including by telephone, text messages, emails, chat  
3 rooms, blogs, social web sites, such as Facebook or X.

4           These rules are designed to help guarantee a fair  
5 trial and our law accordingly sets forth serious  
6 consequences if the rules are not followed. I trust that  
7 you will follow all of these rules.

8           The last thing I want to mention, if you happen  
9 to see me or any of the attorneys or any of the other  
10 people that you see here today out in the hallway, if we  
11 don't greet you or acknowledge you, please do not be  
12 offended. We are prohibited from engaging during the  
13 course of the trial and in an excess of caution we may not  
14 even greet you.

15           I hope you understand that we are just trying to  
16 comply with our ethical obligations.

17           MR. BLANCHE: May we approach?

18           THE COURT: Sure.

19                   (Discussion is held at side-bar, on the  
20 record.)

21           MR. BLANCHE: I wonder if the court is willing to  
22 do the initial dismissal for discord now, so that on  
23 Thursday morning when we come back we will -- the only  
24 folks returning --

25           THE COURT: The problem is that when we did that

1 the first time, they had heard something about the case. I  
2 haven't spoken to them. They haven't heard anything.

3 MR. BLANCHE: Fair enough. Understood.

4 (Discussion at side-bar concluded, and the  
5 following occurred in open court.)

6 THE COURT: All right. Jurors, thank you so much  
7 for your time. I look forward to seeing you Thursday.

8 Please follow the instructions of the court  
9 officers.

10 (Prospective jurors are excused.)

11 THE COURT: All right. Before we bring the other  
12 six jurors back, we are going to take a very short  
13 ten-minute recess.

14 Just one thing, when we had spoken about twenty  
15 minutes for the second panel, that's when we envisioned  
16 having 18 jurors in the box. We are only going to have six  
17 jurors in the box. Don't take more than 15 minutes each.

18 I will see you in ten minutes.

19 (Short recess is taken.)

20 THE COURT: All right. We are back on the  
21 record. We are going to bring in the six remaining jurors  
22 and we will get started.

23 LIEUTENANT: Jurors entering.

24 (Whereupon, the prospective jurors entered the  
25 courtroom.)

1           THE COURT: Okay, jurors. The Clerk of the Court  
2 is going to call out the ballot numbers. When your number  
3 is called, please come up.

4           THE CLERK: Seat number one, B262.

5           Seat number two, B270.

6           Seat number three, B352.

7           Seat number four, B269.

8           Seat number five, B364.

9           And seat number six, B344.

10          THE COURT: All right, jurors. You have seen how  
11 we do this. You have been watching for a while.

12                 You have all been handed a questionnaire. We  
13 just ask you to please answer the questions aloud and those  
14 of you who are not going, if you want to look at the  
15 questionnaire just to familiarize yourselves with the  
16 questions so you are ready to answer the questions when it  
17 is your turn.

18                 Good afternoon.

19          PROSPECTIVE JUROR: Good afternoon.

20                 After listening to all of this for the past  
21 day-and-a-half, I am a medical director and a full-time  
22 doctor, that does surgery and sees patients most days of  
23 the week. I am now getting concerned about being able to  
24 fulfill that and work and take care of my patients and be  
25 present.

1 I do feel I could be impartial but I am concerned  
2 about my clients and patients.

3 THE COURT: Only you can tell us whether you  
4 would be able to be here and be present. We can't make  
5 that decision for you.

6 PROSPECTIVE JUROR: I don't think I can at this  
7 point.

8 THE COURT: Any objections? We are going to  
9 excuse you.

10 MR. BLANCHE: No.

11 MR. STEINGLASS: No.

12 THE COURT: Thank you. We will continue with  
13 you.

14 PROSPECTIVE JUROR: I live in Harlem. I have  
15 lived in Harlem for five years.

16 I am not a native New Yorker. I am originally  
17 from Connecticut.

18 I am a high school history teacher.

19 I have been doing that for six years.

20 I am not retired.

21 My current employer is the Spence School.

22 My employer is about 300 people.

23 I am not self-employed. My prior employer was  
24 Columbia university Teachers College.

25 I have a master's degree in private school

1 education.

2 I am not married. I have never been married. I  
3 do not have any children.

4 Six is not applicable.

5 In my spare time I like to spend time with my  
6 dog.

7 Hobbies and interests, I really like to read.

8 I do not participate in any organizations or  
9 advocacy groups. I have never served on a jury.

10 Ten, the New York Times, Huffington Post, CNN,  
11 MSNBC, Google, Washington Post, Google I said. Pardon, I  
12 said Google.

13 I don't really listen to podcasts. If I do, it's  
14 Stuff you Missed in History Class. I don't listen to talk  
15 radio.

16 Thirteen is no.

17 Fourteen is no.

18 Fifteen is no.

19 Sixteen is no.

20 Seventeen, yes. My God mother is the attorney in  
21 charge at Legal Aid. And my roommate is an Assistant  
22 District Attorney in the Bronx.

23 Eighteen is, I guess the same as seventeen. This  
24 would not impact me from being fair or impartial.

25 Nineteen is no.

1 Twenty is no.

2 Twenty-one is no. Twenty-one B is no.

3 Twenty-two is no.

4 Twenty-three is no.

5 Twenty-four is no.

6 Twenty-five is no.

7 THE COURT: I am sorry, just going back to  
8 twenty-four, if we had to work past 4:30 on a particular  
9 day, would you be unable to do that?

10 PROSPECTIVE JUROR: I am sorry. I misread that.  
11 That would be, yes.

12 Twenty-six is yes. I can give that assurance.

13 Twenty-seven, I can give that assurance.

14 Twenty-eight is no.

15 Twenty-nine is no. B is no. C is no. D is no.

16 E is no. F is no. G is no. H is no, not to my knowledge.

17 Thirty is no.

18 Thirty-one is no.

19 Thirty-two is no.

20 Thirty-three, I can give that assurance.

21 Thirty-four is, yes.

22 THE COURT: Do you have strong opinions that  
23 would interfere with your ability to be fair and impartial?

24 PROSPECTIVE JUROR: As I am sitting here  
25 reflecting deeply, I do have concerns. Yes, Your Honor.



1 THE COURT: Any objections?

2 We will excuse you. Thank you.

3 PROSPECTIVE JUROR: Thank you, Your Honor.

4 (Juror is excused.)

5 THE COURT: Good afternoon.

6 PROSPECTIVE JUROR: Before I start, I want to  
7 mention that next Friday I need to be out of the court by  
8 12 or 12:30 to catch a flight at JFK. That's my  
9 restriction.

10 THE COURT: That would be Friday the 26th?

11 PROSPECTIVE JUROR: That's correct.

12 THE COURT: When would you be back?

13 PROSPECTIVE JUROR: Sunday.

14 THE COURT: That's fine. We can work that out.

15 PROSPECTIVE JUROR: Okay. I live on the upper  
16 east side. I have lived on the upper east side since 2004.

17 I am a native of New York State, not New York  
18 City. I have been living in New York City since 2000.

19 I work in the real estate development industry  
20 and I have been doing that since 2010.

21 My current employer is TF Cornerstone. The  
22 company is over 450 people.

23 C is no.

24 Three D, my prior employer was a BT Alex Brown or  
25 Alex Brown.

1 I have an MBA and a bachelor in science.

2 I am married and I have two children.

3 My wife doesn't work. She takes care of the kids  
4 and home. I don't have any adult children. They are  
5 sixteen and thirteen.

6 Seven A, in my spare time I play tennis a lot,  
7 occasionally golf.

8 This -- that applies to 7B also.

9 Eight A, I belong to a Long Island City  
10 Partnership, which is a business advocacy group and ReadMe.

11 I have never served on a jury before.

12 Ten, Wall Street Journal, occasionally CNN and  
13 some other cable news networks.

14 Podcast number 11, What's News. I don't listen  
15 to talk radio.

16 Thirteen, no.

17 Fourteen, no -- wait. Yeah, fourteen, no.

18 Fifteen, yes. My stepfather-in-law was involved  
19 in government in New Jersey.

20 Sixteen, yes. I, you know, as part of my  
21 business, tangentially through being in the finance area,  
22 but previous to being in the real estate development  
23 business, I was in investment banking, private equity which  
24 is a finance field. And I know friends also in the world  
25 of finance.

1           Seventeen, no.

2           Eighteen A, no.

3           So, nineteen, no.

4           Twenty, no.

5           Twenty-one A, no. B, no.

6           Twenty two, no.

7           Twenty-three, no.

8           Twenty-four, yes. I could work later than 4:30.

9           Twenty-five, no.

10           Twenty-six, yes, I can give you the assurance

11   that I will be fair and impartial.

12           Twenty-seven, yes.

13           Twenty-eight, no.

14           Twenty-nine A, no. Twenty-nine B, no. C, no.

15   D, no. But in full disclosure, with respect to socially,

16   at some point, and I don't use Twitter, but when I was

17   learning Twitter I followed the President, but don't use

18   Twitter and that was just as I was just learning about it.

19           E, no. F, no. G, no. H, no.

20           Thirty, no.

21           Thirty-one, no.

22           Thirty-two, no.

23           Thirty-three, yes.

24           Thirty-four, no.

25           Thirty-five, no.

1                   Thirty-six, yes, The Art of the Deal a long time  
2 ago.

3                   Thirty-seven, no.

4                   Thirty-eight, yes.

5                   Thirty-nine, yes.

6                   Forty, yes.

7                   Forty-one, yes.

8                   And forty-two, no. Forty-two, there is nothing  
9 that would bias me. I think that's what it is asking.

10                  THE COURT: Thank you.

11                  PROSPECTIVE JUROR: I wanted to see what the  
12 questions were to see if it addressed what I just wanted to  
13 say in full disclosure, for whatever it is worth to either  
14 side.

15                  So I live on the upper east side and I am in the  
16 real estate business as I said. So by the nature of both  
17 of those things there are people that I know that know the  
18 President. It wouldn't in any way influence my thinking or  
19 how I feel about anything, but I just wanted to state that  
20 for the record. That that's out there. That it's not  
21 connections that I have to the President in any way.

22                  I wanted to be clear that there are either people  
23 I know who know people or people I know who know people and  
24 that's just for the record.

25                  (Continued on the next page.)

1 THE COURT: Thank you.

2 Good afternoon.

3 PROSPECTIVE JUROR: Good afternoon.

4 Number 1, I live on the Upper East Side.

5 I've lived there about 12 years.

6 I'm not a native New Yorker. I'm originally from  
7 North Carolina.

8 I'm an attorney. I'm a civil litigator.

9 THE COURT: Sir, if you could, please speak into  
10 the mic.

11 PROSPECTIVE JUROR: I'm an attorney. I'm a civil  
12 litigator.

13 My employer is Hunt Andrews Kurth. I think there  
14 are about 1,800 people who work there.

15 I'm not self-employed.

16 I previously worked for Gibson Dunn & Crutcher.

17 My educational background is I have a J.D.

18 I'm married.

19 I have two children.

20 My wife is in risk management at a bank.

21 My children are not adults.

22 In my spare time, I spend time outdoors and spend  
23 time with my kids.

24 Number 8, no.

25 Number 9, I never served on a jury.

1                   Number 10, New York Times, Wall Street Journal,  
2 New York Post, Washington Post.

3                   Podcasts, I listen to SmartLess and Car Talk.  
4                   Talk radio, WNYC.

5                   Number 13 is a no.

6                   Number 14, I have a friend who worked for the  
7 Department of Justice, who graduated from law school.

8                   Number 15, beyond the answer to 14, no.

9                   Sixteen, I have many friends that work in finance  
10 including my wife.

11                  Seventeen, I obviously have training in the legal  
12 field. I have many friends and relatives who practice law  
13 as well.

14                  Eighteen is no.

15                  Nineteen is no.

16                  Twenty, no.

17                  21(A), no.

18                  21(B), no.

19                  Twenty-two, no.

20                  Twenty-three, no.

21                  Twenty-four, it would not be a problem.

22                  Twenty-five, no.

23                  Twenty-six, yes.

24                  Twenty-seven, yes.

25                  Twenty-eight, no.

1           29(A), no.  
2           29(B), no.  
3           C, no.  
4           D, no.  
5           E, no.  
6           F, no.  
7           G, no.  
8           H, no.  
9           Thirty, no.  
10          Thirty-one, no.  
11          Thirty-two, no.  
12          Thirty-three, yes.  
13          Thirty-four, no.  
14          Thirty-five, no.  
15          Thirty-six, no.  
16          Thirty-seven, no.  
17          Thirty-eight, yes.  
18          Thirty-nine, yes.  
19          Forty, yes.  
20          Forty-one, yes.  
21          Forty-two, no.  
22          THE COURT: Thank you.  
23          Good afternoon.  
24          PROSPECTIVE JUROR: Good afternoon.  
25          Born and raised in Manhattan, Upper West Side, my

1 whole life.

2 Native New Yorker.

3 I'm retired law enforcement in New York City.

4 THE COURT: Is that with the N.Y.P.D.?

5 PROSPECTIVE JUROR: I was a civilian police  
6 photographer for the Chief of Detectives Office for  
7 three-and-a-half. Then, I did 16-and-a-half in the  
8 New York City Department of Corrections. I'm a retired  
9 Corrections officer. I was a photographer there also. I  
10 worked in the courts, not in the courts, but behind the  
11 courts. I did the paperwork.

12 THE COURT: Thank you.

13 PROSPECTIVE JUROR: My current employer, I work  
14 for two security firms, companies. One has approximately a  
15 thousand guys between New York and Texas. The other one, I  
16 really don't know the number. So, I imagine it fluctuates.

17 I own a business. It's a small business. I  
18 shoot video and I buy airtime. That's what I do, on top of  
19 everything else.

20 Prior employer, I think I did that one.

21 I have a B.A. in Communications from  
22 Fordham University. I graduated.

23 I'm not married.

24 Never been married.

25 I have two children, two girls.



1 I'm not living with anyone.

2 I have two adult children. One, I don't talk to.

3 The other one is in the medical field.

4 What do I like to do? The four C's I call them:

5 Cameras, since I was four. I know a lot about  
6 them. I read about them.

7 Computers, since DOS. I'm pretty good on Mac  
8 and P.C.

9 Cop work. It's a lot of fun. That's why I still  
10 do it. I can't help it. I like the guys and the whole  
11 thing.

12 Charity. I like giving.

13 Hobbies, pretty much the four C's--cameras,  
14 computers, cop work, and charity.

15 I don't know if you call it an organization, but  
16 I belong to a political party, democratic, and I was on the  
17 board for a while. I kind of walked off on it because I  
18 got a job and it would have been a conflict. That has  
19 nothing to do with anything. It's just what I do. I was  
20 asked to be on the board and I did it for a while.

21 I have served on a jury before.

22 THE COURT: Was that criminal or civil?

23 PROSPECTIVE JUROR: Both.

24 THE COURT: Did you reach verdicts?

25 PROSPECTIVE JUROR: I was an alternate in a

1 criminal and, if I can remember them all, I was in one  
2 where it was decided out of court.

3 THE COURT: Okay.

4 PROSPECTIVE JUROR: I think it was Merv Griffin  
5 and Donald Trump. I think that was the case.

6 THE COURT: Donald Trump was one of the parties?

7 PROSPECTIVE JUROR: I think so. I'm not a  
8 hundred percent sure, but, if I remember--it was a long  
9 time ago--it settled. So, we just sat in the box and we  
10 were out of there.

11 THE COURT: So, you were never actually a sworn  
12 juror in that case? You never deliberated?

13 PROSPECTIVE JUROR: We didn't do anything. They  
14 put it in front of us and we went and walked out the room.  
15 They kind of settled whatever it was.

16 THE COURT: Do you remember which court that was  
17 in?

18 PROSPECTIVE JUROR: 111.

19 THE COURT: 111 Centre?

20 PROSPECTIVE JUROR: Yeah.

21 I think I'm down to 10 now.

22 I do Google and I do Facebook.

23 Textbooks, pretty much. I don't do the news.

24 No podcasts.

25 No talk radio.

1 I have a lot of my friends that have committed  
2 crimes. That's the best I could tell you. I hold nothing  
3 against them and they hold nothing against me. These are  
4 guys that I grew up with. They're in my neighborhood.  
5 They've done time. We're friends.

6 THE COURT: Would anything about any of that  
7 affect your ability to be fair and impartial in this case?

8 PROSPECTIVE JUROR: No.

9 THE COURT: Okay.

10 PROSPECTIVE JUROR: I'm a little nervous here.  
11 I'm not used to being in the spotlight.

12 THE COURT: Take your time.

13 PROSPECTIVE JUROR: Department of Corrections  
14 for 14.

15 My sister worked for the Post Office on 15.

16 No one's an accountant, 16.

17 No legal field or training.

18 I love law enforcement. I just like it.

19 I've had close friends that committed  
20 crimes--drunk driving and things like that. I really don't  
21 get into their business, but I know. I park my car in the  
22 projects' parking lot. I do not live in the projects, but  
23 I can park there. It costs me \$2,233 to park there a year.  
24 So, in coming home and going to the car, I see the guys  
25 that I grew up with in the neighborhood. So, we have

1 conversations. It's not my thing, but it is my thing.

2 THE COURT: Sure.

3 PROSPECTIVE JUROR: 21(A), no.

4 21(B), no.

5 Twenty-two, no.

6 Twenty-three, no.

7 I have no problems staying later. That's 24.

8 I don't practice any religion or church.

9 I am fair and impartial.

10 No stereotypes. I treat people like they are. I  
11 love people. I like to help them.

12 No friends or anyone that has worked for  
13 Donald Trump. That's 28.

14 29(A), no.

15 29(B), no.

16 29(C), no.

17 29(D), no.

18 29(E), no.

19 29(F), no.

20 29(G), no.

21 29(H), no.

22 I do not follow any of those organizations or  
23 whatever they are.

24 I have no opinion.

25 Thirty-two, no, no opinion.

1           Yes, I can make a decision based on what I'm  
2 presented with and that alone.

3           I have no opinion for 34. A person on trial is  
4 just a person on trial. It doesn't matter.

5           No books. That's 35.

6           Thirty-six, no.

7           That's a tricky question, 37. I remember a time  
8 when a candidate was given a certain amount of money to  
9 run. I'm old-school. I'm 71. So, I kind of miss those  
10 days, but those days are over. So, I don't really have an  
11 opinion on it, but I remember.

12           I've already spoken on 38, only what's presented.

13           I will not discuss anything about the case.

14           I will follow the judge's definitions and  
15 instructions.

16           I'm not used to being on stage. I'm nervous.  
17 I'm trying to read and I'm like, "Oh, man." I feel like  
18 I'm on the hot seat here.

19           THE COURT: You're almost done.

20           PROSPECTIVE JUROR: Okay.

21           Forty-one, no.

22           Forty-two is not to testify, it's fine, no. I  
23 judge him as I would judge myself.

24           THE COURT: Thank you, sir.

25           Good afternoon.

1 PROSPECTIVE JUROR: Good afternoon.

2 Your Honor, as much as I would love to serve for  
3 New York and one of our great Presidents, I could not give  
4 up my job for six-plus weeks, which means I would be  
5 working 80-plus hours a week. I don't think that I could  
6 serve with that many hours of work.

7 THE COURT: Any objections?

8 MS. HOFFINGER: No objection.

9 MR. BLANCHE: No.

10 THE COURT: You're excused, sir.

11 (At this time, the above-mentioned  
12 Prospective Juror was excused)

13 THE COURT: Jurors, as you saw earlier, the  
14 attorneys now have an opportunity to address you in the  
15 jury box.

16 The law requires that the prosecution addresses  
17 you first.

18 Please remember that whatever the lawyers say at  
19 any time is not evidence. Nothing the lawyers say to you  
20 now is evidence.

21 As with all stages of the criminal trial, there  
22 are rules that the lawyers must follow. If one lawyer  
23 believes that another lawyer is not following one of those  
24 rules, that lawyer will object. That objection creates a  
25 question of law for me to decide.

1           The objection will be one word and one word only,  
2 "Objection." If necessary, the attorney will provide the  
3 legal basis of the objection such as, "Hearsay."

4           If I sustain an objection to a question or a  
5 comment of a lawyer, that question or comment will be  
6 stricken from the record and you must disregard it as if it  
7 were never said. If I overrule an objection, the question  
8 or comment stands.

9           Of course, whether I sustain or overrule an  
10 objection, my ruling indicates only that the question or  
11 comment is or is not in accord with one of the rules of law  
12 that the lawyers should follow during this stage of the  
13 proceedings. The ruling expresses no opinion about the  
14 facts of the case or of whether the defendant is guilty or  
15 not guilty.

16           Remember, you, the jury--and you alone--judge the  
17 facts and reach a verdict of guilty or not guilty.

18           People?

19           MS. HOFFINGER: Thank you, your Honor.

20           Almost good evening.

21           My name is Susan Hoffinger. I'm an  
22 Assistant District Attorney here in Manhattan. Along with  
23 my colleagues, Joshua Steinglass, Matthew Colangelo,  
24 Becky Mangold, Christopher Conroy, and Katherine Ellis, we  
25 represent the People of the State of New York.

1           I want to thank you for being here and answering  
2 our questions. I'm going to ask you to be as open and as  
3 candid as possible. I know you were a little nervous about  
4 answering questions. It's important for us. We want to  
5 pick a fair jury for both sides--for the defense and for  
6 the prosecution. So, we appreciate you being as candid as  
7 you can be--no wrong answers--but we thank you. Thank you  
8 for answering our questions.

9           Just to start, is there anything you've heard so  
10 far either about the case or from my colleague's questions  
11 or from the defense's questions that causes you any concern  
12 at all in this case about your ability to be a fair and  
13 impartial juror?

14           (NO RESPONSE FROM PROSPECTIVE JURORS)

15           MS. HOFFINGER: Nothing at all.

16           I would like to just ask a few follow-ups:

17           B-352--we're going on numbers--I know that you  
18 said you're in the real estate industry. Obviously, so has  
19 the defendant been for many many years. You said that you  
20 know a lot of people who know him.

21           PROSPECTIVE JUROR: I know people. I know a lot  
22 of people who know people. It's sort of an industry.

23           MS. HOFFINGER: Do you know anybody directly who  
24 knows the defendant?

25           PROSPECTIVE JUROR: Yeah. I know people



1 directly.

2 MS. HOFFINGER: Okay.

3 Can you tell us a little bit about what you talk  
4 to them about about Mr. Trump.

5 PROSPECTIVE JUROR: Well, I've not talked to them  
6 at all about any of these types of proceedings whatsoever.  
7 I try not to talk about politics at all in business or with  
8 friends. Occasionally, it comes up. So, sometimes, it's  
9 about when he was in office. Sometimes, it's about  
10 politics, but not a lot, not about this case, and not about  
11 the criminal prosecutions.

12 Does that answer your question?

13 MS. HOFFINGER: It does.

14 Thank you.

15 Is there anything about your work in the real  
16 estate -- Well, let me take that back.

17 You've been in the real estate industry for quite  
18 a few years?

19 PROSPECTIVE JUROR: Yes.

20 MS. HOFFINGER: So has Mr. Trump. Do you have  
21 any views in terms of his work or his reputation in the  
22 real estate industry?

23 PROSPECTIVE JUROR: You know, peripherally or  
24 superficially, I would say. On a high level, I've seen the  
25 work, but we've never done business together. My company

1 has never done business with his, to my knowledge, and it  
2 does not overlap in any respect. I've seen the work. I'm  
3 aware of it. I'm an admirer from afar of some of the work,  
4 but that's my opinion. I don't have an opinion on whether  
5 he's successful or not or how he conducts himself or  
6 anything like that. That's not anything I've been thinking  
7 about.

8 MS. HOFFINGER: Appreciate that.

9 You also said that you read The Art of the Deal  
10 some years ago?

11 PROSPECTIVE JUROR: Yes.

12 MS. HOFFINGER: What did you think of it?

13 PROSPECTIVE JUROR: I felt it was entertaining.

14 MS. HOFFINGER: You also mentioned that, at one  
15 point a while back, you followed him on Twitter?

16 PROSPECTIVE JUROR: No. At one point, I was  
17 trying to figure out Twitter. I haven't looked at it. I  
18 assume there's maybe half a dozen things that I clicked on  
19 Twitter when I was figuring it out. His was one of them.  
20 I wasn't getting tweets and following tweets or things like  
21 that.

22 MS. HOFFINGER: Understood.

23 Do you have any views about his use of Twitter or  
24 things that he's posted?

25 PROSPECTIVE JUROR: What I've seen of what he's

1 posted has been on television, not what I've seen hitting  
2 my feed because I never look at the feed. I don't have an  
3 opinion about his tweets or anyone's tweets generally.

4 MS. HOFFINGER: Nothing on there that was  
5 explored?

6 PROSPECTIVE JUROR: No, because I don't use  
7 Twitter. I have an opinion about Twitter about whether or  
8 not to use it, but I don't have an opinion about what  
9 people put on there any differently than I would have on  
10 any other source of information.

11 MS. HOFFINGER: Do you think there's anything  
12 about you being in the same field with Mr. Trump that would  
13 cause you to be less than fair to one or --

14 PROSPECTIVE JUROR: No, but I understand the  
15 perception. That's why I said it at the outset. There's  
16 nothing here--not where I live, not the people I know that  
17 know him or that kind of thing, and not my involvement in  
18 the real estate industry--that would, in any way, bias me  
19 or not allow me to be impartial.

20 MS. HOFFINGER: I appreciate that. Thank you.

21 I hope you don't mind me asking those questions.

22 PROSPECTIVE JUROR: No. That's fine. I expect  
23 you to.

24 MS. HOFFINGER: 269, just a question:

25 I know you're a lawyer. Do you think that you

1 would be able to put aside whatever you know as a lawyer in  
2 whatever particular field of law we're talking about? This  
3 case involves federal election campaign laws. That's part  
4 of the charge here. I think you probably heard the judge's  
5 summary earlier. Do you have any particular views on that?

6 PROSPECTIVE JUROR: Yeah. I'm a civil litigator,  
7 which means I know virtually nothing about criminal law. I  
8 don't profess to know about it. I don't know anything  
9 about election or finance law either. I do financial  
10 services and civil litigation, things like that. So, I  
11 don't know it, but, to the degree that I did, I think I  
12 could put it aside.

13 MS. HOFFINGER: To the extent that there's any  
14 other crossover or anything that you hear that's different  
15 from what you dealt with as an experienced lawyer, would  
16 you be able to put that aside and follow the judge's  
17 instructions?

18 PROSPECTIVE JUROR: I would certainly follow the  
19 judge's instructions, yes.

20 MS. HOFFINGER: I appreciate that.

21 364 --

22 PROSPECTIVE JUROR: Uh-oh.

23 MS. HOFFINGER: Don't worry. I'll give you the  
24 easy ones.

25 You mentioned, sir, that you have some friends

1 who have been convicted of crimes in the past?

2 PROSPECTIVE JUROR: Yes, my whole life.

3 MS. HOFFINGER: We all do.

4 PROSPECTIVE JUROR: It's nothing new.

5 MS. HOFFINGER: You will learn in this case that  
6 one of the witnesses named Michael Cohen, who is  
7 Mr. Trump's former lawyer, pled guilty back in 2018 to a  
8 number of federal crimes including campaign finance  
9 violations and, actually, lying to Congress back in 2017  
10 and back in 2018. Anything about the fact that he pled  
11 guilty to crimes, anything about that that would prevent  
12 you from giving him a fair and open listen to what he has  
13 to say and not prejudge him? How do you feel about that?

14 PROSPECTIVE JUROR: I wouldn't prejudge him, but  
15 I would definitely have to listen to him based on what he  
16 says.

17 MS. HOFFINGER: Sure.

18 PROSPECTIVE JUROR: In my world -- I'm kind of  
19 stuck here. Well, what I can say is that, if you plea  
20 bargain or plea deal, it could be one of two things--you're  
21 looking out for yourself or you're telling the truth. So,  
22 in order to know that, I would have to hear what he's  
23 talking about and read his demeanor and if he's telling the  
24 truth.

25 MS. HOFFINGER: That's exactly what we're looking

1 for. I appreciate that.

2 So, the fact that he pled guilty years ago  
3 doesn't mean that you close your ears to what he has to  
4 say?

5 PROSPECTIVE JUROR: No. I was a Correction  
6 officer in New York City. So, I've heard it all. I could  
7 really give a good listen and be honest and fair.

8 MS. HOFFINGER: The judge will give you some  
9 factors to use to determine whether a witness is being  
10 truthful and credible--what the person seems like when  
11 they're testifying, whether their testimony is corroborated  
12 by other testimony in the case or by documents. Those are  
13 just some of the things that you can take into  
14 consideration when determining whether someone is being  
15 truthful. Do you think you could do that without  
16 prejudging him what happened in the past?

17 PROSPECTIVE JUROR: Sure. Sure. I can  
18 definitely listen.

19 MS. HOFFINGER: You'll give him a fair listen and  
20 you won't prejudge his testimony?

21 PROSPECTIVE JUROR: No.

22 MS. HOFFINGER: Can I ask you, 269 -- I really  
23 don't mean to say numbers when referencing people. I  
24 apologize. Can I ask you the same question with a little  
25 bit of a different spin:

1           You'll hear that Mr. Cohen, for a fairly long  
2 period of time, denied a lot of the facts to which he will  
3 admit here and he pled guilty to. Will that have an effect  
4 on you in terms of how you view his testimony and his  
5 credibility?

6           PROSPECTIVE JUROR: As I understand it, if that's  
7 presented during the course of the trial, it's something  
8 that I should consider and weigh the voracity of his  
9 testimony, if that answers your question.

10          MS. HOFFINGER: So, you will take it into  
11 consideration, which you should, but my question is will  
12 that sort of be the end of your determination of his  
13 credibility or will you give him a fair listen, compare his  
14 testimony against the evidence in the case--for example,  
15 documents or other people's testimony? Will you give that  
16 a fair shot and not prejudge him?

17          PROSPECTIVE JUROR: Yes, I will.

18          MS. HOFFINGER: Can I ask you as well, sir, 352?

19          PROSPECTIVE JUROR: Same question?

20          MS. HOFFINGER: Yes.

21          PROSPECTIVE JUROR: Same answer. I'll consider  
22 what he has said and give a fair listen.

23          MS. HOFFINGER: Now, there may be others in the  
24 case who also, at various times in the past, denied certain  
25 things. Will you give them a fair listen and give them a

1 chance to explain why they denied them and when before you  
2 judge their testimony? Can you all do that?

3 PROSPECTIVE JUROR: Yes.

4 PROSPECTIVE JUROR: Yes.

5 PROSPECTIVE JUROR: Yes.

6 MS. HOFFINGER: So, the judge has already told  
7 you that this case is about whether the defendant broke the  
8 law in this case, whether he falsified business records in  
9 order to cover up an agreement with others unlawfully to  
10 influence the 2016 presidential election. He's charged  
11 with 34 counts of Falsifying Business Records in the  
12 First Degree. It is our burden to prove--our burden to  
13 prove--every element of the crime beyond a reasonable  
14 doubt. That's what the judge told you. We accept that  
15 burden. If we accomplish that, if the evidence proves his  
16 guilt beyond a reasonable doubt, you must find him guilty.  
17 If the evidence does not prove it beyond a reasonable  
18 doubt, you must find him not guilty. Does anyone feel  
19 that, somehow, because of his position--because he is a  
20 former President and because he is running again as a  
21 candidate for presidency--we should have a higher burden  
22 than that, a higher standard than what the law requires,  
23 which is beyond a reasonable doubt?

24 PROSPECTIVE JUROR: No.

25 MS. HOFFINGER: Can I ask you about that.



1 PROSPECTIVE JUROR: Sure. No.

2 MS. HOFFINGER: Any chance that, because of his  
3 position, you will feel that we should somehow have to  
4 prove more than what the law requires?

5 PROSPECTIVE JUROR: No.

6 MS. HOFFINGER: Sir, can I ask you the same  
7 question.

8 PROSPECTIVE JUROR: Same answer.

9 MS. HOFFINGER: Sir, I'm going to ask you the  
10 same.

11 PROSPECTIVE JUROR: Same answer, no.

12 MS. HOFFINGER: Let me ask you a question:

13 If we carry our burden and we prove that  
14 Mr. Trump is guilty beyond a reasonable doubt, what would  
15 your verdict be?

16 PROSPECTIVE JUROR: Guilty.

17 MS. HOFFINGER: If we do not carry that burden,  
18 similarly, you'll find him not guilty; is that right?

19 PROSPECTIVE JUROR: Correct.

20 MS. HOFFINGER: May I ask you as well:

21 If we prove that the defendant is guilty beyond a  
22 reasonable doubt, what will your verdict be?

23 PROSPECTIVE JUROR: Guilty.

24 MS. HOFFINGER: Similarly, if we do not prove  
25 that, it will be not guilty?

1 PROSPECTIVE JUROR: Correct.

2 MS. HOFFINGER: May I ask you as well, sir.

3 PROSPECTIVE JUROR: Same answer, guilty and not  
4 guilty.

5 MS. HOFFINGER: So, if we prove this case beyond  
6 a reasonable doubt, what will your verdict be?

7 PROSPECTIVE JUROR: Guilty.

8 MS. HOFFINGER: Thank you.

9 Now, one of the things I mentioned--and I imagine  
10 we wouldn't have any problem with this--is that, in  
11 addition to witness testimony, there are going to be quite  
12 a few documents in this case. The documents are important.  
13 There's an old saying: The documents don't lie. They tell  
14 it like it is. Anybody have an issue with the fact that  
15 we're going to ask you, if you're going to serve as a  
16 juror, to spend a lot of time on the  
17 documents--spreadsheets, e-mails, texts?

18 (NO RESPONSE FROM PROSPECTIVE JURORS)

19 MS. HOFFINGER: Those are important because they  
20 corroborate what the witnesses have to say. Anybody feel  
21 like they just don't really feel like sitting here? This  
22 is what you do for a living, I know. Sir, on the end, any  
23 sense that you just don't want to spend your time, in  
24 addition to testimony, looking through a lot of documents?

25 PROSPECTIVE JUROR: My nature is, from a kid, I

1 read the encyclopedia. I like reading textbooks and  
2 how-to's--how to do this, how to do that. I don't really  
3 spend my time on the internet doing a whole bunch of stuff.  
4 So, I can pick up a document, go through it, take the  
5 challenge, and enjoy it. The harder it is, the more I like  
6 working on it.

7 MS. HOFFINGER: You understand that documents are  
8 important because they, in many cases, tell the story that  
9 corroborates what a witness has to say?

10 PROSPECTIVE JUROR: Yes.

11 THE COURT: Ms. Hoffinger, are you just about  
12 done?

13 MS. HOFFINGER: I'm done.

14 Thank you very much, all of you.

15 THE COURT: Thank you, Ms. Hoffinger.

16 MR. BLANCHE: Hi, guys.

17 Sorry I'm the last person to talk to you after a  
18 long day, but I appreciate it.

19 So, you heard a couple times now that my name is  
20 Todd Blanche. You all know President Trump and our legal  
21 team. You heard its name a few times.

22 I want to ask the questions a little bit  
23 differently about something more granular outside of the  
24 case.

25 We'll start with you, sir, 352:

1           You've talked a lot about how you're in real  
2     estate, how you have friends of friends who maybe know  
3     President Trump, and you've talked to them. Do you have a  
4     favorable or an unfavorable opinion about President Trump?  
5     I'm not talking about this case; right? You haven't heard  
6     any evidence. I'm talking about what you bring into this  
7     courtroom.

8           PROSPECTIVE JUROR: I think that's a pretty  
9     loaded question.

10           There's obviously a lot of history there. I  
11     think, to answer it, I would say there are things that I  
12     disagree with and there are things that I think were done  
13     well during his presidency. So, I think, on balance, I can  
14     see there might be things on both sides. I wouldn't sort  
15     of categorize it as favorable or unfavorable, one way or  
16     the other, but I think there are things that I would say  
17     are favorable and other things that are unfavorable.

18           MR. BLANCHE: That makes sense.

19           I wasn't trying to ask a loaded question.

20           PROSPECTIVE JUROR: Of course.

21           MR. BLANCHE: Most defendants, if you guys are in  
22     this seat, you wouldn't have any idea who this person was;  
23     right? So, we're in a little bit of a unique situation  
24     because everybody knows who President Trump is. What I'm  
25     trying to understand is what you bring in. Earlier, one of

1 the People said the baggage you bring in. I think that's a  
2 good way to describe it. That's what I'm asking about.  
3 So, for example, you read the New York Times or the news.  
4 Are you familiar with other cases with which  
5 President Trump has been charged in recently?

6 PROSPECTIVE JUROR: Well, just to correct, I  
7 didn't say I read the New York Times. I read the  
8 Wall Street Journal, for whatever that's worth.

9 MR. BLANCHE: You are right. You did not say the  
10 New York Times.

11 PROSPECTIVE JUROR: Right.

12 I am aware of other cases. Is that your  
13 question?

14 MR. BLANCHE: Aware of it, but talk more. What  
15 comes to your mind when I ask that question? When you come  
16 into this room knowing everything, whatever it is that you  
17 know about President Trump and his other cases, does that  
18 put you in a position where there is something you want to  
19 tell us about?

20 PROSPECTIVE JUROR: There is nothing I want to  
21 tell you other than that I am aware that there are other  
22 cases. It's been out there. There's a lot of news that's  
23 happened over the course of the last year or so. I'm aware  
24 that that's been out there, just for what it's worth.  
25 Obviously, it's worth a lot, but it doesn't influence how I

1 approach the trial here.

2 MR. BLANCHE: That makes sense.

3 Can you pass the microphone to Mr. 269.

4 The same question to you:

5 First, just a little bit more about your  
6 favorable or unfavorable opinion, if you have one, about  
7 President Trump and his character and who he is.

8 PROSPECTIVE JUROR: I have political views as to  
9 the Trump Presidency. Similarly, I think there were  
10 policies that I agreed with and policies that I didn't  
11 agree with. I don't know the man. I don't have any  
12 particular opinions about him personally. I'm not sure if  
13 that answers your question.

14 MR. BLANCHE: That's definitely helpful.

15 The same question about you don't know the man,  
16 but he's in the news a lot and he's in the news that you  
17 read every day or most days. So, from what you read,  
18 understanding you don't know him personally, how does that  
19 form what view you have of him or opinion you have of him  
20 or his character?

21 PROSPECTIVE JUROR: Again, to answer your  
22 question about the opinions on his character, I'm not sure  
23 that I have any. I certainly follow the news. I'm  
24 certainly aware that there are other lawsuits out there  
25 and, again, political views. I'm happy to answer that

1 question, but I'm not sure I really know anything about his  
2 character.

3 MR. BLANCHE: The People asked you questions  
4 about the fact that you're an attorney and there will be,  
5 potentially, a former attorney testifying who's been  
6 disbarred. There will certainly be legal documents that  
7 are shown to the jury. Do you think that, with your  
8 background, which is an experienced one--even if it's  
9 civil--you will be able to follow the rules that  
10 Judge Merchan says and look at the documents and hear the  
11 evidence independent of what you maybe bring in from the  
12 outside as it relates to that issue?

13 PROSPECTIVE JUROR: Yeah.

14 Look, I am a litigator. I take that  
15 responsibility seriously and I take following the judge's  
16 instructions seriously. So, I do believe I will be able to  
17 do that.

18 MR. BLANCHE: That's great.

19 Thank you.

20 Mr. 364, same question to you about  
21 President Trump:

22 A lot of questions and your answers have talked a  
23 lot about where you work and where you live. Do you have  
24 any particular views about President Trump outside of what  
25 you're going to hear in this courtroom--so, what you've

1 heard over your life even before he was a candidate and  
2 President?

3 PROSPECTIVE JUROR: Yeah. Oh, boy. You said the  
4 word "life." I'm a New Yorker. He's a New Yorker.

5 MR. BLANCHE: You're a New Yorker.

6 There's no wrong answers and I mean that.

7 PROSPECTIVE JUROR: That's why I'm going to give  
8 it to you.

9 MR. BLANCHE: That's okay.

10 PROSPECTIVE JUROR: Going back to Central Park, I  
11 knew some of the kids, like their cousins and whatnot.

12 MR. BLANCHE: Yes.

13 PROSPECTIVE JUROR: I also understood that you  
14 have the right to purchase an article and put it there.  
15 Just like the internet, you could get something 40 years  
16 ago that was wrong. Then, they repeat it and repeat it.  
17 Then, 40 years later, today, they put it on the internet  
18 and it would be true, but it's changed since then.

19 I really don't watch the news because it's just  
20 like too much information that I don't need. I pick up my  
21 information basically from other people talking. I get to  
22 hear the debate. They'll say this and they'll say that.  
23 This one will say this and that one will say that.

24 I know people that are very rich and very poor,  
25 from the penthouse on Park Avenue to very poor. I fed



1 families.

2           What I will tell you is that, when I see  
3 Mr. Trump, it's kind of comical. Not that he's a comic,  
4 but I like the response that he gets from other people.  
5 When he walks into a room and he says something, I kind of  
6 enjoy watching him do what he do. He terminates them a lot  
7 quicker than prior Presidents. So, I respect that  
8 authority. Now, at the same time, I realize that I'm here  
9 for a case. I'm not here to judge the man like that. I'm  
10 hear to listen to evidence and come up with a determination  
11 based on what I'm presented.

12           He's no different than any other President. It  
13 depends on how the media covers you. I have a degree in  
14 Communications. That's why I kind of back out of it. Just  
15 treat him fair.

16           MR. BLANCHE: Makes sense.

17           The People talked about this a little bit and I  
18 want to talk a little bit about it from the other side,  
19 which is the burden of proof.

20           What you'll hear Judge Merchan say  
21 regularly--because it's true--is that President Trump has  
22 no burden of proof. You maybe heard me say this earlier,  
23 but we could do nothing this entire trial. We could  
24 literally do nothing. The burden is on the People the  
25 entire time. In society, you expect people to do

1 something. You expect maybe something happened. The  
2 question is whether, understanding that we have no burden  
3 and we don't have to do anything--President Trump doesn't  
4 have to testify; we don't have to cross-examine witnesses  
5 if we don't want to; and the burden, at all times, remains  
6 with this table and not with the table over here--it's easy  
7 to say that out loud, but think about that. Do you have  
8 any reason to think you couldn't abide by that rule and by  
9 that principle of our justice system?

10 PROSPECTIVE JUROR: Whatever the judge determines  
11 is what happens.

12 As far as evidence is concerned, both sides, I  
13 think the jury has a lot to do with that. If they study  
14 and they listen well, they could come up with the right  
15 decision. It's how it's presented.

16 This isn't showmanship. This is real life. A  
17 man's life is on the line. The country's on the line.  
18 This is serious.

19 MR. BLANCHE: For sure.

20 How about for you other two?

21 PROSPECTIVE JUROR: I think I understand the  
22 burden and I understand he does not have a burden here.  
23 The state has the burden.

24 PROSPECTIVE JUROR: I agree with that. I  
25 understand where the burden lies and that the burden lies

1 on the state.

2 MR. BLANCHE: Thank you.

3 Give me one second, guys.

4 (Counsel consulting with co-counsel)

5 (Pause in the proceedings)

6 MR. BLANCHE: The last question for you:

7 You talked about Twitter, that you had it for a  
8 minute and then didn't have it. How about the other two?  
9 Do you guys post things on social media, on Twitter, on  
10 Facebook, and things like that?

11 PROSPECTIVE JUROR: I post pictures of my kids so  
12 that my father can see them.

13 MR. BLANCHE: Beyond family?

14 PROSPECTIVE JUROR: No.

15 MR. BLANCHE: How about you, sir? Do you use any  
16 websites or any Facebook?

17 PROSPECTIVE JUROR: Well, I'm a repost king. So,  
18 I'll see something that I thought was interesting and I'll  
19 repost it. I do the Google thing and YouTube. I can  
20 control what I watch and I can look at the thumbnails and  
21 decide if I'm going to watch it or not.

22 MR. BLANCHE: That makes sense.

23 (Counsel consulting with co-counsel)

24 (Pause in the proceedings)

25 MR. BLANCHE: You said that you're a repost king.

1 I appreciate that. What kinds of things do you repost? Do  
2 you think you've reposted negative things about  
3 President Trump, negative things about administration,  
4 things like that?

5 PROSPECTIVE JUROR: No, no, no.

6 I got off Facebook for a while. I just came back  
7 maybe three months. It was mostly my personal page. I  
8 just kind of watch what other people do. I got my friends  
9 from junior high school. That's how I got on Facebook. I  
10 wanted to find them all. I found them all. Then, I got  
11 kind of stuck there.

12 The things that I post and the things that I like  
13 to post are music, things that are cultural, Afrocentric.  
14 My posts is Harlem. I have a television show called  
15 "Harlem: Public Access." I been doing that for 25 years.  
16 I kind of stopped for a while. I have a show that I do.  
17 That's my hobby, things that I like. It's just reposting.

18 The only controversial thing that I've done is I  
19 took a lot of thought to put this up. When you post,  
20 everybody is thinking about what's going to happen when you  
21 post it; right? That's the reason why you're posting it;  
22 right? You're not posting it so you could write things to  
23 yourself. You put the stuff up for other people to see.  
24 So, there was a thing with Malcolm X. I was kind of  
25 conflicted with this one. What he said was right. What

1 was said was right. What he was saying--I don't know if I  
2 should be saying this, but, just to put it out there--is  
3 that African-American, Negro, and the "N" word are recent  
4 words from the last 300 years, but the black man has been  
5 around for years. It's from the Bible and all that stuff;  
6 right? I just found it interesting. So, I posted it. It  
7 was like, "Oh, man." I was kind of scared to post it, but  
8 it meant something.

9 MR. BLANCHE: Sure.

10 PROSPECTIVE JUROR: It was that sense of pride  
11 for African-American people, black men, and black women.  
12 It was a thing of pride. So, if you view the stuff that I  
13 put up, it's like things for children and old people as  
14 myself.

15 THE COURT: Mr. Blanche, are you just about done?

16 MR. BLANCHE: Yes. I have one more question,  
17 your Honor.

18 THE COURT: Very quickly.

19 MR. BLANCHE: Just one more question for the two  
20 of you guys. This is the last question. This is it:

21 Anything that you would want anybody in this room  
22 to know that hasn't come out yet about you as it relates to  
23 this trial that hasn't already come out?

24 PROSPECTIVE JUROR: Not that I can think of.

25 PROSPECTIVE JUROR: No. I don't have anything.

1 MR. BLANCHE: Thank you.

2 THE COURT: Thank you, jurors.

3 I'll ask you to please step outside while the  
4 attorneys review their notes.

5 Please remember the instructions I've given you  
6 before:

7 Do not discuss this case either among yourselves  
8 or with anyone else.

9 (At this time, the panel of prospective jurors  
10 exited the courtroom)

11 (Pause in the proceedings)

12 THE COURT: Are you ready?

13 MR. BLANCHE: Yes.

14 THE COURT: The defense is ready.

15 MR. STEINGLASS: We need a couple minutes, Judge,  
16 please.

17 THE COURT: Sure.

18 (Pause in the proceedings)

19 THE COURT: You all set, People?

20 MS. HOFFINGER: Yes, your Honor.

21 THE COURT: Okay.

22 Looking at seats 3, 4, and 5, People, are there  
23 any challenges for cause?

24 MS. HOFFINGER: No, your Honor.

25 THE COURT: Defense, for cause?

1 MR. BLANCHE: No, your Honor.

2 THE COURT: People, any peremptory challenges  
3 for 3, 4, and 5?

4 MS. HOFFINGER: Yes, your Honor.

5 The People challenge seat number 3, B-352, and  
6 the People challenge seat number 5, 364.

7 \* \* \* \* \*

8 (At this time, Vincent M. Geraldini, III was  
9 relieved by Susan Pearce-Bates as Senior Court Reporter)

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