

SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF NEW YORK - CRIMINAL TERM - PART: 59

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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 18, 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:

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1 THE CLERK: This is the case of the People of the
2 State of New York, against Donald Trump, indictment 71543
3 of '23. Appearances with the People please.

4 MR. STEINGLASS: Good morning. For the People,
5 ADA Joshua Steinglass, Susan Hoffinger, Matthew Colangelo,
6 Christopher Conroy, Becky Mangold and Katherine Ellis.

7 THE COURT: Good morning.

8 MR. BLANCHE: Good morning, your Honor.

9 Todd Blanch on behalf of President Trump who is
10 seated beside me. I am joined at counsel table by Emil
11 Bove, Susan Necheles and Gedalia Stern.

12 Good morning.

13 THE COURT: Good morning again.

14 I think now we are ready to go. There are a
15 couple of preliminary matters we need to take care of.

16 As you know, we received a call yesterday, from
17 juror number two. I did not speak with juror number two,
18 but, what that juror conveyed was that after sleeping on it
19 overnight she had concerns about her ability to be fair and
20 impartial in this case.

21 I directed that she be here today at 9:15 so that
22 we could speak to her on the record. I consulted with both
23 parties, you agreed that that was the right thing to do.

24 I believe she is outside. Please bring her in.

25 (Juror enters the courtroom.)

1 THE COURT: I believe that is juror B280, is that
2 right?

3 MS. HOFFINGER: That's correct.

4 LIEUTENANT: Juror entering.

5 (Juror entered the courtroom and is present
6 at the podium.)

7 THE COURT: Hi. Good morning. Thank you for
8 coming in.

9 I was informed yesterday that you had called the
10 court and you had expressed some concern about your ability
11 to remain fair and impartial?

12 PROSPECTIVE JUROR: Correct.

13 THE COURT: It's important to discuss all of this
14 in person so that the People and the defense get everything
15 on the record.

16 Why don't you go ahead and tell us what you are
17 thinking?

18 PROSPECTIVE JUROR: Sure. Thank you.

19 I definitely have concerns now. One of them
20 especially being the aspects of my identity have already
21 been out there in public.

22 Yesterday alone I had friends, colleagues and
23 family push things to my phone regarding questioning my
24 identity as a juror.

25 I don't believe at this point that I can be fair

1 and unbiased and let the outside influences not affect my
2 decision making in the courtroom.

3 THE COURT: Thank you. I am sorry that you went
4 through that.

5 Are there any follow-up questions?

6 MR. STEINGLASS: No. Are there any objections?

7 MR. BLANCHE: No.

8 THE COURT: You are excused. Thank you.

9 (Juror is excused.)

10 THE COURT: So, while we wait for juror number
11 four, there is something I would like to address, really
12 addressing the press, both the press that's in the
13 courtroom here, as well as the press that's in the overflow
14 courtroom.

15 There is a reason why this is an anonymous jury
16 and why we have taken the measures that we have taken and
17 it kind of defeats the purpose of that when so much
18 information is put out there that it is very, very easy for
19 anyone to identify who the jurors are.

20 So the press is certainly able and permitted to
21 write about anything that's said on the record, because
22 it's on the record. The press can write about anything
23 that the attorneys and the Court discuss and anything that
24 you observe us do, but I am directing that the press simply
25 apply common sense and refrain from writing about anything

1 that has to do, for example, with physical descriptions.

2 That's just not necessary. It serves no purpose.

3 And by physical descriptions, I just don't mean
4 height, weight and color of hair. I mean physical
5 descriptors.

6 For example, there was really no need for anyone
7 to mention that one of the jurors had an Irish accent. I
8 just don't see the purpose of how that advanced any
9 interest, whatsoever.

10 So I am directing that the press refrain from
11 writing about anything that you observe with your eyes and
12 hear with your ears related to the jurors that's not on the
13 record; and if you can't do that, if we can't stick to
14 that, we will have to see what else we need to do to ensure
15 that the jurors remain safe.

16 We just lost, probably, what probably would have
17 been a very good juror for this case and the first thing
18 that she said was she was afraid and intimidated by the
19 press, all the press, and everything that had happened. So
20 really this is just a matter of common sense and I ask you
21 to please follow that.

22 Juror number four is not hear yet. I understand
23 that there is an issue that the People would like to take
24 up.

25 MR. STEINGLASS: Before we get to that, may I

1 make a suggestion?

2 THE COURT: Sure.

3 MR. STEINGLASS: Perhaps it's worth not eliciting
4 the answers to question three A and D on the questionnaire.

5 Question three A asks, who is your current
6 employer and question three D asks, who is your prior
7 employer.

8 It is the most identifying information on the
9 juror questionnaire as far as we can tell and maybe it's
10 appropriate just to direct the jurors when they are
11 answering the questions to not answer those two questions.

12 THE COURT: I am okay with that. I think it's a
13 great suggestion. It was in there because I believe the
14 parties had requested it.

15 MS. NECHELES: I understand the concern. We
16 share the concern, in particular, we have seen that
17 jurors and people that leave the courtroom are surrounded
18 by the press outside and questioned.

19 There was one person who left who gave multiple
20 interviews. It's a big concern. But we asked for a
21 written questionnaire because of that.

22 THE COURT: It's too late. We are beyond that.

23 MS. NECHELES: But we can't go forward -- we
24 can't not have the information we need. We can ask the
25 jurors to say it privately or something, but it's the

1 government's fault that we don't have a written
2 questionnaire.

3 We knew this was going to be a problem. They
4 wanted everything to be out there and, you know, being done
5 this way. We can't just say, well, we can't have the
6 information.

7 That's not fair.

8 MR. BLANCHE: Your Honor, you can also order the
9 press, you know, as you just did to not report on the
10 answer's to three A and three B. And granted there is a
11 transcript that there is a record, depriving us of the
12 information because of what just happened, because of what
13 the press is doing, isn't the answer in our view.

14 THE COURT: All right.

15 Let's take a minute.

16 (Short recess is taken.)

17 THE COURT: All right. I agree with the defense,
18 that information is necessary. We all need it, but I also
19 agree that as evidenced by what's happened already, it's
20 become a problem.

21 So I am going to direct that we are going to
22 continue going through the questionnaire, but those two
23 answers are going to be redacted from the transcript. And
24 those reporters who are here and in the overflow room, if
25 they hear the answers to those questions are directed not

1 to report those answers.

2 There is case law that supports that. I have the
3 legal authority to do it.

4 It's, again, it's information that both sides
5 need to properly select the jury for this case, but it has
6 become a problem.

7 So, again, the answers to questions, three A and
8 three B will be redacted from all the transcripts and the
9 press is directed not to report on it.

10 MR. STEINGLASS: Thank you.

11 THE COURT: You're welcome.

12 I think juror number four is not here yet.

13 There was another matter you wanted to raise,
14 Mr. Conroy.

15 MR. CONROY: Thank you very much.

16 Thank you, Judge, I apologize.

17 THE COURT: You can have a seat. That's a short
18 microphone for you.

19 MR. CONROY: Thank you very much.

20 Judge, I want to hand up to the Court another
21 Order to Show Cause and I am asking the Court to sign that
22 and if the Court should sign it, we will serve it on the
23 defendant and his counsel today. Since you signed the last
24 order that we handed up than Monday, the defendant has
25 violated the order seven more times.

1 It's ridiculous. It has to stop.

2 We are not filing a new memo of law. What we are
3 asking you to do Judge is to add these seven violations to
4 the hearing already ordered for Tuesday. We believe our
5 legal arguments are the same.

6 The posts that violate, one of them I mentioned
7 actually on Monday. It happened on Monday morning at 9:12.
8 We added that to this Order to Show Cause. It posts a link
9 to a New York Post article. There is a picture of Michael
10 Cohen and the following text is in the post.

11 A serial perjurer will try to prove an old
12 misdemeanor against Trump in an embarrassment for the New
13 York legal system.

14 That was posted again that same day at 10:26 in
15 the morning. That same day, later that day, on defendant's
16 campaign website he posted the same link and the same text.

17 The next day on April 16th, the defendant again
18 posted the link to that article with the picture of Michael
19 Cohen at 1:50 in the afternoon and that evening he again
20 posted it on his campaign website.

21 Last night at 7:09 the defendant published a post
22 on his Truth Social account that contained an article, the
23 article was embedded in the post with, again, with a
24 picture of Michael Cohen and it had the headline, Michael
25 Cohen's guilty plea does not prove Trump committed campaign

1 finance crimes, and went on to attack Michael Cohen and his
2 credibility.

3 Finally, and this is the most disturbing post,
4 especially in light of what happened this morning, and in
5 light of the specific direction and order that Your Honor
6 gave the defendant on Tuesday in court related to an
7 outburst he had when the juror was at the rail.

8 On April 17th, the defendant posted on his Truth
9 Social account the following, they are catching undercover
10 liberal activists trying to -- lying to the judge in order
11 to get on the Trump jury, and that's a quote from a Fox
12 News posting Jessie Brooks (sic).

13 That was after you ordered counsel to speak to
14 his client because of something that had happened in front
15 of a juror in this courtroom.

16 These statements all violate your order. We are
17 asking you to sign that Order to Show Cause so that we can
18 address these more fully on Tuesday at a hearing. And
19 while we will ask for financial penalties on Tuesday, we
20 are still considering our options depending on how Tuesday
21 goes as far as what sanctions we will be asking for and we
22 are asking you to hold the defendant in contempt.

23 THE COURT: Would you like to be heard?

24 MR. BOVE: Yes, Judge. Thank you.

25 So we will respond to the papers that were just

1 filed when we had a chance to review, specifically, what
2 was said.

3 I think that the comments this morning called to
4 Your Honor's attention a couple of issues that have been
5 challenges with the Gag Order from the outset. And they do
6 not establish that there is any willful violations.

7 In fact, it brings to light some of the
8 ambiguities in the order.

9 Mr. Cohen has been attacking President Trump
10 through public statements with respect to his candidacy.

11 President Trump's responses are political in
12 nature and intended to defend against what Mr. Cohen is
13 saying in connection with the campaign.

14 Your Honor has said in the April 1st ruling, that
15 the Gag Order did not prohibit President Trump from
16 responding to political attacks. And we submit that's what
17 he is doing in these posts.

18 In addition, one other point, only recently in
19 connection with the two orders to show cause has the
20 District Attorney taken the position that President Trump
21 reposting statements by others constitutes a violation of
22 the Gag Order.

23 We dispute that. We are going to brief that in
24 the submission that is due tomorrow. That reposting
25 statements that are already in public by others violates

1 what Your Honor has set forth.

2 THE COURT: I look forward to seeing it.

3 MR. CONROY: Judge, if I may just briefly
4 respond.

5 I would just point out that they have an Article
6 78 Petition pending in the First Department where they can
7 argue the merits of this.

8 This is a court order. It is not a proposal and
9 you can't violate a court order in order to test whether
10 that order is legitimate.

11 THE COURT: Mr. Bove, the law is pretty well
12 settled that even if an order is unlawful, you are still
13 required to follow it.

14 MR. BOVE: We absolutely respect that, Judge.
15 That's not my point. My point is that in a proceeding
16 seeking contempt sanctions, the government has to establish
17 that both there is not any ambiguity with respect to the
18 posted issue and willfulness. And on those two issues, and
19 under the record that has been established so far which is
20 that there are other instances --

21 THE COURT: We haven't had the hearing yet.

22 MR. BOVE: I understand that. I am responding to
23 Mr. Conroy's point.

24 We understand that we are obligated by the order
25 even though we dispute its merits and are litigating that.

1 At the same time, in connection with the contempt
2 proceeding, they have to establish a lack of ambiguity and
3 willfulness. And they are not going to be able to
4 establish neither in the light of what's in the April 1st
5 order and the contents of the posts given the track record
6 that we have.

7 THE COURT: So after the hearing, I will give you
8 the ruling. After the hearing, I will rule.

9 MR. BOVE: Could we have -- right now our brief
10 is due 5:00 on Friday with respect to the pending Order to
11 Show Cause that had been signed by Your Honor before this
12 morning.

13 Can we have some additional time to respond to
14 the new allegations?

15 THE COURT: I am told there is no new Memorandum
16 of Law filed.

17 MR. CONROY: Correct.

18 THE COURT: It is simply an additional incident
19 and it sounds like you have done the research and you are
20 ready to go.

21 So, no, we will keep the same deadline.

22 MR. BOVE: Thank you.

23 THE COURT: I signed the order. I am going to
24 hand it down and we will sort this out at the hearing.

25 We have 86 jurors ready to come in.

1 Because we have not yet been able to address
2 juror number four, I would like to address that before we
3 continue.

4 Is there any objection to addressing that concern
5 even though the juror is not physically present at the
6 moment?

7 MR. STEINGLASS: No objection. And for the
8 record, we served counsel and the defendant with the order
9 that Your Honor just signed.

10 MR. BLANCHE: We have been served.

11 No objection to addressing it. Obviously, we may
12 reserve our rights to hear from the juror depending on how
13 or the conversation goes.

14 THE COURT: So yesterday I was notified by Mr.
15 Steinglass, we were all notified by Mr. Steinglass by an
16 email, that the District Attorney's Office as part of their
17 research and investigation, had come across some
18 information from the past that possibly called into
19 question the veracity of some of juror number four's
20 answers.

21 Based upon that, I did have someone from the
22 staff contact juror number four. He was a directed to be
23 here at 9:15.

24 Let the record reflect that it is now almost ten
25 to ten. He is still not here.

1 So I would ask you to summarize, if you can just
2 summarize, Mr. Steinglass, what it is that you found.

3 MR. STEINGLASS: Thank you, Judge.

4 Although we can't confirm that it involves the
5 juror in question, we did discover an article --

6 THE COURT: One second.

7 MR. STEINGLASS: We did discover an article that
8 a juror with the same -- a person with the same name, had
9 been arrested in the 1990s in Westchester for tearing down
10 political advertisements.

11 And in the course of -- after we discovered that,
12 we were trying to ascertain whether or not that was the
13 juror, we did some additional research and it seems to be
14 that the juror's wife was previously accused of, or
15 involved in, a corruption inquiry and ended up entering
16 into a deferred prosecution agreement in the 1990s, again,
17 with the Manhattan District Attorney's Office.

18 So, again, I am not saying definitively that this
19 is the juror, or the juror's wife, but question number
20 nineteen asks whether you or anyone close to you has been
21 accused or arrested for a crime. And if it is, in fact,
22 this juror, and/or his wife, that would arguably suggest
23 that the answer to number nineteen was not accurate.

24 And so, I think the Court should take whatever
25 further inquiry the Court deems appropriate, but I believe

1 we are ethically and legally obligated to bring this
2 information to the Court's attention, so we did.

3 THE COURT: Did you have any information if the
4 propaganda favored of one party or the other?

5 MR. STEINGLASS: I actually believe the
6 propaganda being ripped down was -- it was propaganda. I
7 believe it was political posters that was on the right,
8 political right.

9 THE COURT: All right. Mr. Blanche.

10 MR. BLANCHE: We don't have anything to add on
11 the description of what we hear. We do agree we need to
12 inquire of the juror about whether it is, in fact him, and,
13 in fact, I suppose his wife, and then after that inquiry,
14 figure out what to do.

15 THE COURT: Again, the Court directed the juror
16 to appear at 9:15. He is not here yet. I should add that
17 I see that there is some reluctance to come in this morning
18 on the part of the juror.

19 So, we can wait and we can rule on this later, or
20 if the two of you consent, we can go ahead and excuse this
21 juror now.

22 MR. BLANCHE: One moment.

23 (Defense counsel confer.)

24 THE COURT: Mr. Blanche, how would you like to
25 proceed?

1 MR. BLANCHE: We don't consent to dismissing
2 without hearing from him first.

3 THE COURT: That is fine.

4 The next juror that we seat will take seat number
5 two.

6 We will continue for the time being as though we
7 still have juror number four, okay.

8 Now that we have 96 jurors, is there any reason
9 we can't bring them in now?

10 MR. STEINGLASS: No, Judge.

11 THE COURT: Let's bring the panel in now, please.

12 Let the record reflect that I am handing counsel
13 copies of the sequence numbers, five copies of each and one
14 copy with the names.

15 LIEUTENANT: Prospective panel entering.

16 (Whereupon the prospective panel entered the
17 courtroom.)

18 THE COURT: All right. I am informed that this
19 panel has already sworn in. I see that you are indicating
20 that you have.

21 Good morning, 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 I want to thank you, again, for coming in this

1 morning, being prompt, being on time, and I know that's how
2 it was most of Tuesday. Thank you very much.

3 Jurors, some of you are about to be selected for
4 jurors in a trial in a criminal case and I am about to
5 explain to you what the trial involves and what your role
6 will be and what my role will be.

7 These introductory remarks will take about 30
8 minutes.

9 Before I continue, I want to thank you, again,
10 for coming here.

11 You are about to participate in a trial by
12 jurors. A system of trial by jury is one of the
13 cornerstones of our judicial system. Under that system
14 members of the community are asked to determine whether
15 another person accused of committing a crime is found
16 guilty or not guilty of the commission of that crime.

17 The name of this case is the People of State of
18 New York versus Donald Trump.

19 The words, People of the State of New York, in
20 the title mean the government, the State of New York.

21 The fact that this action is brought in the name
22 of the People, or that the evidence is presented by a
23 public official, does not in any way indicate that the
24 public wants a specific verdict.

25 The People are served by whatever verdict is

1 justified by the evidence.

2 The People, that is the government, is
3 represented by the District Attorney of New York County,
4 Alvin Bragg, and he in turn is represented in this action
5 by Assistant District Attorney's, Joshua Steinglass, Susan
6 Hoffinger, Michael Colangelo, Christopher Conroy, Becky
7 Mangold and Katherine Ellis who are seated to my right.

8 MR. STEINGLASS: Good morning everyone.

9 THE COURT: The defendant in this case is Donald
10 Trump and he is seated to my right and he will be
11 represented by his attorneys Todd Blanche, Emil Bove, Susan
12 Necheles and Gedalia Stern.

13 MS. NECHELES: Good morning.

14 THE COURT: The defendant, Donald Trump, is
15 charged with 34 counts of falsifying business records in
16 the first degree.

17 The allegations are, in substance, that Donald
18 Trump falsified business records to conceal an agreement
19 with others to unlawfully influence the 2016 presidential
20 election.

21 Specifically, it is alleged that Donald Trump
22 made or caused false business records to hide the true
23 nature of payments made to Michael Cohen by characterizing
24 them as payments for legal services rendered pursuant to a
25 retainer agreement.

1 The People allege that, in fact, the payments
2 were intended to reimburse Michael Cohen for money he paid
3 to Stephanie Clifford, who is also known as Stormy Daniels,
4 in the weeks before the presidential election to prevent
5 her from publicly revealing details about a past sexual
6 encounter with Donald Trump.

7 Donald Trump has pleaded not guilty and denies
8 the allegations.

9 At the end of trial, I will give you detailed
10 instructions on the crimes charged and it is upon those
11 instructions that you must base your decisions.

12 I have given you this brief description of the
13 charges only for the purpose of allowing you to consider
14 whether there is anything about the nature of the charges
15 that would affect your ability to be fair and impartial
16 jurors. You are not to use the description I have just
17 given to you for any other purpose.

18 This case comes to us by way of an indictment.
19 An indictment is a document that contains an accusation.
20 Neither the indictment itself, nor the fact that the
21 indictment has been filed, constitutes evidence.

22 The indictment has been filed against the
23 defendant and the defendant has answered that he is not
24 guilty of the accusation.

25 The trial, therefore, will be conducted for you

1 to decide whether the defendant is guilty, or not guilty.

2 A jury is composed of 12 people. In addition to
3 the 12 jurors, we will also select alternate jurors. An
4 alternate jurors is one who may serve in place of one of
5 the first 12 jurors should an unforeseen and extraordinary
6 emergency arise and makes it totally impossible for one of
7 the first 12 jurors to complete the trial.

8 The first person called who is sworn as a juror
9 will serve as the jury's foreperson.

10 If you have participated in jury selection in a
11 criminal case before, you may notice that the method of
12 jury selection varies from judge to judge. The essence of
13 the procedure is the same. It involves a combination of
14 explanations of the law and questions all designed to help
15 each of you, as well as the lawyers, decide whether you can
16 sit as a juror in this case and be fair in judging whether
17 the defendant is guilty, or not guilty of the charged
18 crimes.

19 My jury selection procedure is as follows:
20 First, I will explain some of the basic law that applies to
21 this case and all criminal trials.

22 I do this, in part, because if you are selected
23 as a juror you will be required to follow the law whether
24 you agree with the law or not.

25 Following the preliminary instructions, I will

1 ask by a show of hands whether there is any reason based
2 solely upon what you heard up to that point why you believe
3 you cannot serve on this jury.

4 Third, the Clerk of the Court will call at random
5 the numbers of 18 jurors who will take a seat in the area
6 to my left which is called the jury box.

7 Those jurors will be handed a questionnaire and I
8 will then ask the jurors in the jury box to answer the
9 questions aloud in narrative form. And then each lawyer
10 will address the jurors in the jury back for about 30
11 minutes.

12 Finally, all the jurors will be asked to step
13 outside for a short time and during that time the lawyers
14 will be given an opportunity to, as required by our law, to
15 excuse one or more of the jurors in the jury box. Those
16 jurors who are not excused become Members of the Jury and
17 we repeat that procedure until a jury is selected.

18 Again, the purpose of the trial is for a jury to
19 decide on the basis of the evidence presented in the
20 courtroom whether a person who is accused of a crime by the
21 government is guilty or not guilty of the commission of
22 that crime.

23 The jury's responsibility is to evaluate fairly
24 the testimony and other evidence presented at the trial in
25 order to judge what believable and accurate facts are, if

1 any.

2 The jury is, therefore, also known as the finders
3 of facts or the judges of the facts.

4 After the jury has found or judged the facts, the
5 jury must apply the law as I explain it to those facts and
6 decide without favor, bias, prejudice, sympathy or
7 consideration of a possible sentence of punishment, whether
8 the People have proven the defendant guilty beyond a
9 reasonable doubt.

10 During your deliberations, you may not consider
11 or speculate about matters relating to sentence or
12 punishment. If there is a verdict of guilty, it will be my
13 responsibility to impose an appropriate sentence.

14 In reaching a verdict of guilty or not guilty the
15 jury must be fair. It is important, therefore, for you to
16 know what makes a person a fair juror so that you can
17 decide whether or not you can be a fair juror in this
18 particular case.

19 A fair juror is a person who will accept and
20 apply the law of New York as I explain it.

21 A fair juror is a person who has no bias or
22 prejudice in favor of or against any party or any witness,
23 whether the witness is involved in law enforcement or a
24 civilian.

25 A fair juror is a person who will keep the

1 promise to be fair and impartial and will not base the
2 decision in this case on a bias or prejudice in favor of or
3 against the person who may appear in that trial on account
4 of that person's race, color, national origin, ancestry,
5 gender, gender identity or expression, religion, religious
6 practice, age, disability, sexual orientation, or political
7 affiliation.

8 A fair juror must be mindful of any stereotypes
9 or attitudes about people or about groups of people that
10 the juror may have and must not allow those stereotypes or
11 attitudes to affect their decision.

12 As you learn from the video presentation you saw
13 during orientation, we all develop and hold unconscious
14 views on many subjects.

15 Some of those unconscious views may come from
16 stereotypes and attitudes about people or about groups of
17 people that may impact on a person's thinking and
18 decision-making without that person even knowing it.

19 As a juror, you are asked to make a very
20 important decision about another person and I know that you
21 would not want to make that decision based upon such
22 stereotypes or attitude or what we commonly refer to as
23 implicit biases.

24 A fair juror must guard against the impact of
25 such stereotypes or attitudes. You can do this by asking

1 yourselves during your deliberations whether your views and
2 conclusions would be different if the defendant, witnesses
3 and others that you heard about or seen in court were of a
4 different race, color, national origin, ancestry, gender,
5 gender identity, or expression, religious practice, age,
6 sexual orientation, or political affiliation.

7 If the answer is, yes, then, in keeping with your
8 promise to be fair, reconsider your views and conclusions
9 along with the other jurors and make sure your decision is
10 based on the evidence and not on stereotypes or attitudes.
11 Justice requires no less.

12 A fair juror is a person who will, therefore,
13 base his or her decision solely on the testimony and other
14 evidence presented at this trial and will not make a final
15 decision on the verdict until the end of case, after the
16 juror has heard all the testimony and other evidence and
17 heard the lawyers' summations, has heard the Court's final
18 instructions on the law and had an opportunity after that
19 to discuss the evidence of with the other jurors and to
20 consider their views.

21 Finally, a fair juror is a person who without
22 fear, favor, bias, prejudice or sympathy, for either the
23 People or the defendant or any witness, whether the witness
24 is a law enforcement officer or civilian, renders a verdict
25 of guilty or not guilty that the juror is convinced is

1 consistent with that juror's evaluation of the testimony
2 and other evidence and that juror's application of the law.

3 My role, is to help assure a fair and orderly
4 trial in accordance with our law.

5 I do that by preceding over the trial, deciding
6 questions of law that arise between and among the parties,
7 and explaining to you, the jury, as I am doing right now,
8 what the law is that the jury must accept and follow.

9 Thus, we are both judges in the case. It is
10 important to recognize that we judge different things.
11 You, the jury, judge the facts of the case in order to
12 reach a verdict of guilty or not guilty and I judge the
13 law, meaning I decide questions of law and I instruct the
14 jury on the law.

15 It is not my responsibility to judge the facts
16 here. I do not decide whether the defendant is guilty or
17 not guilty.

18 You alone are the judges of the facts and you
19 alone are responsible for deciding whether the defendant is
20 guilty or not guilty.

21 So nothing I say or how I say it and no ruling I
22 make on the law is intended to be, nor should it be,
23 considered by you as an expression of my opinions on the
24 facts of the case or whether the defendant is guilty or not
25 guilty.

1 We now turn to the fundamental principles of our
2 law that apply in all criminal trials, the presumption of
3 innocence, the burden of proof and the requirement of proof
4 beyond a reasonable doubt.

5 Throughout these proceedings the defendant is
6 presumed to be innocent.

7 As a result, you must find the defendant not
8 guilty unless on the evidence presented at this trial you
9 conclude that the People have proven the defendant guilty
10 beyond a reasonable doubt.

11 That a defendant does not testify as a witness is
12 not a factor from which any inference unfavorable to the
13 defendant may be drawn.

14 The defendant is not required to prove that he is
15 not guilty. In fact, the defendant is not required to
16 prove or disprove anything. The people have the burden of
17 proving the defendant guilty beyond a reasonable doubt.

18 That means, before you can find a defendant
19 guilty of a crime, the People must prove beyond a
20 reasonable doubt every element of the crime, including that
21 the defendant is the person that committed that crime.

22 The burden of proof never shifts from the People
23 to the defendant.

24 If the People fail to satisfy their burden of
25 proof, you must find the defendant not guilty and if the

1 people satisfy their burden of proof, you must find the
2 defendant guilty.

3 What does our law mean when it requires proof of
4 guilt beyond a reasonable doubt?

5 The law uses the term, proof beyond a reasonable
6 doubt, to tell you how convincing the evidence of guilt
7 must be to reach a verdict of guilt. The law recognizes
8 that in dealing with human affairs, there are very few
9 things in this world we know with absolute certainty.

10 Therefore, the law does not require the People to
11 prove a defendant guilty beyond all possible doubt. On the
12 other hand, it is not sufficient to prove that the
13 defendant is probably guilty.

14 In a criminal case, the proof of guilt must be
15 stronger than that. It must be beyond a reasonable doubt.

16 A reasonable doubt is an honest doubt of the
17 defendant's guilt for which reason exists based upon the
18 nature and quality of the evidence. It's an actual doubt,
19 not an imaginary doubt.

20 It's a doubt that a person acting in a matter of
21 this importance would be likely to entertain because of the
22 evidence that was presented or because of the lack of
23 convincing evidence.

24 Proof of guilt beyond a reasonable doubt is proof
25 that leads you so firmly convinced of the defendant's guilt

1 that you have no reasonable doubt of the existence of any
2 elements of the crime or of the defendant's identity as the
3 person that committed that crime.

4 In determining whether the People have proven the
5 defendant's guilt beyond a reasonable doubt, you should be
6 guided solely by a full and fair evaluation of the
7 evidence.

8 After carefully evaluating the evidence, each of
9 you must decide whether that evidence convinces you beyond
10 a reasonable doubt of the defendant's guilt.

11 Whatever your verdict may be, it must not rest on
12 the baseless speculation, nor may it be influenced in any
13 way by bias, prejudice, sympathy, or by a desire to bring
14 an end to your deliberations or to avoid an unpleasant
15 duty.

16 Again, if you are not convinced beyond a
17 reasonable doubt that the defendant is guilty of a charged
18 crime, you must find the defendant not guilty of that
19 crime. And if you are convinced beyond a reasonable doubt
20 that the defendant is guilty of a charged crime, you must
21 find the defendant guilty of that crime.

22 As judges of the facts, you alone determine the
23 truthfulness and accuracy of the testimony of each witness.

24 You must decide whether a witness told the truth
25 and was accurate or instead testified falsely or was

1 mistaken.

2 You must also decide what importance to give to
3 the testimony you accept as truthful and accurate.

4 It is the quality of the testimony that is
5 controlling, not the number of witnesses that testify.

6 There is no particular formula for evaluating the
7 truthfulness and accuracy of another person's statements or
8 testimony. You bring to this process all of your varied
9 life experiences.

10 In life, you frequently decide the truthfulness
11 and accuracy of statements made to you by other people.
12 The same factors used to make those decisions should be
13 used in this case when evaluating the testimony.

14 I will instruct you further on this subject at
15 the end of trial.

16 Your verdict, whether guilty or not guilty, must
17 be unanimous. That means that each and every single juror
18 must agree to it.

19 Since 12 people seldomly agree immediately on
20 anything, to reach a unanimous verdict, you must deliberate
21 whether the other jurors. That means you should consult
22 the evidence, consult with each other, listen to each
23 other, give each other's views careful consideration and
24 reason together when considering the evidence.

25 And when you deliberate, you should do so with a

1 view towards reaching an agreement, if that could be done
2 without surrendering your individual judgment. Each of you
3 must decide the case for yourself, but only after a fair
4 and impartial consideration of the evidence with the other
5 jurors.

6 You should not surrender an honest view of the
7 evidence simply because you want the trial to end or
8 because you are out voted. At the same time, you should
9 not hesitate to re-examine your views and change your
10 opinion if you became convinced that it was not correct.

11 The attorneys have informed me that they expect
12 this trial to last, approximately, six weeks.

13 Please bear in mind that that is just an
14 estimate. We will do our best to adhere to that schedule.
15 I cannot predict exactly how long the trial will take.

16 For example, I don't know how long jury
17 deliberations will take. I have had cases where jury
18 deliberations lasted less than an hour and I have had cases
19 where a jury deliberation has lasted for many days.

20 In terms of our schedule, I can tell you we will
21 not convene on Wednesdays. The trial will be conducted on
22 Mondays, Tuesdays, Thursdays and Fridays. We will also not
23 convene on Monday, April 29th.

24 The last note on scheduling. I am aware that we
25 are approaching Passover. Rest assured, if you observe the

1 Passover holiday the Court will not convene on any date
2 when a juror will not be able to attend due to a religious
3 observance.

4 Again, you do not have to chose between observing
5 the holiday and sitting as a juror in this case. I will
6 work around your needs, whether it means not meeting on one
7 day or breaking at 2:00 in the afternoon so you can attend
8 your gathering. Just let me know in advance so we can plan
9 it.

10 The attorneys have given me the names of the
11 witnesses they expect to call to the stand during the
12 course of the trial, as well as names you may hear
13 mentioned during the course of the trial. Please listen to
14 the names as I read them. You will be given an opportunity
15 in a few minutes to let me know if you recognize or know
16 any of these individuals.

17 Donald Trump.

18 Steven Bannon.

19 Sharon Churcher.

20 Michael Cohen.

21 Kellyanne Conway.

22 Robert Costello.

23 Doug Daus, D-A-U-S.

24 Stormy Daniels.

25 Keith Davidson.

1 Sheri Dillon.
2 Gary Farro.
3 Alan Garten.
4 Rudy Giuliani.
5 Rhona Graff.
6 Hope Hicks.
7 Dylan Howard.
8 DeWitt Hutchins.
9 Jaden Jarmel-Schneider.
10 Marc Kasowitz.
11 Jared Kirschner.
12 Georgia Longstreet-Joseph.
13 Rebacca Manochio.
14 Jeffrey McConney.
15 Karen McDougal.
16 John McEntee, M-C-E-N-T-E-E.
17 Adav, A-D-A-V, Noti, N-O-T-I.
18 David Pecker.
19 Reince Priebus.
20 Gina Rodriguez.
21 Jeremy Rosenberg.
22 Dino Sajudin, S-A-J-D-I-N.
23 Dan Scavino.
24 Keith Schiller.
25 Bradley A. Smith.

1 Cameron Stracher, S-T-R-A-C-H-E-R.

2 Deborah Tarasoff.

3 Donald Trump, Jr.

4 Ivanka Trump.

5 Melania Trump.

6 Eric Trump.

7 Allen Weisselberg.

8 And Madeleine Westerhout, W-E-S-T-E-R-H-O-U-T.

9 Jurors, now that you have heard my preliminary
10 instructions and some basic information about the case, if
11 you have an honest, legitimate and good-faith reason to
12 believe that you cannot serve on this case or that you
13 cannot be fair and impartial based solely upon what you
14 heard up to this point, please let me know.

15 Please do not wait until after you are selected
16 as a juror to tell me that you cannot serve or that you
17 cannot be fair and impartial. The law gives me much
18 greater discretion to excuse prospective jurors than it
19 does to excuse sworn jurors.

20 Having said that, please be advised that simply
21 having work, school or child care responsibilities alone
22 without more will not suffice to excuse you from jury duty.

23 Jury duty may, at times, be inconvenient, but
24 without more I cannot excuse you. As I mentioned a few
25 minutes ago, if you observe Passover, it does not preclude

1 you from serving on this case.

2 Again, based solely upon what you heard up to
3 this point, if you do not believe that you can serve, you
4 will be given an opportunity, in a minute, we are going to
5 divide this into two phases.

6 First, I am going to ask you to raise your hand
7 and keep your hand up if you believe that you cannot be
8 fair and impartial in this case.

9 Once we go through those people, you can lower
10 your hands for now. Once we go through those people, I
11 will follow up with the questions, whether you are unable
12 to serve for any other reasons.

13 We will do that row by row. Please follow the
14 instructions of the court officers.

15 Again, if you believe that you cannot serve
16 because you cannot be fair or impartial or because you are
17 unable to serve for any reason.

18 First, we are going to do fair and impartial.
19 When the court officers get to you and you are excused,
20 please shout out your number so we can take it out of the
21 drawing.

22 (Whereupon, Senior Court Reporter, Vincent
23 Geraldini relieved, Principal Court Reporter, Susan
24 Pearce-Bates.)

25

1 THE COURT: Anyone who thinks that they cannot be
2 fair and impartial, please raise your right hand.

3 (HANDS RAISED)

4 PROSPECTIVE JUROR: 646.

5 (At this time, Prospective Juror B-646 was
6 excused)

7 PROSPECTIVE JUROR: B-494.

8 (At this time, Prospective Juror B-494 was
9 excused)

10 PROSPECTIVE JUROR: B-520.

11 (At this time, Prospective Juror B-520 was
12 excused)

13 PROSPECTIVE JUROR: B-431.

14 (At this time, Prospective Juror B-431 was
15 excused)

16 PROSPECTIVE JUROR: B-460.

17 (At this time, Prospective Juror B-460 was
18 excused)

19 PROSPECTIVE JUROR: B-679.

20 (At this time, Prospective Juror B-679 was
21 excused)

22 THE SERGEANT: Anyone else in the jury box?

23 (NO HANDS RAISED)

24 PROSPECTIVE JUROR: B-717.

25 (At this time, Prospective Juror B-717 was

1 excused)
2 PROSPECTIVE JUROR: B-721.
3 (At this time, Prospective Juror B-721 was
4 excused)
5 PROSPECTIVE JUROR: B-488.
6 (At this time, Prospective Juror B-488 was
7 excused)
8 PROSPECTIVE JUROR: B-643.
9 (At this time, Prospective Juror B-643 was
10 excused)
11 PROSPECTIVE JUROR: B-511.
12 (At this time, Prospective Juror B-511 was
13 excused)
14 PROSPECTIVE JUROR: B-481.
15 (At this time, Prospective Juror B-481 was
16 excused)
17 PROSPECTIVE JUROR: B-723.
18 (At this time, Prospective Juror B-723 was
19 excused)
20 PROSPECTIVE JUROR: B-589.
21 (At this time, Prospective Juror B-589 was
22 excused)
23 PROSPECTIVE JUROR: B-462.
24 (At this time, Prospective Juror B-462 was
25 excused)

1 PROSPECTIVE JUROR: B-676.
2 (At this time, Prospective Juror B-676 was
3 excused)
4 PROSPECTIVE JUROR: B-540.
5 (At this time, Prospective Juror B-540 was
6 excused)
7 PROSPECTIVE JUROR: B-523.
8 (At this time, Prospective Juror B-523 was
9 excused)
10 PROSPECTIVE JUROR: B-489.
11 (At this time, Prospective Juror B-489 was
12 excused)
13 PROSPECTIVE JUROR: B-673.
14 (At this time, Prospective Juror B-673 was
15 excused)
16 PROSPECTIVE JUROR: B-405.
17 (At this time, Prospective Juror B-405 was
18 excused)
19 PROSPECTIVE JUROR: B-678.
20 (At this time, Prospective Juror B-678 was
21 excused)
22 PROSPECTIVE JUROR: B-765.
23 (At this time, Prospective Juror B-765 was
24 excused)
25 PROSPECTIVE JUROR: B-509.

1 (At this time, Prospective Juror B-509 was
2 excused)
3 PROSPECTIVE JUROR: B-636.
4 (At this time, Prospective Juror B-636 was
5 excused)
6 PROSPECTIVE JUROR: B-746.
7 (At this time, Prospective Juror B-746 was
8 excused)
9 PROSPECTIVE JUROR: B-710.
10 (At this time, Prospective Juror B-710 was
11 excused)
12 PROSPECTIVE JUROR: B-599.
13 (At this time, Prospective Juror B-599 was
14 excused)
15 PROSPECTIVE JUROR: B-550.
16 (At this time, Prospective Juror B-550 was
17 excused)
18 PROSPECTIVE JUROR: B-528.
19 (At this time, Prospective Juror B-528 was
20 excused)
21 PROSPECTIVE JUROR: B-730.
22 (At this time, Prospective Juror B-730 was
23 excused)
24 PROSPECTIVE JUROR: B-797.
25 (At this time, Prospective Juror B-797 was

1 excused)
2 PROSPECTIVE JUROR: B-522.
3 (At this time, Prospective Juror B-522 was
4 excused)
5 PROSPECTIVE JUROR: B-632.
6 (At this time, Prospective Juror B-632 was
7 excused)
8 PROSPECTIVE JUROR: B-479.
9 (At this time, Prospective Juror B-479 was
10 excused)
11 PROSPECTIVE JUROR: B-444.
12 (At this time, Prospective Juror B-444 was
13 excused)
14 PROSPECTIVE JUROR: B-663.
15 (At this time, Prospective Juror B-663 was
16 excused)
17 PROSPECTIVE JUROR: B-682.
18 (At this time, Prospective Juror B-682 was
19 excused)
20 PROSPECTIVE JUROR: B-724.
21 (At this time, Prospective Juror B-724 was
22 excused)
23 PROSPECTIVE JUROR: B-761.
24 (At this time, Prospective Juror B-761 was
25 excused)

1 PROSPECTIVE JUROR: B-696.

2 (At this time, Prospective Juror B-696 was
3 excused)

4 PROSPECTIVE JUROR: B-666.

5 (At this time, Prospective Juror B-666 was
6 excused)

7 PROSPECTIVE JUROR: B-759.

8 (At this time, Prospective Juror B-759 was
9 excused)

10 PROSPECTIVE JUROR: 803.

11 (At this time, Prospective Juror B-803 was
12 excused)

13 PROSPECTIVE JUROR: B-687.

14 (At this time, Prospective Juror B-687 was
15 excused)

16 PROSPECTIVE JUROR: B-537.

17 (At this time, Prospective Juror B-537 was
18 excused)

19 PROSPECTIVE JUROR: B-459.

20 (At this time, Prospective Juror B-459 was
21 excused)

22 THE COURT: Jurors, we're going to repeat that
23 same process, but, this time, please raise your hand if you
24 believe that you are unable to serve for some other reason.

25 We'll begin here (Indicating), on the left again.

1 Please raise your hand if you believe that you
2 cannot serve.

3 (HANDS RAISED)

4 PROSPECTIVE JUROR: B-512.

5 (At this time, Prospective Juror B-512 was
6 excused)

7 PROSPECTIVE JUROR: B-409.

8 (At this time, Prospective Juror B-409 was
9 excused)

10 THE COURT: Counsel, please approach for a
11 moment.

12 (Off-the-record discussion held at the bench)

13 COURT OFFICER: B-432.

14 THE COURT: She's excused.

15 (At this time, Prospective Juror B-432 was
16 excused)

17 PROSPECTIVE JUROR: B-619.

18 (At this time, Prospective Juror B-619 was
19 excused)

20 PROSPECTIVE JUROR: 485.

21 (At this time, Prospective Juror B-485 was
22 excused)

23 PROSPECTIVE JUROR: B-584.

24 (At this time, Prospective Juror B-584 was
25 excused)

1 THE COURT: Jurors in the jury box, please follow
2 the --

3 THE SERGEANT: Judge, there's one more.

4 THE COURT: There's another one?

5 COURT OFFICER: We have one more, Judge.

6 THE COURT: Okay.

7 PROSPECTIVE JUROR: B-475.

8 (At this time, Prospective Juror B-475 was
9 excused)

10 PROSPECTIVE JUROR: B-735.

11 (At this time, Prospective Juror B-735 was
12 excused)

13 THE COURT: Okay.

14 Those of you in the jury box, please follow the
15 sergeant. You'll have a seat in the audience.

16 While we arrange the seating, counsel, can you
17 please come up one more time.

18 (Off-the-record discussion held at the bench)

19 THE COURT: Jurors, at this time, the clerk of
20 the court is going to call at random the identification
21 numbers of 18 jurors. If your number is called, please
22 come up. You'll be shown where to sit.

23 You will also be handed a questionnaire. Please
24 review the questionnaire, even if it's not your turn to
25 answer, so you're prepared to answer when it is your turn.

1 If, as you're reviewing, you see that there's a
 2 question or an answer there that would probably disqualify
 3 you, please don't wait until we get to Question 30 or
 4 Question 35. You could just let us know right up front.

5 After all 18 jurors are seated, I will ask each
 6 juror in the jury box to answer every question aloud.

7 So, at this time, please have your jury summons
 8 handy and listen to the numbers as they are called by the
 9 clerk. She will call the juror ID number, which is the
 10 number that you have, and then you will be given a seat
 11 number as well. Please listen carefully for your number.

12 THE CLERK: Seat number 1, B-623.

13 Seat number 2, B-502.

14 Seat number 3, B-565.

15 Seat number 4, B-675.

16 Seat number 5, B-680.

17 Seat number 6, 784.

18 Seat number 7, B-470.

19 Seat number 8, B-639.

20 Seat number 9, B-555.

21 Seat number 10, B-742.

22 Seat number 11, B-430.

23 Seat number 12, B-423.

24 Seat number 13, B-496.

25 Seat number 14, B-789.

1 Seat number 15, B-744.

2 Seat 16, B-500.

3 Seat number 17, B-440.

4 Seat number 18, B-773.

5 THE COURT: Jurors, we're going to pass around
6 the microphone. When it's your turn, please use the
7 microphone.

8 I'm told that the microphone could be a little
9 difficult at times. So, please keep your hand as high up
10 on the microphone as possible.

11 We'll start with seat number 1 whenever you're
12 ready.

13 PROSPECTIVE JUROR: Ready.

14 THE COURT: You can just answer the questions.

15 PROSPECTIVE JUROR: Okay.

16 If you said there were ones that might be
17 disqualifying, should I start with that?

18 THE COURT: Yes.

19 PROSPECTIVE JUROR: I have worked for the
20 (REDACTED).

21 THE COURT: That's fine.

22 PROSPECTIVE JUROR: I worked in the
23 (REDACTED).

24 THE COURT: What did you do?

25 PROSPECTIVE JUROR: I was a (REDACTED).

1 THE COURT: Okay.

2 (REDACTED)?

3 PROSPECTIVE JUROR: Yes, I did.

4 THE COURT: Would anything about that affect your
5 ability to be fair and impartial?

6 PROSPECTIVE JUROR: So, the only thing is I had
7 discussed this case at length (REDACTED), including the
8 Mark Pomerantz book.

9 THE COURT: That's fine.

10 You could go ahead and answer the questions.

11 PROSPECTIVE JUROR: Okay.

12 I live on the Upper East Side.

13 I've been there for three years now.

14 I am a native New Yorker of the
15 State of New York. I have lived in Cambridge, I have lived
16 here, and I have lived on Long Island.

17 I'm an (REDACTED). I work for (REDACTED). I do
18 (REDACTED), mainly.

19 Do I have to say the name of my (REDACTED)?

20 THE COURT: No.

21 PROSPECTIVE JUROR: Okay.

22 I work on a very small team. I have to
23 respond to urgent (REDACTED), typically, on very short
24 notice.

25 I have a Bachelor's Degree and a (REDACTED).

1 I'm not married, but I'm engaged.

2 I have no children.

3 I live with my fiancé. He's an investment
4 banker.

5 No children.

6 My hobbies, I like to bake when my job lets me do
7 that. I also play tennis.

8 Organizations or advocacy groups, I was involved
9 in different organizations in (REDACTED)--The Women's Group
10 and the First Generation Group.

11 I've never served on a jury before.

12 Publications, I read as much as I can. So, I
13 read a lot of these. I read The Times, CNN, MSNBC, the
14 Wall Street Journal.

15 I listen to a lot of podcasts. Typically,
16 economic podcasts.

17 I do not have a friend who's been the victim of a
18 crime.

19 As I mentioned, I have been employed with
20 (REDACTED). I have also worked at the
21 (REDACTED).

22 THE COURT: (REDACTED)?

23 PROSPECTIVE JUROR: (REDACTED).

24 THE COURT: What did you do there?

25 PROSPECTIVE JUROR: I was (REDACTED).

1 THE COURT: Okay.

2 PROSPECTIVE JUROR: No other friends or relatives
3 have done that.

4 I've worked in the (REDACTED). I've worked in
5 (REDACTED) and have (REDACTED).

6 Again, I have (REDACTED). I'm currently working
7 on a (REDACTED).

8 THE COURT: Well, let me ask you:

9 (REDACTED), can you give us an assurance that you
10 will follow my instructions on the law as I give them to
11 you?

12 PROSPECTIVE JUROR: I will, as best I can.

13 THE COURT: Well, we need an assurance from you.
14 Can you give us an assurance?

15 PROSPECTIVE JUROR: Yes, I will follow your
16 instructions.

17 THE COURT: Thank you.

18 PROSPECTIVE JUROR: As I mentioned, I've
19 discussed this case and the (REDACTED) of this case
20 (REDACTED).

21 THE COURT: You said that none of that would
22 affect your ability to be fair and impartial; right?

23 PROSPECTIVE JUROR: Yes.

24 THE COURT: Well, are you not sure?

25 PROSPECTIVE JUROR: I, you know, based on

1 (REDACTED), will put that aside. You know, it's hard to
2 (REDACTED), but I will put that to the side.

3 THE COURT: So, are you able to put aside any
4 preconceived ideas that you might have about this case,
5 wait until you hear the evidence, wait until you're given
6 the instructions on the law, and then render a decision
7 that is consistent with the evidence and law? Can you give
8 us that assurance?

9 PROSPECTIVE JUROR: Yes.

10 THE COURT: Okay.

11 PROSPECTIVE JUROR: No religious beliefs that
12 would interfere.

13 No moral or intellectual beliefs about a criminal
14 case.

15 No health conditions.

16 No medications.

17 No issue with the schedule. Though, I will have
18 to work a full day when I get out of here.

19 No religious issues with the scheduling.

20 No issue with 26.

21 I'll promise to guard against stereotypes.

22 No one I know has worked for any organizations
23 in 28.

24 Nothing in 29, either.

25 I have attended rallies. I was part of

1 the Women's March.

2 THE COURT: You're responding to which question
3 at this point?

4 PROSPECTIVE JUROR: I'm sorry. There's a lot of
5 these.

6 I guess that's 29(F).

7 THE COURT: Okay.

8 PROSPECTIVE JUROR: I am not a supporter of any
9 of the ones in 30.

10 For 31, I believe that no one is above the law.

11 For 32, it's the same, that I have obviously
12 discussed this case.

13 THE COURT: Okay.

14 PROSPECTIVE JUROR: I will decide based on the
15 evidence I see and hear.

16 I don't believe, for 34, I have any issues.

17 As I've mentioned, I have discussed
18 Mark Pomerantz's book at length.

19 I have not read the books in 36.

20 Thirty-seven, (REDACTED), I have some views on
21 that.

22 I promise that the verdict will be solely based
23 on the evidence.

24 I would refrain from discussing this case or
25 looking at the news. I do have to read the news for my job

1 on a regular basis.

2 THE COURT: Can you give us an assurance that, if
3 anything comes across your screen that in any way relates
4 to this case, you will not read it?

5 PROSPECTIVE JUROR: Yes.

6 I have been reading stuff before I came into
7 jury duty, including on Monday.

8 THE COURT: That's fine.

9 PROSPECTIVE JUROR: I will follow the
10 instructions of reasonable doubt and presumption of
11 innocence.

12 Yeah, 41, assurance given.

13 Forty-two, I think we talked about it all.

14 THE COURT: Thank you.

15 Good morning.

16 PROSPECTIVE JUROR: Good morning.

17 So, going through all of this, the only thing I
18 could see that would be an issue would be one of my
19 children does work in D.C.

20 THE COURT: What do they do in D.C.?

21 PROSPECTIVE JUROR: I'm sorry? I can't hear what
22 you said.

23 THE COURT: What does your child do in D.C.?

24 PROSPECTIVE JUROR: He works in the office of one
25 of the representatives.

1 THE COURT: Okay.

2 Would that affect your ability to be fair and
3 impartial in this case?

4 PROSPECTIVE JUROR: Absolutely not.

5 THE COURT: Okay.

6 You can go back to Number 1.

7 PROSPECTIVE JUROR: I live on the
8 Upper West Side.

9 I've lived there for about five years.

10 Before that, I lived in Colorado.

11 I'm a stay-at-home mom, but (REDACTED).

12 I've been a mom for 23 years, I guess, or 22.

13 I've been retired for about 22 years.

14 I don't have a current employer.

15 I have a Master's Degree.

16 I am not married.

17 I have three children.

18 My adult children, one is working on -- I spoke
19 of one; I have a 21-year-old who's building a house in
20 Upstate New York; and my other child is 17, so, she's in
21 high school.

22 Spare time, I like to be with my kids and go to
23 see shows and music.

24 I love technology. That's one of my hobbies.

25 I'm very into tech.

1 Organizations, I have a couple of organizations
2 for technology.

3 I've never been on a jury.

4 I may glance at some of these, but I don't follow
5 the news.

6 THE COURT: I'm sorry? Say that again.

7 PROSPECTIVE JUROR: I don't follow the news. I
8 know I glance at things, but I don't read deeply.

9 Podcasts, there's a thing called
10 The Tech Podcast. Sometimes, I listen to one that's on
11 the -- it's the Scott Galloway Podcast. The rest are V.R.,
12 A.R., tech stuff. Julia Louis has one that I like.

13 No talk radio. I don't have a TV.

14 No close victims of crime.

15 I'm supposed to be going through each one;
16 correct? Am I doing the right thing?

17 THE COURT: Yes, you are. Perfect.

18 PROSPECTIVE JUROR: Okay.

19 No family in the accounting or finance field. My
20 brother does some type of trading stuff in Colorado, but
21 I'm not sure if that would count.

22 THE COURT: Okay.

23 PROSPECTIVE JUROR: No lawyers in the family.

24 I have like a speeding ticket. I didn't enjoy
25 that.

1 I would definitely be fair and impartial.

2 No criminal family members at this point.

3 THE COURT: Just tell us which number you're
4 answering.

5 PROSPECTIVE JUROR: That's 19.

6 I can go faster, too.

7 You want me just to say the answers; right?

8 THE COURT: Just give us the answer, but tell us
9 the number that you're answering.

10 PROSPECTIVE JUROR: Okay.

11 Nineteen, no.

12 21(A), no, I'm good on that.

13 B, yeah, I'm good on that.

14 Twenty-two, no health conditions.

15 Twenty-three, no medication.

16 Twenty-four, I'm okay with this scheduling.

17 Twenty-five, I'm okay.

18 Twenty-six, I definitely could be fair and
19 impartial.

20 Twenty-seven, yes, no stereotypes or attitudes.

21 Twenty-eight, no one has ever worked for
22 Donald Trump in my family.

23 29(A), no one has volunteered.

24 29(B), I have never attended a rally.

25 C, I'm not signed up for any listserv.

1 D, I do not follow social media of any sort. I
2 have no social media.

3 I have no close friends that are part of the
4 Trump Organization or any Trump Organization.

5 I have not attended any rallies or
6 anti-Trump organization.

7 G, no.

8 H, no.

9 Thirty, no.

10 Thirty-one, no.

11 No. I don't know the case, to be honest. So, I
12 don't know.

13 THE COURT: Could you just bring the microphone a
14 little closer.

15 PROSPECTIVE JUROR: Thirty-three, yes.

16 Thirty-four, no.

17 Thirty-five, no.

18 Thirty-six, no.

19 Thirty-seven, I'm not crazy about, but I don't
20 know enough about it to have an opinion.

21 Thirty-eight, I haven't heard anything, so, yes,
22 I can promise.

23 Thirty-nine, yes.

24 Forty, yes.

25 Forty-one, yes.

1 Forty-two, no.

2 THE COURT: Thank you.

3 Good morning.

4 PROSPECTIVE JUROR: Good morning.

5 Starting off with Question 1, I live in
6 Hell's Kitchen.

7 I work in (REDACTED).

8 THE COURT: Something is wrong with the
9 microphone. It's going in and out.

10 PROSPECTIVE JUROR: It is. I think it's dead.

11 THE COURT: Start again.

12 PROSPECTIVE JUROR: I live in Hell's Kitchen.

13 I work in (REDACTED). I've worked at a
14 (REDACTED), but I currently work at (REDACTED).

15 THE COURT: Let's just change the microphone,
16 please.

17 (Pause in the proceedings)

18 PROSPECTIVE JUROR: Is that better?

19 THE COURT: Yes.

20 PROSPECTIVE JUROR: I currently work at
21 (REDACTED).

22 I have an M.B.A. in Finance.

23 I am married.

24 I do live with my wife.

25 Question number 7, hiking, music, concerts, just

1 enjoying New York City.

2 Question 8, I do not participate really in any
3 organizations or advocacy groups.

4 I have been called to jury duty before, but I was
5 not selected.

6 Since I work in (REDACTED), I read basically
7 everything. I am on Twitter. I do follow Truth Social
8 posts from Trump on Twitter. I do follow Michael Cohen;
9 Mueller, She Wrote; and some more. They take different
10 views. I do follow the Ukraine and Israel wars.

11 I don't listen to podcasts.

12 I listen to SiriusXM for music.

13 I have lost an uncle due to a crime.

14 Question 14, I do not have anyone that works in a
15 law enforcement agency or any of that.

16 A number of my family are attorneys and my uncle,
17 who I lost, was the dean of a law school.

18 I do (REDACTED) for Question 16.

19 Seventeen, once again, I do have a number of
20 family members that are attorneys.

21 Question 18, no, I do not have any family members
22 that have had interaction with the criminal justice system,
23 except for being attorneys.

24 Question 19, I do not have a criminal past or
25 friends that do.

1 Question 21, I do not have any beliefs that might
2 prevent me from being fair and impartial.

3 I do not have any health conditions that might
4 interfere.

5 I am not really taking any medicine. I may take
6 Tums or something for acid reflux, but that's it.

7 Twenty-four, 4:30 in the afternoon is fine.

8 Twenty-five, I'm mostly Agnostic versus Catholic.

9 I will be fair and impartial.

10 Question 27, I will promise to guard against
11 stereotypes or implicit biases.

12 Twenty-eight, I do not have any friends or family
13 that have worked for Donald Trump.

14 Twenty-nine, once again, no. I have not attended
15 any of his rallies nor have I signed up for his listservs
16 or -- Well, I do follow Donald Trump on X, but it's just
17 his posts reposted from Truth Social.

18 I do not have any family or friends that
19 volunteer for anti-Trump organizations. Well, except for
20 following Michael Cohen on Twitter or something like that,
21 I don't follow any anti-Trump organizations.

22 For 30, no.

23 Thirty-one, no.

24 Thirty-two, no.

25 For 33, I can give my assurance that I will

1 decide solely on the evidence given.

2 Thirty-four, while I do not have any strong
3 opinions or firmly held beliefs, I have read the
4 news--New York Times and so forth.

5 For podcasts by Michael Cohen, I do not listen to
6 any podcasts, but I do follow tweets from him on Twitter
7 or X.

8 I have not read any of President Trump's books.
9 I have seen quotes from, say, The Art of the Deal.

10 I do not have any opinions about political
11 contributions.

12 I can promise to set aside anything I may have
13 heard or read previously allowing me to be fair and
14 impartial.

15 I will give my absolute assurance that I will not
16 discuss this case with anyone, for Question 39.

17 For Question 40, I will follow your instructions
18 on the law.

19 Forty-one, I will give my assurance that, if
20 Mr. Trump does not provide evidence, I will not hold that
21 against him.

22 Forty-two, no.

23 THE COURT: Thank you.

24 Good morning.

25 PROSPECTIVE JUROR: Good morning.

1 I'll start with 14 and 15.

2 THE COURT: Okay.

3 PROSPECTIVE JUROR: My husband is a former
4 Assistant U.S. Attorney.

5 THE COURT: In which district?

6 PROSPECTIVE JUROR: Brooklyn.

7 THE COURT: Okay.

8 Would that affect your ability to be fair and
9 impartial in this case?

10 PROSPECTIVE JUROR: No.

11 THE COURT: Okay.

12 PROSPECTIVE JUROR: I live on the
13 Upper West Side.

14 I've lived there for three years.

15 I'm not a native New Yorker, but I've been here
16 for over 30 years.

17 I work in (REDACTED). I've been doing that for
18 about 30 years.

19 I (REDACTED).

20 I have a college degree.

21 I'm married.

22 I have three kids. Two are in college and one is
23 in high school.

24 In my spare time, I like to play tennis, hike.

25 I participate in a lot of community

1 organizations, P.T.A.

2 I have been on a jury before. It was a criminal
3 case. It was declared a mistrial.

4 THE COURT: Okay.

5 PROSPECTIVE JUROR: I follow a lot of
6 publications due to my job. On this list, the ones that I
7 read the most are the Wall Street Journal and the
8 New York Times.

9 I listen to a lot of podcasts varying, again, for
10 my work. It's mostly for my work. I follow whatever
11 subject I'm working on. Currently, it's (REDACTED).

12 I don't listen to talk radio.

13 I have been the victim of a crime.

14 THE COURT: Would anything about that affect your
15 ability to be fair and impartial in this case?

16 PROSPECTIVE JUROR: It would not affect me.

17 I already answered those.

18 Sixteen, no.

19 Seventeen, I have seven immediate family members
20 who are lawyers.

21 18(A) is no.

22 Nineteen, no.

23 Twenty, no.

24 Twenty-one, no to A and no to B.

25 No to 22.

1 Twenty-three, no.

2 Twenty-four, no.

3 Twenty-five, no.

4 Twenty-six, yes.

5 Twenty-seven, yes.

6 Twenty-eight, no.

7 29(A), no.

8 B, no.

9 C, no.

10 D, no.

11 E, no.

12 No to F.

13 G, no.

14 H, no.

15 Thirty, no.

16 Thirty-one, no.

17 Thirty-two, no.

18 Thirty-three, yes.

19 Thirty-four, no.

20 Thirty-five, yes. I listened to or I guess I

21 read the first 10 pages or so of Disloyal for

22 (REDACTED).

23 THE COURT: Okay.

24 PROSPECTIVE JUROR: Thirty-six, yes, back in the

25 day. Again, (REDACTED), I read the books for business

1 reasons.

2 Thirty-seven, no.

3 Thirty-eight, yes.

4 Thirty-nine, yes.

5 Forty, yes.

6 Forty-one, yes.

7 Forty-two, no.

8 THE COURT: Thank you.

9 Good morning.

10 PROSPECTIVE JUROR: Good morning.

11 I live in The Village.

12 I'm retired.

13 THE COURT: I think you might have turned the
14 microphone off. I'm not sure.

15 PROSPECTIVE JUROR: How about now?

16 THE SERGEANT: Testing. Testing.

17 PROSPECTIVE JUROR: How's that?

18 THE SERGEANT: Get a little closer.

19 PROSPECTIVE JUROR: It's in and out. I can't get
20 any closer.

21 THE SERGEANT: Testing. Testing.

22 PROSPECTIVE JUROR: How's that?

23 THE COURT: Let's just try a different one.

24 We're going to give you a different mic.

25 (Pause in the proceedings)

1 PROSPECTIVE JUROR: There it goes.

2 I think it's my seat. I think it's the direction
3 I'm turning in.

4 THE COURT: Okay.

5 Try again.

6 PROSPECTIVE JUROR: I live in The Village.

7 I'm retired. I was a (REDACTED).

8 I'm not currently employed.

9 I have an M.B.A.

10 I'm a widow.

11 I don't have any children.

12 I'm not living with anyone.

13 I don't have any adult children.

14 Number 7, I read, I listen to music, I garden,
15 and I'm on my building's co-op board.

16 I do not participate in any organizations or
17 advocacy groups.

18 Number 9, yes. I served on a jury. I was on a
19 criminal case and I was on Grand Jury. The jury did reach
20 a verdict.

21 THE COURT: In the criminal case?

22 PROSPECTIVE JUROR: Yeah. It was a small drug
23 case.

24 THE COURT: Okay.

25 PROSPECTIVE JUROR: I'm a New York Times'

1 subscriber for most of my adult life. Though, it's mostly
 2 for the crossword puzzle.

3 I do not watch or listen to podcasts.

4 I don't listen to talk radio.

5 Number 13, I was mugged but a long time ago and
 6 it was very minor. I do have -- Oh, that's the victim.
 7 That was just me.

8 Fourteen, no.

9 I have a cousin who works for the
 10 Justice Department and another cousin who works for
 11 Commerce in D.C. I'm not very close with them.

12 Sixteen, no.

13 Seventeen, yeah, there are some lawyers in the
 14 family.

15 Eighteen, no.

16 Nineteen, yes. I had a cousin who went to prison
 17 for drug smuggling.

18 Twenty, no.

19 21(A), no.

20 No, B.

21 Twenty-two, no.

22 Twenty-three, no.

23 Twenty-four, no.

24 Twenty-five, no.

25 Twenty-six, yes.

1 Twenty-seven, yes.

2 Twenty-eight, no.

3 29(A), no.

4 29(B), no.

5 29(C), no.

6 D, no.

7 E, no.

8 F, no.

9 G, no.

10 H, no.

11 Thirty, no.

12 Thirty-one, no.

13 Thirty-two, no.

14 Thirty-three, absolutely.

15 Thirty-four, no.

16 Thirty-five, no.

17 Thirty-six, yes, The Art of the Deal, decades

18 ago.

19 Thirty-seven, no.

20 Thirty-eight, yes.

21 Thirty-nine, yes.

22 Forty, yes.

23 Forty-one, yes.

24 Forty-two, no.

25 THE COURT: Thank you.

1 Good morning.

2 PROSPECTIVE JUROR: Good morning.

3 I live in the West Village.

4 I've been there for the past three years.

5 Prior to that, I lived in various neighborhoods
6 throughout New York. I'm from Southern New Jersey, outside
7 Philadelphia.

8 THE COURT: If you could just slow down so that
9 the court reporter could get everything.

10 PROSPECTIVE JUROR: Sorry.

11 THE COURT: I want to make sure we get everything
12 you say.

13 PROSPECTIVE JUROR: West Village.

14 Lived in New York for seven years.

15 Prior to that, I lived in Southern New Jersey.

16 I just started working at (REDACTED) last week.
17 Prior to that, I worked at (REDACTED) for seven years in
18 various levels but the majority in a (REDACTED)
19 capacity.

20 Number 4, I have a college degree, a
21 Bachelor's Degree.

22 I'm single.

23 I live alone.

24 No children.

25 In my spare time, I like to hike, explore

1 New York, restaurants and bars, play some volleyball.

2 I'm not part of any organizations. I do attend
3 galas and charity events on occasion with friends, but
4 nothing that I'm personally organizing.

5 I have not served on a jury before.

6 My job requires me to read a lot of news. Of the
7 ones mentioned, I do read the New York Times,
8 Wall Street Journal, X, and Google the most.

9 I have listened to podcasts, but I don't listen
10 to any on a regular basis.

11 I don't listen to talk radio.

12 Number 13, I was a victim of an attempted
13 burglary. The suspect was not brought in.

14 I have some uncles that are local and state
15 police back in New Jersey, but I'm not in regular
16 communication with them outside of holidays.

17 No federal, state, or local government.

18 Sixteen, I work (REDACTED).

19 No training in the legal field.

20 I think 18 is answered by the previous attempted
21 burglary.

22 Nineteen, no.

23 Twenty, no.

24 21(A), no.

25 21(B), no.

1 Twenty-two, no.

2 Twenty-three, no.

3 Twenty-four, no.

4 Twenty-five, no.

5 Twenty-six, yes.

6 Twenty-seven, yes.

7 Twenty-eight, no.

8 29(A), no.

9 29(B), no.

10 29(C), no.

11 29(D), yes. I follow President Trump on his X

12 and his Instagram.

13 29(E), no.

14 29(F), no.

15 29(G), no.

16 29(H), no.

17 Thirty, no.

18 Thirty-one, no.

19 Thirty-two, no.

20 Thirty-three, yes.

21 Thirty-four, no.

22 Thirty-five, no.

23 Thirty-six, yes. I read Art of the Deal a number

24 of years ago.

25 Thirty-seven, I have no opinion.

1 Thirty-eight, yes.

2 Thirty-nine, yes.

3 Forty, yes.

4 Forty-one, yes.

5 Forty-two, no.

6 THE COURT: Thank you.

7 Can you just go back to Question 32 for one
8 moment.

9 PROSPECTIVE JUROR: Yes.

10 THE COURT: Is there anything about your answer
11 to Question 32 that would affect your ability to be fair
12 and impartial in this case?

13 PROSPECTIVE JUROR: No. I will examine the
14 evidence and treat it as any other case, regardless.

15 MR. STEINGLASS: I couldn't hear that.

16 THE COURT: Can you repeat that, please.

17 PROSPECTIVE JUROR: No. I will look at the
18 evidence of the case and treat it as if it was anybody else
19 that was sitting across the table.

20 THE COURT: Thank you.

21 Good morning.

22 PROSPECTIVE JUROR: Good morning.

23 I am a person who lives in the West Village.

24 I have lived there about 15 years.

25 I am not a native New Yorker. I am from

1 California.

2 I am a (REDACTED). I've been doing that for
3 about 25 years.

4 Do I have to name my employer?

5 THE COURT: No.

6 PROSPECTIVE JUROR: Okay.

7 I'm self-employed.

8 I have a high school diploma and some college.

9 I'm married.

10 I have three children.

11 My wife is a teacher.

12 No adult children.

13 Spare time, various things, but children, mostly,
14 as well as woodworking and metalworking.

15 I do not, Number 8.

16 I have served on a jury before, Grand Jury and
17 criminal, and another one in California a long time ago.

18 THE COURT: Okay.

19 Was the criminal one in California?

20 PROSPECTIVE JUROR: Yes.

21 THE COURT: Okay.

22 You don't remember if there was a verdict?

23 PROSPECTIVE JUROR: I can't remember. It was a
24 long time ago.

25 THE COURT: Okay.

1 PROSPECTIVE JUROR: News, a scattering of all of
 2 these here and there. I'm not on social media. I am, but
 3 I don't use it.

4 I listen to podcasts, but they're comedy ones.
 5 No talk radio.

6 Thirteen, no.

7 Fourteen, no.

8 Fifteen, no.

9 I do have a relative, Number 16, who's in
 10 finance, my brother-in-law.

11 I have a couple of brother-in-laws (sic) that are
 12 lawyers.

13 No for 18.

14 Nineteen, no.

15 Twenty, no.

16 Twenty-one, no.

17 B, no.

18 Twenty-two, no.

19 Twenty-three, no.

20 Twenty-four, no.

21 Twenty-five, no.

22 Twenty-six, yes.

23 Twenty-seven, yes.

24 Twenty-eight, no.

25 Twenty-nine, no to A, B, C. These are all no's,

1 by the way.
2 D, no.
3 E, F, G, and H, all no.
4 Thirty, no.
5 Thirty-one, no.
6 Thirty-two, no.
7 Thirty-three, yes.
8 Thirty-four, no.
9 Thirty-five, no.
10 Thirty-six, no.
11 Thirty-seven, no.
12 Thirty-eight, yes.
13 Thirty-nine, yes.
14 Forty, yes.
15 Forty-one, yes.
16 Forty-two, no.
17 * * * * *
18 (At this time, Vincent M. Gerald, III was
19 relieved by Vikki Benkel as Senior Court Reporter)
20
21
22
23
24
25

1 (Whereupon, Senior Court Reporter Vincent Gerald,
2 was relieved by Senior Court Reporter Vikki Benkel)

3 THE COURT: Thank you.

4 Good morning.

5 PROSPECTIVE JUROR: Good morning.

6 I live on the Upper East Side.

7 Lived there since 1980, so 44 years.

8 Before that I am originally from Babylon.

9 I was for 44 years.

10 THE COURT: Can you bring the microphone a little
11 closer.

12 PROSPECTIVE JUROR: I am retired now, I worked for
13 a (-REDACTED-) as a wealth manager. I still work with
14 three former clients who I consult now.

15 I have an MBA.

16 Married.

17 Two children, son and daughter.

18 So what do I do for my spare time? Fly fishing,
19 skiing, yoga, meditation. Meditation and yoga every
20 morning.

21 I don't participate in any organizations.

22 I served on a jury but the case was settled before
23 the trial began, so I don't know if that counts but.

24 Newspapers are New York Times, Wall Street
25 Journal.

1 I watch CNBC, BBC and nothing else.
2 No podcasts.
3 No radio.
4 No friend who has been victim of crime.
5 Number 14, no.
6 My brother is a lawyer.
7 I have a lot of friends in financial field.
8 Number 18, no.
9 Number 19, no.
10 Number 20, no.
11 21, no.
12 Number 22 is no.
13 I take regular medications.
14 24, yes.
15 25, no.
16 26, yes.
17 27, no.
18 28, no.
19 29, no. All things A, B, C, D, E, F is no.
20 Number 30, no.
21 Number 31, no.
22 Number 32, no.
23 Number 33, yes.
24 Number 34, yes.
25 THE COURT: I am sorry, your answer is yes to

1 number 34?

2 PROSPECTIVE JUROR: Yes, I am a fair impartial
3 juror.

4 THE COURT: Do you have any opinions or beliefs
5 about Mr. Trump that would prevent you from being fair and
6 impartial?

7 PROSPECTIVE JUROR: No.

8 THE COURT: Okay.

9 PROSPECTIVE JUROR: Number 35, haven't read any of
10 these books.

11 Number 36, no.

12 Number 37, no opinion.

13 Number 38, yes.

14 39, yes.

15 40, yes.

16 41, yes.

17 Lastly 42, no.

18 THE COURT: Thank you.

19 Good morning, we will continue.

20 PROSPECTIVE JUROR: Good morning, thank you for
21 having me.

22 I will answer number one completely. I live in
23 Hell's Kitchen, I was born there, I was raised there, I
24 still live there.

25 What do I do for a living? I am law enforcement.

1 How long have I been doing that? 34 years.

2 My current employer is (-REDACTED-) .

3 I have been doing this for 34 years.

4 THE COURT: Which (-REDACTED-) do you work at?

5 PROSPECTIVE JUROR: Presently assigned to the
6 (-REDACTED-).

7 THE COURT: Would anything about your work with
8 the (-REDACTED-) and the 34 years with the (-REDACTED-)
9 prevent you from being fair and impartial in this case?

10 PROSPECTIVE JUROR: None whatsoever.

11 Educational background, I have a bachelor's degree
12 from John Jay College.

13 I am married, I have been married for almost 35
14 years.

15 We do not have any children.

16 My wife is a nurse.

17 Number seven, in my spare time I have season
18 tickets to the New York Rangers and I like to go to the
19 games, and I like to go to Yankee games.

20 My interests and hobbies are I help out with the
21 senior citizens on the west side.

22 And I am a member, a long time member of the
23 Knights of Columbus.

24 Number eight, I just stated I am a member of the
25 Knights of Columbus. And I am treasurer of the local

1 scholarship fund which benefits financially needy children
2 on the west side.

3 I have served on a jury before, it was in the late
4 70s, it was in Civil Court at 60 Centre Street, it did come
5 to a verdict, it was an injury trial.

6 The only publications I read is Daily News and The
7 Post.

8 For the record, I do not have a smart phone, I
9 still use a flip phone, which I get tons of abuse for.

10 Therefore, I do not watch any podcasts.

11 The only talk radio I listen to is sports radio.

12 I have no friends or relatives, close friends I
13 will say, close friends never been convicted of crime.

14 I have no close relatives that are law
15 enforcement.

16 I am, of course, employed by the local government.

17 I have no relatives in accounting or finance.

18 Number 17, obviously I do have some work
19 experience in the legal field.

20 I have not had any interaction other than working
21 in the Criminal Justice System. This experience would not
22 prevent me from being a fair and impartial juror.

23 I have not had a close friend or relative accused
24 or convicted of committing a crime.

25 I do not have a relative with a pending criminal

1 case.
2 21 A, no.
3 21 B, no.
4 I do not have any major health conditions.
5 Other than a blood thinner, I do not take any
6 medication.
7 I have no problem staying past 4:30.
8 25 is no.
9 26, yes.
10 27, yes.
11 28, no.
12 29, no, A and B and C through H, no.
13 30, no.
14 31, no.
15 32, no.
16 33, yes.
17 34, no.
18 35, no.
19 36, no.
20 37, no.
21 38, yes.
22 39, yes.
23 40, yes.
24 41, yes.
25 42 lastly, no.

1 THE COURT: All right, thank you, sir.

2 Jurors, we are going to take a short break at this
3 time, we will take about 15 minutes.

4 I ask you to please not discuss this case either
5 among yourselves or with anyone else, just put it out of
6 your minds, there is nothing to talk about.

7 We will invite you back in as soon as we are
8 ready.

9 Please leave the questionnaires on the chairs.

10 (Whereupon, the panel of prospective jurors left
11 the courtroom)

12 THE COURT: Apparently Juror Number Four thought
13 we expected him on Friday, but he agreed to come in today.
14 He has been waiting outside for about a half hour, I would
15 like to bring him in now.

16 Are you ready?

17 Counsels, we will do this at the bench, counsels
18 please approach.

19 (Sealed proceedings)

20

21

22

23

24

25

1 (The following took place in open court)

2 THE COURT: Do you want to think about it for a
3 couple of minutes and we will take it up?

4 MS. HOFFINGER: Thank you so much.

5 THE COURT: We had a conference at the bench with
6 Juror Number Four at which time he was asked some questions
7 about information the People obtained. He provided certain
8 answers.

9 I am going to direct that portion of the
10 transcript is going to be sealed, but defense can have a
11 copy, the People can have a copy, but it will not be public.
12 It was very personal information that was elicited at that
13 point.

14 I also note for the record that he expressed
15 annoyance also at how much information had been out there in
16 the public about him, I don't want to overstate it or
17 understate it, but he expressed annoyance at that.

18 So have you decided how you want to handle this
19 juror?

20 MR. STEINGLASS: Yes.

21 Can we approach?

22 THE COURT: Yes.

23 (Sealed proceedings)

24

25

1 (The following took place in open court)

2 THE COURT: I am directing that Juror Number Four
3 be excused and that he should not come back.

4 MR. BLANCHE: Judge, is it possible just to warm
5 it up a degree or two? It is so freezing in here.

6 THE COURT: Honest answer to that question is if I
7 did that, it would probably go about up about 30 degrees.

8 MR. BLANCHE: We are shaking.

9 THE COURT: We have asked them to turn off the
10 fans.

11 MR. BLANCHE: I appreciate it, everybody is
12 freezing.

13 THE COURT: It is cold, there is no question.

14 I would rather be real cold than sweating, and
15 really those are your choices.

16 Counsel, we will work until we get done with the
17 second row, if that is a little bit before one or after one,
18 whatever it is, when we are done with the second row we will
19 do the lunch recess.

20 (Whereupon, the panel of prospective jurors
21 entered the courtroom)

22 THE COURT: You can be seated.

23 Jurors, welcome back.

24 We are going to continue with seat number ten in
25 the second row.

1 PROSPECTIVE JUROR: Good afternoon.

2 THE COURT: Good afternoon.

3 PROSPECTIVE JUROR: I live in Gramercy Park. I
4 have lived there for five years, since I moved to New York.

5 I am not a native New Yorker, I was born and
6 raised in Miami, Florida.

7 I have moved around, lived in Wellesley
8 Massachusetts, St. Louis, Missouri, Paris, France, and my
9 family lived for a few years in Hong Kong.

10 I am an attorney.

11 I am privacy counsel for a large (-REDACTED-),
12 large.

13 My prior employer was a (-REDACTED-).

14 My education, I have a BA, a JD, as well as what
15 is equivalent to a master's two in France.

16 Not married, never been married.

17 I have no children.

18 Again, I live alone with my dog.

19 In my spare time I like to explore the City, I
20 play violin, attend indie rock and classical music concerts,
21 love the opera.

22 And my interests again are music related, as well
23 as I was a coxswain in university, so I follow rowing quite
24 closely.

25 I participate in organizations, I am on the board

1 of the Hispanic National Bar Foundation, otherwise, you
2 know, just general pro bono through my current employer
3 firm, as well as attending galas for different charities on
4 behalf of my current employer.

5 I have not served on jury duty before.

6 I follow news loosely, I tend to follow news that
7 is specific to my field of law, so New York Times, CNN,
8 Google.

9 I don't use Facebook for news, but I do use
10 Facebook occasionally.

11 Wall Street Journal, Washington Post, on occasion
12 Fox News just to try to see what is going on on all sides.

13 That's about it from this list.

14 I do follow also foreign newspapers and foreign
15 news media, a lot of French vividiets, as well as South
16 China Daily Mail.

17 Do I listen or watch podcasts? Yes, they are all
18 just reality TV related, so nothing too high brow.

19 I do not listen to talk radio.

20 Yes, I had my phone stolen from me while I was in
21 Paris, from my pocket.

22 My family car was incidentally burned in an arson
23 in Italy.

24 And in Venezuela, like so many, I unfortunately I
25 had family members held up at gunpoint.

1 I don't think the heavy more serious crimes that
2 we unfortunately have been exposed to should muddy the
3 waters for my assessment on this case.

4 I have it is like a distant cousin who worked for
5 the FBI who is an attorney for them many years ago, I want
6 to say he left in like 2004. So it was quite a while ago.

7 Yes, I have been employed by the government. I
8 was a summer honors intern for the New York Law Department
9 in the Appellate Division and I also was a legislative
10 intern in the U.S. House of Representatives when I was the
11 summer of my sophomore year going into my junior year of
12 college.

13 Again, I don't think that the representative for
14 whom I worked for or any of the cases I was exposed to with
15 the New York City Law Department should have any effect or
16 impact on my assessment of the facts of this case.

17 No one, not myself nor anyone close to me,
18 thankfully ever been convicted of a crime.

19 And no pending criminal cases against anybody that
20 I know personally or myself.

21 I don't have a health condition that might
22 interfere with my ability to be here. That said, I do have
23 allergies, so I do carry an Epi-pen, as well as
24 antihistamines, they are non drowsy, so I will be attentive.

25 Yes, I can end around 4:30, that is fine. I will

1 probably do some work right after that.

2 I do not practice a religion that will prevent me
3 from sitting on this panel.

4 I can give my assurance that I will be fair and
5 impartial.

6 I have no bias or prejudices in favor of any of --
7 in favor or against any of the classes listed below.

8 I can promise to guard against stereotypes or
9 attitudes etcetera on 27.

10 For number 28, no one I know has worked for a
11 company or organization owned or run by Donald Trump.

12 Number 30, I have never considered myself a
13 supporter of any of the enumerated or listed organizations.

14 I don't have any strong opinions for number 31.

15 I don't have any feelings or opinions on number
16 32.

17 I can give my assurance that I will base my
18 decision off evidence of the facts exposed during this case
19 for number 33.

20 For number 34, I have opinions. With that said, I
21 am very comfortable that I can put those aside to decide
22 this case based only and exclusively on the evidence and
23 facts presented in this case.

24 I have not read any of the below publications for
25 number 35, nor have I discussed them.

1 I have not read any of the defendant's books for
2 number 36 or listened to any audio book or podcasts about
3 them.

4 I mean the issues around my final exam was about
5 legal contributions, so I have written for that exam on the
6 subject and have an opinion, as any legal practitioner
7 would. At the same time, my opinion is not strong and I do
8 not think it would have any effect on my ability to decide
9 this case as a juror.

10 Yes for number 38.

11 Yes for number 39.

12 Yes for number 40.

13 Yes for number 41.

14 I will hold the burden innocent until proven
15 guilty, yes, just as a lawyer.

16 Yes for number 42, echo my prior statement.

17 THE COURT: You said yes to number 42?

18 PROSPECTIVE JUROR: I meant no as in, yes, I can
19 be impartial.

20 THE COURT: Good afternoon.

21 PROSPECTIVE JUROR: Hi, all right.

22 I am a resident of Northern Manhattan, Inwood.

23 I have lived there 20 years.

24 I am from New York State but not a native New
25 Yorker, from Long Island originally, but I live in Manhattan

1 now for about 30 years.

2 I am paralegal at a (-REDACTED-).

3 I have been doing that for about 30 years.

4 Education, I have a BFA.

5 I am married.

6 I have two adult children.

7 My husband is in real estate, he is a realtor.

8 I have two adult children.

9 One of them is an adjunct college professor.

10 And the other is working as a ratings analyst in
11 Manhattan.

12 What do I do in my spare time? I originally came
13 to New York to work in the theater and I still work in the
14 theater. In my spare time I am a theatrical director and
15 usually involved in several productions a year in my leisure
16 time.

17 I enjoy nature, hiking.

18 And I have done some work with animal placement
19 organizations like ASPCA, that kind of thing.

20 Have I served on a jury? Yes, I have served on
21 three juries.

22 I have served on a criminal case that did go to a
23 verdict.

24 I also served on an insurance fraud case that went
25 to a verdict.

1 And I was an alternate on a medical malpractice
2 that ended up settling after they got to deliberations, so I
3 was off on that.

4 This is the fifth time I am being called for jury
5 duty.

6 Publications, New York Times, Wall Street Journal,
7 sometimes Washington Post.

8 I don't actually do network TV, so sometimes NPR,
9 BBC.

10 No podcasts.

11 No talk radio, no.

12 Well, I have been mugged, but it was a long time
13 ago. It has no effect on this particular situation.

14 I have no relatives in law enforcement.

15 No to 15.

16 So 16, yeah, my son works as a rating analyst, I
17 don't honestly know what he does, so I don't think it has no
18 bearing on me.

19 Of course I work in a law firm, so I have many
20 friends and colleagues who are attorneys.

21 18, no.

22 19, no.

23 20, no.

24 21, no. A, no. B, no.

25 No health conditions.

1 No medications.

2 The schedule is fine.

3 No religious conflicts.

4 26, yes, I will be unbiased, I will be fair and
5 impartial.

6 27, yes, I will guard against stereotypes and so
7 forth.

8 28, no, I have never -- I would just say no.

9 29, no to A, to the entire string there.

10 30, no, I am not a member of any of those
11 organizations.

12 31, no.

13 32, no.

14 33, yes, I can assure you.

15 34, no.

16 35, uhm, no, I have not read any of those books.

17 36, no I have not read any.

18 37, no.

19 38, yes.

20 39, yes.

21 40, yes.

22 41, yes, will not hold it against him.

23 42, I see this is that trick question, is there
24 any reason why -- no, there is no reason.

25 THE COURT: Thank you.

1 PROSPECTIVE JUROR: Thank you.

2 THE COURT: Good afternoon.

3 PROSPECTIVE JUROR: Hi, good afternoon.

4 I live in the Upper East Side, I been there for
5 three years.

6 Not a native New Yorker, originally from New
7 Jersey. I grew up there and lived there for a little bit
8 before I moved to New York.

9 I am a speech therapist, I have been doing it for
10 five years.

11 I work for the (-REDACTED-).

12 I have a bachelor's and master's degree.

13 Not married.

14 And I do not have any children.

15 I live alone.

16 In my spare time I like to hang out with my
17 friends, go to restaurants, watch TV, go on walks, take
18 advantage of living in New York City.

19 I don't participate in any organizations or
20 advocacy groups.

21 I have been called to jury duty before in New
22 Jersey, but never like been on a case.

23 I don't watch any news or follow it too closely.

24 I do have some like E-mail subscriptions, like the
25 CNN Five Things and The New York Times Morning, whatever,

1 that I do sometimes read during my morning commute, but I
2 don't follow them very strictly.

3 I do use social media.

4 I don't normally get news from there, but I
5 definitely am on it and obviously see things on Tik Tok and
6 Instagram and Facebook.

7 I listen to podcasts, but they are also just
8 reality TV podcasts, nothing crazy.

9 I don't listen to talk radio.

10 13, no.

11 14, no.

12 15, I don't know if the (-REDACTED-) counts, but I
13 do obviously work for the (-REDACTED-)

14 And my mom worked for the State of New Jersey, she
15 worked in the Civil Service Commission, I don't know exactly
16 what she did there but.

17 I don't have any relatives or close friends in the
18 accounting field or finance.

19 For 17, no, no one in the legal field.

20 18, A, B, and C is no.

21 19 is no.

22 20 is no.

23 21 is no for A and B.

24 22 is no.

25 23 is no.

1 24, the schedule is fine.

2 25, I don't have any religion that would prevent
3 me from sitting.

4 26 is yes, I can give assurance that I can be fair
5 and impartial.

6 27, I can promise to guard against stereotypes to
7 influence my decision.

8 28, no, no relatives.

9 29, A is no, B is no, C through H is also no.

10 30, I have never considered myself a supporter or
11 belong to any of those groups.

12 31 is no.

13 32 is no.

14 33 is yes.

15 34, I do have opinions, but I do firmly believe
16 that I can be fair and impartial and leave those outside of
17 the facts of this case.

18 35, I never read any of those books.

19 36, also never read any of the defendant's books.

20 37, no.

21 38 is yes.

22 39, yes.

23 40 is yes.

24 41 is yes.

25 And 42 also the trick question, no.

1 THE COURT: Thank you.
2 Good afternoon.
3 PROSPECTIVE JUROR: Good afternoon.
4 Number 1 A and B, Upper East Side for 20 years,
5 previously on the Upper West Side for 18 years.
6 Born and raised in Las Vegas, Nevada.
7 Number 2A, I own a (-REDACTED-) company.
8 Small boutique business.
9 Sorry, 3A, I am self-employed, small boutique
10 business.
11 My business, yes.
12 I have always been freelance.
13 High school diploma and a few credits short of a
14 college degree, which kills my parents.
15 Married.
16 I do have one stepson.
17 6 A, banker with JP Morgan.
18 B, real estate investor.
19 My spare time, tennis, family, food, workout a
20 lot.
21 Interests and hobbies, I am interested in
22 architecture, world monuments, tribal education.
23 8 A and B, no.
24 Nine is yes, in criminal court.
25 Yes.

1 I follow the Wall Street Journal, the FT, BBC,
2 Bloomberg News.

3 No podcasts.

4 No radio.

5 Petty theft, 13.

6 No.

7 15, my father was raised with, my parents are life
8 long friends, he is now deceased, of he and his wife.

9 My uncle was the head accountant for Caesars
10 Palace and Wynn.

11 The only thing regarding the legal field is I was
12 a runner for my young life while I was in high school.

13 With law enforcement, yes, yes, very positive
14 regarding police, firemen, EMT, all sorts, all military
15 aspects very positive, very, I am in awe of what they do
16 everyday.

17 No.

18 And number 18, no.

19 20 is no.

20 21, no.

21 22 -- 21 A, no.

22 21 B, no.

23 22, no.

24 23, no.

25 24, no -- yes, I am sorry, 24 yes.

1 25 is no.
2 26, no.
3 27, yes.
4 28, no.
5 29 A through H is no.
6 30 is no.
7 No for 31.
8 No for 32.
9 Yes for 33.
10 No for 34.
11 No for 35.
12 Yes for 36, yes Art of the Deal.
13 No for 37.
14 Yes for 38.
15 Yes for 39.
16 40 is yes.
17 41 is yes, definitely.
18 And 42 is no.
19 THE COURT: Thank you.
20 PROSPECTIVE JUROR: Your Honor, I forgot to answer
21 16 and 17.
22 THE COURT: You can go ahead and answer them now.
23 PROSPECTIVE JUROR: For 16, which is regarding
24 financial institutions, my brother is currently obtaining an
25 MBA and will be an intern at a large investment bank this

1 summer.

2 For number 17 about other legal professionals and
3 close friends or family, both my parents are attorneys.

4 Sorry about that.

5 THE COURT: That is all right.

6 Good afternoon.

7 PROSPECTIVE JUROR: Good afternoon.

8 I am currently living in Murray Hill, been there
9 for six years.

10 Prior to that I was born and raised in Ohio.

11 What I do for a living? I work for a (-REDACTED-)
12 company in E commerce for eight years, it is a very large
13 (-REDACTED-) company.

14 Educational background, I have a college degree.

15 I am not married.

16 Never been married.

17 No children.

18 I live with another adult, he is in accountant.

19 No adult children.

20 In my spare time I love to spend time outdoors and
21 with animals.

22 Number eight is no.

23 Number nine is no.

24 Number ten, I don't really follow the news, but if
25 anything it is The New York Times.

1 Listen or watch podcasts, yes.
2 Most of it is on animal psychology, a little hobby
3 there.
4 Talk radio, no.
5 No victims of crime for number 13.
6 Number 14 is no.
7 Number 15 is no.
8 Number 16, yes.
9 THE COURT: I apologize, I think the mic acts up.
10 PROSPECTIVE JUROR: Here we go.
11 Number 16, yes, in the accounting field.
12 Number 17 is no.
13 18, no, A, B and C.
14 19 is no.
15 20 is no.
16 21 A, no.
17 B is no.
18 22 is no.
19 23 is no.
20 24, yes.
21 25 is no.
22 26 is yes.
23 27 is yes.
24 28, no.
25 29 A, no.

1 B, no.
2 C through H, all no.
3 30 is no.
4 31, no.
5 32, no.
6 33, yes.
7 34, no.
8 35, no.
9 36, no.
10 37, no.
11 38, yes.
12 39, yes.
13 40 is yes.
14 41 is yes.
15 42, no.
16 (Whereupon, Senior Court Reporter Vikki Benkel was
17 relieved by Principal Court Reporter Susan Pearce-Bates)
18
19
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1 (Continued from the previous page.)

2 THE COURT: Thank you.

3 Good afternoon.

4 PROSPECTIVE JUROR: Good afternoon.

5 I live in Gramercy.

6 I have lived there for almost two years.

7 I am not a native New York, but I spent almost
8 half of my life in New York in various neighborhoods.

9 I am (REDACTED)

10 I have been doing that all of my working life.

11 My current employee (REDACTED)

12 Less than (REDACTED)_

13 Before this I spent most of my working life
14 (REDACTED)

15 I have an MBA in finance.

16 I am married.

17 I am a parent.

18 In my spare time I like to explore the outdoors.
19 I like to travel. I like photography.

20 Number eight, not in a personal capacity.

21 I do not participate in any organizations or
22 advocacy groups.

23 THE COURT REPORTER: Can you repeat that?

24 PROSPECTIVE JUROR: I have -- I have not --

25 THE COURT: I think you have to point the bottom

1 up.

2 PROSPECTIVE JUROR: I have not served on a jury
3 before.

4 For my news, my primary source is Wall Street
5 Journal. I also read the New York Times.

6 I listen to Bloomberg radio, sometimes, Fox News,
7 Fox Business.

8 I do not listen to podcasts. I do not listen to
9 talk radio.

10 Number 13, no.

11 Number 14, no.

12 Number 15, no.

13 Sixteen, yes, myself.

14 Seventeen, no.

15 Eighteen A, no.

16 Nineteen, no.

17 Twenty, no.

18 Twenty-one, no.

19 Twenty-two, no.

20 Twenty-three, no.

21 Twenty-four, yes.

22 Twenty-five, no.

23 Twenty-six, yes.

24 Twenty-seven, yes.

25 Twenty-eight, no.

1 Twenty-nine, no for all.
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. Good afternoon.
16 PROSPECTIVE JUROR: Good afternoon.
17 I live in upper Manhattan.
18 I have lived there for 15 years.
19 I am not a native New Yorker.
20 I am from California.
21 I am a (REDACTED)
22 I have been doing that for twenty some-odd years
23 now.
24 My current employer is a (REDACTED)
25 My former companies were (REDACTED).

1 I am not married.

2 I live alone and no children.

3 My hobbies are traveling, exploring New York and
4 eating.

5 I am eight -- eight, no.

6 Nine, I have been called for jury duty but never
7 served.

8 For -- I really don't follow the news. I just
9 watch late night news and the headline stuff.

10 I do watch Google and the only other publications
11 that I really pay attention to are for my industry, which
12 is (REDACTED).

13 No podcasts. No talk radio.

14 My apartment has been robbed before, but it has
15 nothing to do with this, so that would be fine.

16 Number 14, no.

17 No, no. Fifteen, no.

18 Number 16, no.

19 Number 17, no.

20 Number 18, no experience.

21 Number 19, I have a close friend that was
22 convicted of financial fraud.

23 Twenty, no.

24 Twenty-one, no for A and B.

25 Twenty-two, no.

1 Twenty-three, no.
2 Twenty-four, yes.
3 Twenty-five, no.
4 Twenty-six, yes.
5 Twenty-seven, yes.
6 Twenty-eight, no.
7 Twenty-nine, no for all options there.
8 Number 30, no.
9 Number 31, yes.
10 Number 32, no.
11 Thirty-three, yes.
12 Number 34, no.
13 Number 35, no.
14 Number 36, no.
15 Number 37, yes.
16 Thirty-eight, number 38, yes.
17 Number 39, yes.
18 Number 40, yes.
19 Yes, for 41.
20 And for 42, no.
21 THE COURT: Thank you.
22 Good afternoon.
23 PROSPECTIVE JUROR: Good afternoon.
24 I live on the upper east side.
25 I have lived there for two-and-a-half years.

1 I am not a native New Yorker.

2 I previously spent several years living in the
3 states of Minnesota, South Carolina and North Carolina.

4 I am a (REDACTED) I have been doing that for 15
5 years.

6 Number four, I have a bachelor's degree and a
7 doctorate degree in (REDACTED)

8 Number five, I am married. I do not have any
9 children.

10 Number six, my husband works as a (REDACTED).

11 Number seven, I enjoy running, playing tennis,
12 listening to live music, outdoor adventures such as hiking
13 and paddle boarding with my husband and our dog.

14 Number eight, no.

15 Number nine, no.

16 Number ten, I follow the news on the New York
17 Times, USA Today and CNN.

18 Number 11, I listen to podcasts related to sports
19 and faith based.

20 Number 12, no.

21 Number 13, no.

22 Number 14, no.

23 Number 15, no.

24 Sixteen, no.

25 Seventeen, I have two brother-in-laws and three

1 sister-in-laws who are attorneys, none of whom practice
2 criminal or civil law.
3 Number 18, no.
4 Number 19, no.
5 Number 20, no.
6 Number 21 A, no.
7 B, no.
8 Number 22, no.
9 Number 23, no.
10 Number 24, yes.
11 Number 25, no.
12 Number 26, yes.
13 Number 27, yes.
14 Number 28, no.
15 Number 29, no, on all A through H.
16 Thirty, no.
17 Thirty-one, no.
18 Thirty-two, no.
19 Thirty-three, yes.
20 Thirty-four, no.
21 Thirty-five, no.
22 Thirty-six, no.
23 Thirty-seven, no.
24 Thirty-eight, yes.
25 Thirty-nine, yes.

1 Forty, yes.

2 Forty-one, yes.

3 Forty two, no.

4 THE COURT: Thank you.

5 Good afternoon.

6 PROSPECTIVE JUROR: Good afternoon.

7 If there is a question, there is some
8 questioning, should I start from that time one.

9 THE COURT: Start with that one.

10 PROSPECTIVE JUROR: So number thirty-four as I
11 read these questions over and over, it's raising some
12 concerns in regards of something that maybe I can call
13 association.

14 I was born and raised in Italy and the Italian
15 media has a really strong opinion, images and association
16 between Mr. Trump and Silvio Bernasconi. And I think now
17 that I am sitting here, it is -- it will be hard for me to
18 maintain that impartial and fairness.

19 THE COURT: Any objections?

20 MR. STEINGLASS: No.

21 MR. BLANCHE: No.

22 THE COURT: You are excused, sir.

23 Let's refill seat number 18, please.

24 THE CLERK: Refilling seat number 18, B714.

25 THE COURT: Good afternoon.

1 You can start whenever you are ready.

2 PROSPECTIVE JUROR: Okay. I live in midtown
3 east.

4 I have lived there about two years.

5 I have a -- I lived in other places in New York
6 for a couple years, four years, and before that college in
7 North Carolina.

8 I grew up in England and Hong Kong.

9 I am an (REDACTED)

10 I have been doing that for about four years now.

11 Yeah, (REDACTED).

12 That's my only real employer since graduation.

13 I have a college degree.

14 Never been married.

15 Don't have any children.

16 I have -- live with my boyfriend and he is
17 self-employed.

18 No children.

19 In my spare time I like to go running, hang out
20 with my friends, eat food.

21 I don't participate in any organizations or
22 advocacy groups.

23 I never served on jury before.

24 I get most of my news from the Wall Street
25 Journal or the New York Times.

1 I don't listen to any specific podcasts, maybe
2 like a News One every so often.
3 I don't listen to talk radio.
4 No, to number 13.
5 No, to 14.
6 No, to 15.
7 I am in finance for 16.
8 Seventeen, my sister is a law student.
9 Eighteen, no, for all of them.
10 Nineteen, no.
11 Twenty, no.
12 Twenty-one, no to A. No to B.
13 I have no health conditions. No medications.
14 No issues with the schedule.
15 No, to 25.
16 Yes, to 26.
17 Yes, to 27.
18 No, to 28.
19 No, for 29 A, and B.
20 No, for C. No, for D. No, for E. No, for F.
21 No, for G and H.
22 No, for 30.
23 No, for 31.
24 No, for 32.
25 Yes, for 33.

1 No, for 34.

2 No, I have not read any of those books or
3 listened to them.

4 No, for 36 as well.

5 No, to 37.

6 Yes, to 38.

7 Yes, to 39.

8 Yes to 40.

9 Yes to 41.

10 And no for 42.

11 THE COURT: Okay. Thank you.

12 Jurors, what happens next is the attorneys have
13 the opportunity to ask you some questions, but we are going
14 to take our lunch recess at this time.

15 Before I excuse you though, I have some
16 instructions that I need to give you.

17 I ask you to please not discuss this case either
18 amongst yourselves or with anyone else.

19 Do not discuss anything about the case. You may
20 tell the people with whom you live and your employer that
21 you are a juror and give the information about when you
22 will be required to be in court, but you may not talk with
23 them or anyone else about anything related to the case.

24 Do not at any time during the case request,
25 accept, agree to accept or discuss with any person the

1 receipt or acceptance of any benefit or payment in return
2 for supplying any information concerning the trial.

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

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

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

14 I emphasize that in addition to not talking
15 face-to-face with anyone about the case, you must not
16 communicate with anyone about the case by any other means,
17 including telephone, text messages, emails, chat rooms,
18 blogs and social websites.

19 You must also not provide any information about
20 the case to anyone by any means, whatsoever, and that
21 includes the posting of information about the case or what
22 you are doing on the case on any device or internet site
23 including blogs chat rooms, social websites or any other
24 means.

25 Finally, you must not Google or otherwise search

1 for any information about the case or the law that applies
2 to the case or the people involved in the case, including
3 the defendant, witnesses and lawyers or myself.

4 I would like to start at 2:15 sharp. So you will
5 need to work your way back to the building before that
6 time, probably quarter to two.

7 Thank you.

8 (Prospective jurors are excused.)

9 PROSPECTIVE JUROR: Judge, may I approach?

10 THE COURT: Ask the officers.

11 PROSPECTIVE JUROR: I have a question for you.

12 (All prospective jurors are excused.)

13 THE COURT: So, as they were stepping out the
14 courtroom, juror 675 wanted to approach and ask a question.
15 She was directed outside.

16 Once outside she spoke to one of the court
17 officers and says she knows Susan Necheles.

18 I think I would still need to put her in the box
19 and ask if she can be fair and impartial or would it affect
20 her ability to be fair and impartial.

21 Thank you.

22 I will see you at 2:15.

23 (A luncheon recess was taken.)

24 (After the luncheon recess, the following
25 occurred:)

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

\(The trial continued on the following page.)

1 THE SERGEANT: All rise.

2 Part 59 is now in session.

3 The Honorable Juan Merchan presiding.

4 THE COURT: Good afternoon.

5 Please be seated.

6 We're just checking on the jurors to make sure
7 that they're all back.

8 While we wait, I believe that the press wanted
9 clarification on which sections of the questionnaire it was
10 that we would like them to not report on and which will be
11 redacted:

12 That will be Question 3(A) and 3(D), as in "dog."

13 I know, somewhere, I had mentioned B, but that
14 was a mistake.

15 Anything else that we need to go over right now?

16 MR. STEINGLASS: No.

17 MR. BLANCHE: No.

18 THE COURT: Okay.

19 As soon as all the jurors are back, we'll get
20 started.

21 Again, the plan today is going to be what we did
22 on Tuesday:

23 There's a panel that's been waiting around all
24 day. We're going to bring them in. As soon as we have a
25 break this afternoon, we'll bring them in, we'll swear them

1 in, and then we'll excuse them. I will tell them to come
2 back tomorrow at about 11:00 or 11:30 because we still have
3 over 20 people in the audience here.

4 (Pause in the proceedings)

5 THE COURT: We have everyone that was in the box.
6 We're missing two jurors from the audience. Is there any
7 objection to starting with those that are in the box?

8 MR. STEINGLASS: No objection.

9 THE COURT: Counsel, no objection?

10 MR. BLANCHE: No.

11 THE COURT: Okay.

12 Let's bring them in, please.

13 (At this time, the panel of prospective jurors
14 entered the courtroom)

15 THE COURT: Good afternoon, jurors.

16 Welcome back.

17 First, jurors, I want to apologize that it's
18 chilly in here. I know that it is. We're doing what we
19 can to control the temperature, but it seems like it's one
20 extreme or the other. So, bear with us as we try to work
21 that out.

22 At this time, the attorneys will address you in
23 the jury box for about 30 minutes each.

24 The law requires that the
25 Assistant District Attorney speak to you first.

1 What the lawyers say to you at any time is not
2 evidence. So, what the lawyers are about to say to you now
3 is not evidence.

4 As with all stages of a criminal trial, there are
5 rules that the lawyers must follow. If one lawyer believes
6 that another lawyer is not following one of those rules,
7 that lawyer will object and that objection creates a
8 question of law for me to decide.

9 The objection will be one word only. I may, on
10 occasion, ask the basis or the grounds for the objection.
11 The attorney will provide the legal basis only, such as,
12 "Hearsay."

13 If I sustain an objection to a question or a
14 comment of a lawyer, that question or comment will be
15 stricken from the record and you must disregard it as if
16 though it were never said. If I overrule an objection, the
17 question or comment stands.

18 Of course, whether I sustain or overrule an
19 objection, my ruling indicates only that the question or
20 comment is or is not in accord with one of the rules of law
21 that the lawyers should follow during this stage of the
22 proceedings. The ruling expresses no opinion about the
23 facts of the case or of whether the defendant is guilty or
24 not guilty.

25 Remember, you, the jury--and you alone--judge the

1 facts and reach a verdict of guilty or not guilty, not I
2 and not the lawyers.

3 People?

4 MR. STEINGLASS: Thank you.

5 Good afternoon, everyone.

6 As the judge told you, my name is
7 Joshua Steinglass. Along with my colleagues here, we
8 represent the People of the State of New York.

9 Now, I'm sure many of you say to yourselves, "How
10 am I being considered for this case of all cases? What
11 should I say when they question me?" Well, I know it
12 sounds simple and trite, but the answer is the truth. The
13 reason for that is there's no right answers. What we're
14 trying to do is pick a jury that can be fair--fair to the
15 defense and fair to the prosecution. We're not trying to
16 pry into your lives. We're really just trying to determine
17 whether this is the best case for you.

18 So, let's start with the obvious:

19 The defendant in this case is both the former
20 President of the United States and a current candidate for
21 that office. No one is suggesting that you can't be fair
22 because you've heard of Mr. Trump. We don't expect you to
23 have been living under a rock for the last eight years or
24 the last 30 years. This case has nothing to do with your
25 personal politics or your feelings about a particular

1 political issue. It's not a referendum on the
2 Trump Presidency, a popularity contest, or any indication
3 of who you plan to vote for this fall. This case is about
4 whether this man (Indicating) broke the law. Did he
5 falsify business records in order to cover up an agreement
6 to unlawfully influence the 2016 presidential election?

7 At the end of the case, the judge will give you
8 the law on false business records--34 counts of falsifying
9 business records--and he'll tell you exactly what it is we
10 have to prove. And that's all we have to prove. What I
11 mean by that is does anybody feel that the fact that the
12 defendant is who he is is going to change what they will
13 require us to prove? Does anybody feel that we're going to
14 have to prove more than the law requires simply because the
15 defendant is Donald Trump?

16 Where's that microphone? Anyone have it?

17 (HAND RAISED)

18 MR. STEINGLASS: There you go.

19 I'm sorry I have to call everybody by their
20 numbers.

21 How do you feel about that, Mr. B-555?

22 PROSPECTIVE JUROR: I could be objective. No
23 problem.

24 MR. STEINGLASS: The defendant's just like any
25 other defendant in any other criminal case. There's no

1 special formula. Any reason to think that you won't be
 2 able to follow the judge's instructions on the meaning of
 3 "beyond a reasonable doubt?"

4 PROSPECTIVE JUROR: None whatsoever.

5 MR. STEINGLASS: Good.

6 How do you feel, Mr. B-639?

7 PROSPECTIVE JUROR: Beyond a reasonable doubt.

8 MR. STEINGLASS: And you can apply that law the
 9 way you would to any other defendant in any other case?

10 PROSPECTIVE JUROR: Yes.

11 MR. STEINGLASS: This case has generated a fair
 12 amount of publicity. We do not expect you not to have
 13 heard about this case or not to have discussed the case
 14 with friends. What we do need is your assurance that you
 15 could keep an open mind.

16 I'm sure we can all agree that media accounts may
 17 be accurate or they may be inaccurate. After all, the
 18 media has not had access to two things that you will have.
 19 Number one, by the end of this trial, you will have heard
 20 all of the evidence in this case. And, number two, you
 21 will have heard the judge's instructions on the law. So,
 22 all of those opinions that are floating around out there,
 23 they're much less informed than you will be by the end of
 24 this case.

25 Can you all promise to faithfully find the facts

1 as they actually are and apply the law as the judge gives
2 it and not think about what other people's opinions may
3 have been that you may have come into contact with in the
4 past? Can you promise to do that, B-470?

5 PROSPECTIVE JUROR: Yes.

6 MR. STEINGLASS: Any concerns about your ability
7 to do that?

8 PROSPECTIVE JUROR: No.

9 MR. STEINGLASS: How about you, B-784?

10 PROSPECTIVE JUROR: Yes, no concerns.

11 MR. STEINGLASS: Now, you mentioned that you have
12 followed the defendant on X and Instagram in the past and,
13 perhaps, still do?

14 PROSPECTIVE JUROR: That's correct.

15 MR. STEINGLASS: You also mentioned that you have
16 some opinions--unless I misheard you--about how you think
17 the defendant has been treated by the criminal justice
18 system. Did I get that right or did I misunderstand your
19 answer to that question?

20 PROSPECTIVE JUROR: I believe I misinterpreted
21 that question and I corrected that with the judge.

22 MR. STEINGLASS: Ah, okay.

23 So, you don't have strong opinions, one way or
24 the other, about how the defendant has been treated?

25 PROSPECTIVE JUROR: No.

1 MR. STEINGLASS: What about the fact that you
2 follow him on Instagram, Truth Social, or Twitter, or
3 whatever it is? Have you -- Do you still currently follow
4 him?

5 PROSPECTIVE JUROR: I must have followed him
6 years ago. I don't have notifications turned on to see
7 every time he puts something out there. I'm not on
8 Truth Social. I'm just following the course of any
9 presidential election, campaign, or anything else.

10 MR. STEINGLASS: So, you followed him because of
11 the fact that he was the President but not necessarily for
12 political reasons?

13 PROSPECTIVE JUROR: Just generally because it was
14 a news item when he would put a tweet out. So, I just
15 wanted to be aware of that.

16 MR. STEINGLASS: That's a better way that you
17 said it than I asked that.

18 So, is there anything about that that would make
19 you question your ability to be a fair and impartial juror
20 in this case?

21 PROSPECTIVE JUROR: No.

22 MR. STEINGLASS: Have you seen him post anything
23 about this case?

24 PROSPECTIVE JUROR: I honestly haven't paid much
25 attention to it.

1 MR. STEINGLASS: Great.

2 Thank you.

3 Anyone else have any thoughts on this--the fact
4 that Donald Trump is a candidate for President, a former
5 President, or the fact that this case has been publicized a
6 lot?

7 (NO HANDS RAISED)

8 MR. STEINGLASS: Anybody have any concerns about
9 their ability to be perfectly fair and impartial in this
10 case?

11 (NO HANDS RAISED)

12 MR. STEINGLASS: You're not a bad person if you
13 feel that way. It's okay. The only thing that you could
14 do wrong --

15 (HAND RAISED)

16 MR. STEINGLASS: I see your hand. I'll be with
17 you with the mic in a bit.

18 The only thing you could do wrong is not tell us
19 because it will be too late after you're in that jury room.

20 Is it B-623?

21 PROSPECTIVE JUROR: Yes.

22 I thought about this a bit during lunch. I
23 think, just the fact that I spent a year discussing the
24 case with a federal judge and law clerks, I can't -- I'm
25 worried that I know too much and that, no matter --

1 Academically, I know, as a lawyer, I have to put it to the
 2 side. I just don't know. I'm worried that it's going to
 3 seep in in some way.

4 MR. STEINGLASS: Thank you for being honest about
 5 that.

6 This is what I've been trying to say. There's no
 7 wrong answers.

8 As a lawyer, you probably feel like, "I could put
 9 it aside. I could be dispassionate," but you're also a
 10 human being. If the amount of conversations that you've
 11 had about this case over the last year--it sounds like
 12 you're way more informed about this case than your average
 13 person--this may just not be the case for you. Are you
 14 concerned about your ability to put that aside?

15 PROSPECTIVE JUROR: Frankly, yes.

16 MR. STEINGLASS: Well, again, thank you for your
 17 candor.

18 Anybody else have anything they want to say about
 19 any of this?

20 (NO HANDS RAISED)

21 MR. STEINGLASS: Speak now.

22 (NO HANDS RAISED)

23 MR. STEINGLASS: Okay.

24 So, you're going to learn that the charged crimes
 25 in this case took place in 2017 and some of the key

1 evidence in this case includes conduct that happened as far
2 back as 2015. Now, you may be curious as to why it is that
3 this case is going to trial now, but you're never going to
4 learn the answer to that question and you're not allowed to
5 speculate or wonder why the trial hasn't happened in some
6 manner. Can you all give us your assurance that you won't
7 allow your curiosity to distract you from the task at hand,
8 which is to evaluate the evidence and determine whether or
9 not we've proven the case beyond a reasonable doubt?
10 Anybody have any concerns about that?

11 (NO HANDS RAISED)

12 MR. STEINGLASS: No.

13 Along the same lines, you should keep in mind
14 that the witnesses in this case are not actors reading from
15 scripts. They're real people testifying about events that
16 occurred some time ago. In doing so, you may--you may
17 not--notice some minor inconsistencies between the
18 testimony of different witnesses. Can we all agree that
19 people often see or remember the same events or same parts
20 of an event differently?

21 (AFFIRMATIVE RESPONSE FROM PROSPECTIVE JURORS)

22 MR. STEINGLASS: That's kind of human nature.
23 You've seen a movie with a friend, maybe, and you may have
24 picked up something that your friend didn't catch. Neither
25 one of you is lying about having seen the movie. Can you

1 use the same kind of logic or reasoning in this case when
2 you're evaluating the testimony of multiple witnesses?

3 (AFFIRMATIVE RESPONSE FROM PROSPECTIVE JURORS)

4 MR. STEINGLASS: Does anyone have any concerns
5 about their ability to do that?

6 (NO HANDS RAISED)

7 MR. STEINGLASS: Can you accept the fact that
8 even the same witness might describe the same event a
9 little bit differently than they have in the past,
10 especially, a less significant detail? For example,
11 somebody may mix up the date that something happened or the
12 exact date or not be able to remember whether it was a
13 phone call or a conversation in person or a conversation
14 over text. That, too, is human nature--especially, when
15 you're talking about events that happened some time ago.
16 Does anybody feel that, unless somebody says it exactly the
17 same way every single time they say it, they've got to be
18 lying? Does anybody feel that way?

19 (NO HANDS RAISED)

20 MR. STEINGLASS: No.

21 Let's talk a little bit about some of the
22 witnesses in this case.

23 You're going to learn--and we're going to be very
24 up front about the fact--that some of the witnesses have
25 what you might consider to be some edge. These witnesses

1 include a tabloid publisher; an adult film star; and a
2 former lawyer for Mr. Trump, Michael Cohen, who has pleaded
3 guilty to several federal crimes including campaign finance
4 violations and lying to Congress. Some of the witnesses
5 have written books, done podcasts, or appeared in
6 documentaries regarding some of the same subject matter
7 that they're going to be testifying about during this case.
8 You'll learn that several of the witnesses have publicly
9 denied many of the facts to which they will testify here.
10 You'll also learn why they spent so long trying to prevent
11 the public from learning the truth. Finally, you'll learn
12 that some of these witnesses were given immunity --

13 MS. NECHELES: Objection.

14 THE COURT: Overruled.

15 MR. STEINGLASS: -- as part of an effort to get
16 them to come clean about what they had done.

17 Every single one of those things that I just
18 said, those are all factors that you can and should take
19 into account when you're assessing their credibility;
20 right? As a matter of fact, at the end of the case, the
21 judge will give you a whole list of factors that you can
22 take into account in assessing their credibility--the
23 credibility of any witness. My question to you is, if you
24 learn any of those things to be true about a particular
25 witness, are you going to shut your ears to anything that

1 witness might have to say? In other words, can we get you
 2 all to give us your assurance that you'll keep an open mind
 3 and you'll wait until you hear what the witnesses have to
 4 say, whether it makes sense to you, what their demeanor is
 5 like on the stand, whether their testimony fits with the
 6 other evidence in this case? Can you wait until you hear
 7 what they have to say before you make up your mind about
 8 whether or not you're going to believe them? Can everybody
 9 give us that assurance?

10 (AFFIRMATIVE RESPONSE FROM PROSPECTIVE JURORS)

11 MR. STEINGLASS: Anybody feel like, "Oh, my Lord.
 12 If I learn that somebody's been convicted of lying to
 13 Congress, I don't even care who they were lying for or why
 14 they were lying. I'm not going to listen to another thing
 15 this person has to say?" Anybody feel that way?

16 (NO HANDS RAISED)

17 MR. STEINGLASS: Does anybody feel that, if a
 18 witness has gone on a podcast or written a book, that means
 19 you can't possibly listen to anything that they have to
 20 say? Does anybody feel that way?

21 (NO HANDS RAISED)

22 MR. STEINGLASS: Who's got the microphone?

23 (HAND RAISED)

24 MR. STEINGLASS: Can you pass it on down to

25 B-502.

1 PROSPECTIVE JUROR: Hi.

2 MR. STEINGLASS: How you doing?

3 PROSPECTIVE JUROR: You're very interesting.

4 MR. STEINGLASS: I'm sorry?

5 PROSPECTIVE JUROR: Good.

6 I hope you're doing well today as well.

7 MR. STEINGLASS: Thank you for asking.

8 I'm not trying to put you on the spot. I'm just
9 trying to --

10 Any concerns about anything we've talked about?

11 PROSPECTIVE JUROR: Absolutely not.

12 MR. STEINGLASS: Any -- Do you understand what
13 I'm saying about witness credibility? Can you wait to hear
14 and can you keep an open mind until the witnesses have
15 testified?

16 PROSPECTIVE JUROR: Hundred percent confident.

17 MR. STEINGLASS: Good.

18 How about you, B-555?

19 PROSPECTIVE JUROR: I have not seen any evidence
20 or heard testimonies from witnesses. So, I'll try to keep
21 an open mind.

22 MR. STEINGLASS: Perfect.

23 Now, you did hear me describe some of those
24 factors. Are any of those factors the kinds of things
25 that, if you learn them to be true, that will be the end of

1 your open mind?

2 PROSPECTIVE JUROR: I'd have to wait to hear
3 everything to see if it's compelling or not.

4 MR. STEINGLASS: Well, that's a very perfect
5 answer. So, of course, I can't argue with that.

6 B-675, is that right?

7 PROSPECTIVE JUROR: Yes.

8 MR. STEINGLASS: Any concerns about anything
9 we've talked about so far?

10 PROSPECTIVE JUROR: No.

11 MR. STEINGLASS: Did you mention to maybe one of
12 the court personnel that you actually know Ms. Necheles?

13 PROSPECTIVE JUROR: Yes.

14 MR. STEINGLASS: Is there anything about your
15 relationship with Ms. Necheles that would cause you to be
16 concerned that you couldn't put that out of your mind and
17 just be a completely fair and impartial juror to both
18 sides?

19 PROSPECTIVE JUROR: I met her once 15 years ago
20 through my husband. So, no.

21 MR. STEINGLASS: So, no, you have no reason to
22 doubt that you could be a fair and impartial juror and give
23 both sides a fair shake?

24 PROSPECTIVE JUROR: Correct.

25 MR. STEINGLASS: Okay.

1 Can you pass the microphone over one more time.

2 Thank you so much.

3 Is it B-680?

4 PROSPECTIVE JUROR: That's me.

5 MR. STEINGLASS: Okay.

6 You also mentioned that your cousin went to
7 prison for drug smuggling?

8 PROSPECTIVE JUROR: Yes.

9 MR. STEINGLASS: Was that in New York?

10 PROSPECTIVE JUROR: It was in New York, out on
11 Long Island, a couple years ago.

12 MR. STEINGLASS: So, it wasn't us?

13 PROSPECTIVE JUROR: No.

14 MR. STEINGLASS: Anything about that experience,
15 your experience with the criminal justice system, that
16 would lead you to --

17 PROSPECTIVE JUROR: Not at all.

18 MR. STEINGLASS: -- that should cause us to worry
19 about your ability to be a fair juror?

20 PROSPECTIVE JUROR: No. Not a problem.

21 MR. STEINGLASS: Okay.

22 Glad to hear that.

23 Can you pass the microphone back to someone in
24 the back row. We'll just start in the middle.

25 Is that B-789?

1 PROSPECTIVE JUROR: Yes.

2 MR. STEINGLASS: Okay.

3 I'm going to go to a new topic with you now that
4 you have the microphone.

5 So, the defendant in this case is being charged
6 under a theory known as accessorial or accomplice
7 liability. The judge is going to explain the law about
8 that at the end of the case, but, for now, we need to
9 discuss the fact that, if two or more people are acting
10 together, they could each be held criminally liable for the
11 acts of the others. So, would anybody have a problem
12 holding the defendant responsible for something that his
13 partners in crime, as you could put it, did?

14 PROSPECTIVE JUROR: I'm not sure I understand.

15 MR. STEINGLASS: Yeah, because it was a terrible
16 question. So, I don't disagree with you one bit.

17 Let me give you an example that has so nothing to
18 do with this case:

19 Let's say a husband hires a hit man to kill his
20 wife and the husband isn't even there when the hit man
21 carries out the murder.

22 MS. NECHELES: Your Honor, we object.

23 THE COURT: Overruled.

24 MR. STEINGLASS: So, in that instance, the
25 husband is every bit as guilty as the man who pulled the

1 trigger even though he was in a different state at the time
 2 that the murder was carried out. That's what I mean when I
 3 say that you could be held liable for the acts of someone
 4 else if you ordered those acts. There's a whole bunch of
 5 different examples that the judge will give at the end of
 6 the case. My question to you is can you accept the
 7 law--whatever it is--as the judge gives it of accessorial
 8 liability even if it means holding the defendant
 9 responsible for acts that he may not have personally
 10 committed?

11 PROSPECTIVE JUROR: Yes.

12 MR. STEINGLASS: Better question that time,
 13 right?

14 PROSPECTIVE JUROR: Yeah.

15 MR. STEINGLASS: Okay.

16 What do you think, B-496?

17 PROSPECTIVE JUROR: The same.

18 MR. STEINGLASS: You could follow the judge's
 19 instructions about that?

20 PROSPECTIVE JUROR: Absolutely.

21 MR. STEINGLASS: You understand the example that
 22 I gave?

23 PROSPECTIVE JUROR: I do.

24 MR. STEINGLASS: Very good.

25 PROSPECTIVE JUROR: The second one.

1 Just kidding.

2 MR. STEINGLASS: I'm not going to live this down.
3 I understand.

4 B-423, how do you feel about what we've talked
5 about so far?

6 PROSPECTIVE JUROR: I fully believe that I can
7 follow the judge's instructions and I understand the
8 examples, which were helpful because I'm not very
9 well-versed in the legal world. So, the example was
10 helpful.

11 MR. STEINGLASS: Well, you don't have to be,
12 right? Because you have the judge to give you the law.

13 PROSPECTIVE JUROR: Absolutely. So, I will
14 definitely be able to rely on him for instructions.

15 MR. STEINGLASS: Good.

16 So, new topic:

17 One of the things that you're going to be asked
18 to do in this case is to determine the defendant's intent.
19 You'll need to decide what Mr. Trump's intent was in making
20 these false entries in his business records. As you know,
21 we can't get inside somebody's head, read their mind, and
22 know what they were actually thinking, but you can rely on
23 your common sense and everyday clues to help you make that
24 determination. Juries do it all the time because intent is
25 an element of so many crimes--intentional murder,

1 intentional rape, et cetera, et cetera.

2 What you've got to do in order to do that is kind
3 of look at all of the surrounding circumstances. What did
4 Mr. Trump and his cohorts say or do before, leading up to,
5 during, and after the time of the payoffs in this case?
6 What did Mr. Trump and his cohorts do leading up to, around
7 the time of, and after creating the false entries? What
8 did Mr. Trump and his cohorts do around the time that the
9 truth began to come out? What was the climate in which
10 these decisions were made? Based on that, you can kind of
11 infer, beyond any doubt, what his intent was.

12 I know you guys all like examples--and,
13 certainly, I'm clear when I use one--so, let me give you an
14 easy one:

15 You're crossing the street and somebody honks at
16 you. Are they honking to say, "Hello," or are they honking
17 to say, "Get the heck out of the way?" Well, you've got to
18 look at the clues; right? Do you know the person? Are you
19 crossing against the light? Is the driver speeding up or
20 slowing down? Are they waving hello or doing some other
21 hand gesture? From that, you can conclude, beyond any
22 doubt, whether the person is honking to say hello or to get
23 the heck out of the way. You could determine what the
24 driver intended by honking.

25 B-430, how do you feel about what I just said?

1 Can you do that same kind of logic in this case?

2 PROSPECTIVE JUROR: I think so. I don't see why
3 not.

4 MR. STEINGLASS: Okay.

5 Anybody have any concerns about their ability to
6 rely on context clues to determine the defendant's intent
7 at the time that these crimes were committed? Anyone have
8 any concerns about that?

9 (NO HANDS RAISED)

10 MR. STEINGLASS: This kind of dovetails into what
11 I would say is the number one quality that we look for in a
12 jury -- in jurors is common sense. In order to determine
13 what happened here, you're going to have to be able to
14 apply that common sense. What are the facts and what are
15 the logical inferences that can be drawn from those facts?

16 Somebody I haven't talked to yet, who has kids?

17 (NO HANDS RAISED)

18 MR. STEINGLASS: Anybody?

19 (HAND RAISED)

20 MR. STEINGLASS: Can you pass the mic.

21 I know I'm skipping you, B-742, but I'll come
22 back to you if I still have time.

23 It's B-744?

24 PROSPECTIVE JUROR: Yes.

25 MR. STEINGLASS: You've got kids?

1 PROSPECTIVE JUROR: Yes.

2 MR. STEINGLASS: Okay.

3 Imagine this:

4 You walk into the kitchen. A chair has been
5 dragged over to the fridge where the cookie jar sits on
6 top. The cookie jar is lying on its side with the top off
7 and your son or daughter --

8 Do you have a son or a daughter or one of each?

9 PROSPECTIVE JUROR: Just a daughter.

10 MR. STEINGLASS: Okay.

11 Your daughter is climbing off the chair and she's
12 got a cookie mustache -- a chocolate mustache. What
13 happened?

14 PROSPECTIVE JUROR: (NO RESPONSE)

15 MR. STEINGLASS: Work with me a little bit here.

16 PROSPECTIVE JUROR: Most likely, she took the
17 cookie.

18 MR. STEINGLASS: Most likely, she took the
19 cookie.

20 Now, it's possible that someone else snuck into
21 the house, moved the chair, knocked the cookie jar over,
22 and smeared the cookie on your daughter's face. That's
23 possible, but it's not very likely. Can we agree?

24 PROSPECTIVE JUROR: It depends. I don't know.
25 It's possible that she took it. It's possible that

1 somebody smeared it, but it's unlikely.

2 MR. STEINGLASS: Okay.

3 We'll come back to that in a minute.

4 The point that I'm trying to get at is that
5 no one's going to get up on the stand and testify that
6 Mr. Trump directly said, "Hey, let's falsify our business
7 records. Hey, let's commit election fraud. Let's pull the
8 wool over the eyes of the American voter so I can get
9 elected." No one is going to say that.

10 MS. NECHELES: Judge, we object.

11 THE COURT: Overruled.

12 MR. STEINGLASS: No one has to be that explicit.
13 As jurors, you're going to have to analyze the evidence,
14 apply your common sense, and draw the appropriate
15 conclusions from that evidence. And, I am sorry to tell
16 you, in order to do that, you're going to have to roll up
17 your sleeves and get into the weeds a little bit to
18 actually examine the checks, the invoices, the e-mails, and
19 the texts because they provide strong insight into what was
20 actually going on at the time in people's minds. So, we're
21 going to ask you to be patient as we walk you through all
22 those documents and all that evidence in what, sometimes,
23 might seem like excruciating detail.

24 The question that I want to come back to is
25 whether you all feel that you have the ability to draw

1 logical and reasonable inferences from the facts, the
2 documents, and the evidence in this case without engaging
3 in wild speculation or making unrealistic assumptions. Can
4 you all promise to do that?

5 (AFFIRMATIVE RESPONSE FROM PROSPECTIVE JURORS)

6 MR. STEINGLASS: Anybody have any questions about
7 that?

8 (NO HANDS RAISED)

9 MR. STEINGLASS: I haven't talked to you yet.
10 Is it B-500?

11 PROSPECTIVE JUROR: Yes.

12 MR. STEINGLASS: Can you do that? Can you kind
13 of not only find the facts, but also follow the facts where
14 the facts go and draw reasonable logical inferences from
15 those facts?

16 PROSPECTIVE JUROR: Yes, absolutely.

17 * * * * *

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

20
21
22
23
24
25

1 (Whereupon, Senior Court Reporter Vincent Gerald
2 was relieved by Senior Court Reporter Vikki Benkel)

3 MR. STEINGLASS: How do you feel, B-440?

4 PROSPECTIVE JUROR: Yes, I agree.

5 MR. STEINGLASS: Is there anything that we talked
6 about before that gives you any pause or hesitation?

7 PROSPECTIVE JUROR: No.

8 MR. STEINGLASS: How about you, B-714 way back in
9 the corner there? I am sorry, I ignored you up until now.

10 PROSPECTIVE JUROR: No.

11 MR. STEINGLASS: Any concerns about any topics
12 that we talked about already?

13 PROSPECTIVE JUROR: No.

14 MR. STEINGLASS: Okay.

15 This is my last question, there are many people
16 who for a variety of reasons feel uncomfortable, may feel
17 uncomfortable with returning a verdict of guilty in a
18 criminal case, it could be political, religious, moral,
19 whatever the case may be. So I will ask each of you to just
20 take a moment and look within yourselves and look at the
21 defendant and ask yourselves, if the evidence convinces you
22 beyond a reasonable doubt, will you be able to come back in
23 here after your jury deliberations, look the defendant in
24 the eye and say, guilty, will you be able to do that?
25 Because not everybody can. And this is the time to tell us

1 if you think maybe you can't.

2 So I am going to run down the line, and please
3 tell us.

4 We have already spoken, thank you for your candor.
5 How about B-502?

6 PROSPECTIVE JUROR: Yes.

7 MR. STEINGLASS: B-565?

8 PROSPECTIVE JUROR: Yes, I can.

9 MR. STEINGLASS: B-675?

10 PROSPECTIVE JUROR: Yes, I can.

11 MR. STEINGLASS: B-680?

12 PROSPECTIVE JUROR: Yes.

13 MR. STEINGLASS: B-784?

14 PROSPECTIVE JUROR: Yes.

15 MR. STEINGLASS: B- 470, any concerns?

16 PROSPECTIVE JUROR: No.

17 MR. STEINGLASS: B-639?

18 PROSPECTIVE JUROR: No.

19 MR. STEINGLASS: B-55, if we convince you, what
20 would your verdict be?

21 PROSPECTIVE JUROR: Yes.

22 MR. STEINGLASS: That is not a choice.

23 Thank you, I threw you off, it was not fair.

24 B-714, would you be able to?

25 PROSPECTIVE JUROR: Yes.

1 MR. STEINGLASS: B-44, any concerns?

2 PROSPECTIVE JUROR: No.

3 MR. STEINGLASS: B-500, if the evidence convinces
4 you?

5 PROSPECTIVE JUROR: Yes.

6 MR. STEINGLASS: B-744, not guilty if we don't
7 prove it, guilty if we prove it, call it like you see it, no
8 problem either way?

9 PROSPECTIVE JUROR: Yes.

10 MR. STEINGLASS: B-789?

11 PROSPECTIVE JUROR: Yes.

12 MR. STEINGLASS: Any concerns or question, now is
13 the time.

14 PROSPECTIVE JUROR: No.

15 MR. STEINGLASS: B-496?

16 PROSPECTIVE JUROR: No.

17 MR. STEINGLASS: B-423, you can do it?

18 PROSPECTIVE JUROR: I can.

19 MR. STEINGLASS: B-430?

20 PROSPECTIVE JUROR: I can do it.

21 MR. STEINGLASS: No hesitation, no concern?

22 PROSPECTIVE JUROR: I have done it before.

23 MR. STEINGLASS: I will leave it at that.

24 PROSPECTIVE JUROR: Different jury.

25 MR. STEINGLASS: B-742, I completely ignored you,

1 sorry.

2 PROSPECTIVE JUROR: All good.

3 MR. STEINGLASS: Any concerns about what we talked
4 about?

5 PROSPECTIVE JUROR: No concerns.

6 MR. STEINGLASS: Any concern you will not be able
7 to call it like you see it, however that will be?

8 PROSPECTIVE JUROR: No concerns whatsoever.

9 MR. STEINGLASS: Thank you for your attention.

10 THE COURT: Thank you, Mr. Steinglass.

11 Ms. Necheles.

12 MS. NECHELES: Thank you, Your Honor.

13 Good afternoon. Long day so far, I appreciate all
14 your time.

15 My name is Susan Necheles. With Todd Blanche,
16 Emil Bove and Gedelia Stern we have the honor of
17 representing President Trump here in this case.

18 Now I want to start with just some general things,
19 then I will ask a number of you individual questions. I
20 will try to get to everybody, but we only have half an hour
21 here so.

22 I want to just start with some of the things that
23 the prosecutor said just now, Mr. Steinglass. He spoke, he
24 spoke about first he said some of the witnesses may
25 contradict each other. He said, well, you can understand

1 that witnesses might contradict each other, but you can
2 understand that. But I want to ask you, will you use your
3 common sense when looking at this. He said, well, will you
4 use your common sense and understand people could contradict
5 each other.

6 Can you use your common sense and understand that
7 if two witnesses get on this witness stand and say under
8 oath two diametrically opposed things, someone is lying.
9 Does anyone have a problem with that?

10 Anyone have a problem with understanding that some
11 of the witnesses that the People may be putting on the stand
12 may be lying here in this court today, or as this case goes
13 along?

14 Would anybody have a problem making that kind of
15 evaluation?

16 Mr. Steinglass said some of the witnesses may
17 contradict each other in little details. Does anyone have a
18 problem understanding that if somebody tells a story a
19 number of different ways over time and keeps changing the
20 details, that might be a sign that they are lying?

21 Does anyone have a problem understanding that?

22 Would anybody have a problem finding somebody to
23 be lying up there if it was a government witness?

24 And the prosecutor spoke about some of their
25 witnesses, a lot about some of their witnesses. And you

1 will learn that some of these witnesses have expressed great
2 dislike for President Trump, they have personal animus
3 against President Trump. And can you understand that
4 someone who says that they want revenge against President
5 Trump may be someone whose word you should evaluate in that
6 light.

7 Does anyone have a problem with that?

8 The prosecutor made a big deal about how this
9 case, the events happened a long time ago, he brought that
10 up and he spent some time on that. In fact, the events
11 happened a long time ago. He asked you questions about
12 that.

13 I want to ask you this. Does anyone have a
14 problem with holding the People to their burden of proof
15 beyond a reasonable doubt even though these events happened
16 a long time ago?

17 Does anyone have a problem with that?

18 Now I want to ask some of you questions. I will
19 jump around to some of you, I tried to take a little bit of
20 notes when you were talking before, that's why I will jump
21 around.

22 I want to start with juror number one, you said
23 you think you cannot be fair; is that correct?

24 PROSPECTIVE JUROR: I think I might know too much
25 about this case, yes.

1 MS. NECHELES: Juror number 11, let me start with
2 juror number 11, sorry, B-430.

3 PROSPECTIVE JUROR: Yes.

4 MS. NECHELES: Hi.

5 Do you have -- I think you said you had strong
6 opinions about President Trump?

7 PROSPECTIVE JUROR: No.

8 MS. NECHELES: Do you?

9 PROSPECTIVE JUROR: I don't have opinions about
10 President Trump, I would say I am not -- his politics are
11 not always my politics. We agree on some things and
12 disagree on other things. As a human being that is a
13 different topic.

14 MS. NECHELES: Have you ever posted things about
15 him on social media?

16 PROSPECTIVE JUROR: Yes.

17 MS. NECHELES: Did your spouse post about him?

18 PROSPECTIVE JUROR: I would not know necessarily.

19 MS. NECHELES: Have you posted negative about him?

20 PROSPECTIVE JUROR: Generally, but I am also
21 negative about politicians.

22 MS. NECHELES: In particular you post about him
23 negative?

24 PROSPECTIVE JUROR: I posted concerns.

25 MS. NECHELES: When you say concerns, what do you

1 mean by that?

2 PROSPECTIVE JUROR: For instance if there was a
3 policy he was promoting and I disagreed about that, I might
4 have posted something about it.

5 MS. NECHELES: Do you think you have done it
6 often?

7 PROSPECTIVE JUROR: Not recently.

8 MS. NECHELES: When you say not recently, is that
9 because recently you don't, you know, feel negative about
10 him or?

11 PROSPECTIVE JUROR: I would say that, first of
12 all, since the whole Covid situation I just politics just
13 seems like a nasty thing to be posting about during a
14 national crisis, so I backed off of my political posting
15 about everyone.

16 Also, I think that -- well, are you asking my
17 opinion? Since time has gone past and policies evolve and I
18 just don't have strong feelings about President Trump at
19 this point, as far as, you know, I don't post about him.

20 MS. NECHELES: I appreciate your honesty, thank
21 you.

22 Juror number two, I wanted to ask you if you can
23 pass that, sorry, B-502, hi. You said that one of your
24 children works for the House of Representatives?

25 PROSPECTIVE JUROR: He works for someone that

1 works in the House of Representatives.

2 MS. NECHELES: Who does he work for?

3 PROSPECTIVE JUROR: Hakeem Jeffries.

4 MS. NECHELES: How long has he been doing that?

5 PROSPECTIVE JUROR: He is new, about a year or so.

6 MS. NECHELES: Would that effect your ability to
7 be fair?

8 PROSPECTIVE JUROR: Absolutely not.

9 MS. NECHELES: How old is he?

10 PROSPECTIVE JUROR: 24.

11 MS. NECHELES: He graduated from college?

12 PROSPECTIVE JUROR: Yes.

13 MS. NECHELES: Congratulations.

14 PROSPECTIVE JUROR: Thank you very much.

15 MS. NECHELES: Is there anything about this case
16 that would effect your ability to be fair?

17 PROSPECTIVE JUROR: Absolutely not.

18 MS. NECHELES: Do you have strong opinions about
19 President Trump?

20 PROSPECTIVE JUROR: It is the first time I have
21 been in a room with him. In the past I am a registered
22 democrat, but I have no feelings towards him, it is my first
23 time being with him.

24 MS. NECHELES: Thank you.

25 Juror B-565, you said you follow Michael Cohen and

1 Mueller; is that correct?

2 PROSPECTIVE JUROR: I also follow Kelly Ann Conway
3 and a number of -- anything that might be able to move the
4 markets I need to know about.

5 MS. NECHELES: Okay.

6 Is anything that you read in any of these tweets,
7 is it on Twitter or X that you follow them?

8 PROSPECTIVE JUROR: Let's go with Twitter.

9 MS. NECHELES: Anything that you read in any of
10 their tweets that would influence you in this case?

11 PROSPECTIVE JUROR: They are talking about
12 politics, not talking about the specifics of this case. I
13 know nothing about what is on Wall Street or New York Times,
14 so until I can see what is in the case and hear from the
15 witnesses, I don't know.

16 MS. NECHELES: Michael Cohen will be a witness in
17 this case, would you be able to stop following him and just
18 pay attention to what is in the courtroom?

19 PROSPECTIVE JUROR: Absolutely.

20 MS. NECHELES: Would you be able to put aside
21 anything you may have read about him or from him?

22 PROSPECTIVE JUROR: Yes.

23 MS. NECHELES: Do you have any strong opinions
24 about President Trump?

25 PROSPECTIVE JUROR: You know, I might not like

1 some of his policies, but there has been some good for the
2 United States, so it is ambivalent, it goes both ways.

3 MS. NECHELES: Thank you.

4 Juror B-675, hi.

5 PROSPECTIVE JUROR: Hi.

6 MS. NECHELES: Do you have strong opinions about
7 President Trump?

8 PROSPECTIVE JUROR: Yes.

9 MS. NECHELES: Can you tell us about those?

10 PROSPECTIVE JUROR: Uhm, I disagree with most of
11 his policies.

12 MS. NECHELES: What do you think of him as a
13 person?

14 PROSPECTIVE JUROR: Different topic, don't know
15 him, it's purely a political opinion.

16 MS. NECHELES: Do you have an opinion -- you have
17 no opinion of him personally?

18 PROSPECTIVE JUROR: No.

19 MS. NECHELES: Does your husband have a strong
20 opinion of him?

21 PROSPECTIVE JUROR: No.

22 MS. NECHELES: Has your husband written about him
23 or posted about him?

24 PROSPECTIVE JUROR: He does not do social media.
25 Oh, that is not true, he is on Twitter, but I don't think

1 so.

2 MS. NECHELES: Has he written a bulk opinion about
3 him or?

4 PROSPECTIVE JUROR: I don't know the answer to
5 that, he does book reviews and I don't know about specific
6 answers.

7 MS. NECHELES: Would you be discussing this case
8 with your husband?

9 PROSPECTIVE JUROR: We would talk.

10 MS. NECHELES: Would any of your feelings about
11 President Trump or your husband's feelings about it
12 interfere at all with your ability to be fair in this case?

13 PROSPECTIVE JUROR: No, I would take the rules
14 seriously.

15 MS. NECHELES: I understand you would take it
16 seriously, and I believe you. It is the same with all the
17 jurors. I ask you to think about this, you know, we all
18 know President Trump is a person who has inspired strong
19 feelings about the country, lots of people have strong
20 feelings about his policies, but also about him if we are
21 all being honest.

22 You know, you heard a lot about implicit biases,
23 and the problem with biases is that they color the way we
24 look at the world and what we may believe or may not
25 believe.

1 We would not allow someone who has a strong
2 dislike for a certain type of people to sit on a jury of
3 that type of person, because it might effect how they would
4 see the evidence about that type of person. So what we are
5 asking you, and the reason I am going on what people feel
6 about President Trump is because what we are asking you is,
7 is this going to effect how you look at the evidence in this
8 case? Even if you want to be fair, and I believe that
9 everybody who is sitting up here wants to be fair, we are
10 asking you to probe yourself, would the way that you view
11 him infect the way that you look at the evidence and
12 evaluate the evidence in this case?

13 So that is why we are asking all these questions.

14 So that is what we are asking of you, that you
15 think you could be fair?

16 PROSPECTIVE JUROR: Yeah, now that you say it that
17 way, I would say I follow politics a lot, but when it gets
18 personal and petty, I am allergic to that.

19 MS. NECHELES: Thanks, okay, thank you.

20 Juror 680, do you have strong opinions about
21 President Trump?

22 PROSPECTIVE JUROR: I have opinions, I am born and
23 raised in Brooklyn and in New York and I have kind of spent
24 my whole life knowing about Donald Trump. I once saw him
25 and Marla Maples in ABC Home shopping for baby things.

1 I had a cousin who lived in a Trump building, I
2 had a cousin that lived across the street from a Trump
3 building that was being built who had nothing but positive
4 things to say about the whole construction project.

5 How I feel about him as a president is different,
6 so I have had feelings in both directions.

7 MS. NECHELES: I appreciate that.

8 Do you post about him?

9 PROSPECTIVE JUROR: I am not on social media at
10 all.

11 MS. NECHELES: You said you are a university
12 administrator?

13 PROSPECTIVE JUROR: I was.

14 MS. NECHELES: What did you do?

15 PROSPECTIVE JUROR: I ran a transfers program for
16 community college students who wanted to transfer to NYU.

17 MS. NECHELES: Thank you.

18 I will skip right now -- well, I will just keep
19 going. I have to find my number listing.

20 If you could pass it on, you are juror 784?

21 PROSPECTIVE JUROR: Yes.

22 MS. NECHELES: Can you, the same, do you have any
23 strong opinions about President Trump?

24 PROSPECTIVE JUROR: Fairly neutral I would say.

25 MS. NECHELES: Do you post at all?

1 PROSPECTIVE JUROR: Occasionally, but nothing
2 really politically related.

3 MS. NECHELES: So you feel that you could be fair
4 in this case?

5 PROSPECTIVE JUROR: Yes.

6 MS. NECHELES: Thank you.

7 Juror 470, how are you doing?

8 You look like you are cold.

9 PROSPECTIVE JUROR: I am freezing.

10 MS. NECHELES: Sir, do you have any strong
11 feelings about President Trump?

12 PROSPECTIVE JUROR: No, not really.

13 MS. NECHELES: You feel like you could be fair in
14 this case?

15 PROSPECTIVE JUROR: Absolutely.

16 MS. NECHELES: Thank you.

17 Juror 639, is that the right number?

18 PROSPECTIVE JUROR: Yes.

19 MS. NECHELES: Do you have any strong feelings
20 about President Trump?

21 PROSPECTIVE JUROR: Not really, I live in New York
22 so I know about the President Trump, but I am more
23 interested in my hobbies and what I do, I don't think too
24 much about politics. And you hear from people, but that's
25 it, I have no really strong opinion about the president.

1 MS. NECHELES: You teach yoga? Did you say that?

2 PROSPECTIVE JUROR: I don't teach yoga, I
3 practice.

4 MS. NECHELES: I was going to ask how you started
5 doing that, but fine.

6 You think you could be fair in this case?

7 PROSPECTIVE JUROR: Definitely.

8 MS. NECHELES: Great, thank you.

9 I have lost track, juror 555, sir, do you have any
10 strong opinions about President Trump?

11 PROSPECTIVE JUROR: Not strong opinions, but as a
12 wannabe hockey player, I thank him for fixing that Wollman
13 Rink that nobody could seem to fix.

14 MS. NECHELES: So do I.

15 Do you think you could be fair in this case?

16 PROSPECTIVE JUROR: Yes.

17 MS. NECHELES: You have a flip phone, so you
18 don't --

19 PROSPECTIVE JUROR: Yes.

20 MS. NECHELES: You don't post?

21 PROSPECTIVE JUROR: No.

22 MS. NECHELES: Thank you, sir.

23 Guess we can go back that way.

24 Juror 714, do you have strong opinions about
25 President Trump?

1 PROSPECTIVE JUROR: I have opinions about him the
2 same way I have opinions about most things. I don't have
3 any personal opinions about him, none that I feel would
4 impact my ability to be impartial.

5 MS. NECHELES: You have feelings about his
6 politics?

7 PROSPECTIVE JUROR: The same way I have opinions
8 about most things, none that would interfere with like
9 evidence that was presented to me.

10 MS. NECHELES: Do you have opinions about him
11 personally?

12 PROSPECTIVE JUROR: No, I don't know him so.

13 MS. NECHELES: Do you think you could be fair in
14 this case?

15 PROSPECTIVE JUROR: Yes.

16 MS. NECHELES: Thank you.

17 Juror 440, is that correct?

18 PROSPECTIVE JUROR: Correct.

19 MS. NECHELES: I will ask you the same thing, do
20 you have strong opinions about President Trump?

21 PROSPECTIVE JUROR: As an eligible voter I feel it
22 is my responsibility in regard to elections to establish an
23 educated decision so that I can vote.

24 In regards to this court case and the defendant in
25 the room, I have no opinions until I am presented the

1 information in the courtroom.

2 MS. NECHELES: I understand that.

3 I am asking really about this, what your opinions
4 are of him. I understand that you believe and that
5 everybody here believes they can set those opinions aside,
6 but I am asking, even putting that aside, what are your
7 opinions of him?

8 PROSPECTIVE JUROR: I don't have any strong
9 opinions of him.

10 MS. NECHELES: Do you post at all about President
11 Trump?

12 PROSPECTIVE JUROR: No.

13 MS. NECHELES: You feel like you could be fair in
14 this case?

15 PROSPECTIVE JUROR: Yes.

16 MS. NECHELES: Thank you.

17 Juror 500.

18 PROSPECTIVE JUROR: Yes.

19 MS. NECHELES: Do you have strong opinions about
20 President Trump?

21 PROSPECTIVE JUROR: I don't have strong opinions
22 about him, but I don't like his persona, how he presents
23 himself in public. I don't really agree with some of his
24 politics, but that does not mean I can't be impartial. I
25 don't like some of my co-workers, but I am not going to --

1 but I can hear him out and understand his point of view and
2 understand his issues.

3 MS. NECHELES: I appreciate you saying that.

4 When you say that you don't like his persona, can
5 you elaborate?

6 PROSPECTIVE JUROR: The way he presents himself in
7 public and I would want to think that is what he wants to
8 portray going forward, he just seems very self, selfish and
9 self serving, so I don't really appreciate that in any
10 public servant. So I don't, I mean I don't know him as a
11 person, so I don't know how he is in terms of his integrity
12 or anything in his personal life. But how he is in public
13 and how he himself portrays himself in public, it just seems
14 to me it is not my cup of tea.

15 MS. NECHELES: I appreciate your sharing your
16 honesty.

17 It sounds like what you are saying is that you
18 don't like him based on the way he presents himself?

19 PROSPECTIVE JUROR: Yes.

20 MS. NECHELES: Do you post at all?

21 PROSPECTIVE JUROR: No.

22 MS. NECHELES: Thank you juror 500.

23 PROSPECTIVE JUROR: Yes.

24 MS. NECHELES: So juror 744.

25 PROSPECTIVE JUROR: Yes.

1 MS. NECHELES: Do you have any opinions about
2 President Trump?

3 PROSPECTIVE JUROR: Not as a person.

4 MS. NECHELES: Do you have opinions on his
5 politics, is that what you are saying?

6 PROSPECTIVE JUROR: Some politics, some are good,
7 some are outrageous.

8 MS. NECHELES: Would those outrageous politics of
9 his effect you at all here?

10 PROSPECTIVE JUROR: I don't think so, everybody
11 has a spectrum of policies.

12 MS. NECHELES: When you say you don't think so,
13 are you certain or a little -- is that a phrase?

14 PROSPECTIVE JUROR: It is not going to effect my
15 ability in this case.

16 MS. NECHELES: Even though he has some outrageous
17 opinions on politics, you don't have any opinion about him
18 personally?

19 PROSPECTIVE JUROR: No, absolutely not.

20 MS. NECHELES: Do you post at all about him?

21 PROSPECTIVE JUROR: No.

22 MS. NECHELES: Could you be fair in this case?

23 PROSPECTIVE JUROR: Yes.

24 MS. NECHELES: Thank you.

25 Juror 789 -- so odd to be calling people by their

1 numbers.

2 Sir.

3 PROSPECTIVE JUROR: Same question?

4 MS. NECHELES: Yes, do you have an opinion?

5 PROSPECTIVE JUROR: No, I don't have a strong
6 opinion about Mr. Trump, but politically I have a similar
7 answer, for some things I am in favor, for things I am not
8 in favor, but definitely something that everybody
9 collectively has those same similar not viewpoints, but
10 opinions.

11 MS. NECHELES: Sure, sure.

12 Could you set any of that aside whatever?

13 PROSPECTIVE JUROR: All of it aside, yes.

14 MS. NECHELES: Promise me that?

15 PROSPECTIVE JUROR: I can promise you that.

16 MS. NECHELES: Do you post about him?

17 PROSPECTIVE JUROR: I do not.

18 MS. NECHELES: You could be fair in this case?

19 PROSPECTIVE JUROR: Yes.

20 MS. NECHELES: Mr. 496, do you have opinions about
21 President Trump?

22 PROSPECTIVE JUROR: I mean he was our president,
23 pretty amazing, he is a business man in New York, he has
24 forged his way, you know, he made kind of history in terms
25 of like where he started and where he has become, that sort

1 of thing, so I am a bit impressed with that.

2 So to be clear, I started as an entrepreneur as
3 well and worked pretty hard in my life and made a lot of
4 things happen, just as he has, so I see that as a positive
5 thing.

6 MS. NECHELES: I appreciate that.

7 Could you set aside any feelings that you have
8 about him and judge this case fairly?

9 PROSPECTIVE JUROR: Of course.

10 MS. NECHELES: Do you post about him at all?

11 PROSPECTIVE JUROR: No.

12 MS. NECHELES: You feel that you could judge this
13 case fairly?

14 PROSPECTIVE JUROR: Fair, absolutely.

15 MS. NECHELES: 423.

16 PROSPECTIVE JUROR: Same question?

17 MS. NECHELES: Yes.

18 PROSPECTIVE JUROR: I don't really know a lot
19 about business, so I don't know about Mr. Trump in that
20 state. I do not agree with a lot of his politics and his
21 decisions as a president, but I have really taken the past
22 two days to reflect and make sure that I could leave that at
23 the door and be a totally impartial juror, and I feel like I
24 can.

25 MS. NECHELES: What do you feel like you have to

1 leave at the door, what are your feelings?

2 PROSPECTIVE JUROR: I mean there is so much
3 information about him everywhere. So whether no matter how
4 you feel you are seeing things online, friends or family or
5 anybody that has opinions about him, most people do because
6 of how popular, he was our president, everyone knows who he
7 is. So we have to leave them at the door, meaning I don't
8 know who this person is, I have zero opinions of them and
9 being able to be totally neutral in this.

10 MS. NECHELES: Do you post about him?

11 PROSPECTIVE JUROR: No, I try to stay away from
12 politics on social media.

13 MS. NECHELES: Do you think you could be fair?

14 PROSPECTIVE JUROR: A hundred percent.

15 MS. NECHELES: Have people spoken to you about him
16 or have things been said?

17 PROSPECTIVE JUROR: Obviously when he was
18 president like everyone was kind of talking about politics
19 when he was president throughout his presidency, so I have
20 definitely had conversations with friends and family just
21 while that was happening. But it is not something that
22 happens now that he is not president. But obviously when he
23 was.

24 MS. NECHELES: Do you feel like you will be
25 pressured from people you know or feel any pressure to judge

1 this case one way or the other?

2 PROSPECTIVE JUROR: Not at all.

3 Obviously we cannot talk about it to anyone, so I
4 would make sure that I was not saying anything to anybody
5 and not think of anything other than the facts being
6 presented.

7 MS. NECHELES: Thank you.

8 We already spoke so I will skip over you and go to
9 juror 430.

10 PROSPECTIVE JUROR: 742.

11 MS. NECHELES: 742.

12 Do you have any strong opinion about President
13 Trump?

14 PROSPECTIVE JUROR: Not strong opinion about him
15 personally, no.

16 MS. NECHELES: But you have an opinion?

17 PROSPECTIVE JUROR: I think about certain
18 policies, yes, both in favor of some and against others,
19 like I have that with any politician.

20 MS. NECHELES: What is your opinion?

21 PROSPECTIVE JUROR: My personal opinion about
22 certain --

23 MS. NECHELES: Your personal or political opinion.
24 I am not asking you who you are voting for.

25 PROSPECTIVE JUROR: Personally I find myself to be

1 quite centric, I know a lot of people say that. I think to
2 the extent I think what I have done, I really don't know, I
3 am a pretty balanced person. I surround myself with people
4 on both sides of the aisle, you know, on some things I may
5 lean more one way or.

6 I really don't think this case is about my
7 personal politics, this case is ultimately about the
8 evidence and facts presented, so that's what is going to
9 determine how I view the defendant, not --

10 MS. NECHELES: I understand that right now we are
11 trying to understand what your feelings about him might be,
12 I thought you said when you were answering questions that
13 you did have an opinion about him.

14 PROSPECTIVE JUROR: Yeah, the same way I do for
15 most politicians, I have an opinion about any public figure,
16 it does not necessarily mean it is all one negative or all
17 positive.

18 MS. NECHELES: I was trying to understand what
19 your opinion of him was.

20 PROSPECTIVE JUROR: I mean I think, uhm, I think
21 sometimes similar to what one of the jurors said, sometimes
22 the way he may carry himself in public leaves something to
23 be desired.

24 At the same time, I can relate to sometimes being
25 a bit unfiltered, so that is something that, you know,

1 sorry. I just have to think of it, really at the same time
2 I see him speak to a lot of people in America, I think there
3 is something to be said about that.

4 Part of my schooling, I went to Massachusetts, to
5 Missouri, I think that in doing that I have seen people on
6 all sides of the political spectrum and learned to
7 appreciate that diversity, I learned to appreciate democracy
8 and representing somewhat different when it comes to
9 different political opinions. Which again, I feel are not
10 dispositive or will not be dispositive of my personal view
11 of this case.

12 I do want to say unfortunately my family
13 background comes from totalitarian regimes, so I am like the
14 number one kind of person, I like to say to really
15 appreciate that everybody needs a chance, regardless of who
16 they are, to be proven like innocent until proven guilty. I
17 think you see it too much in my own family background,
18 people being sent to prison without a fair trial. I really
19 firmly disagree with that.

20 MS. NECHELES: I appreciate that.

21 Because I want to end my questions with that, for
22 each of you I will ask each of you, you have heard
23 throughout this case that the government carries the burden
24 of proving this case beyond a reasonable doubt for each and
25 every count, and for each and every element as the judge is

1 going to explain them to you. So I will ask you that at the
2 end of the case if the government has failed to meet that
3 burden, is there any reason why you would not be able to
4 return a verdict of guilty -- would you be able to return a
5 verdict of not guilty at the end of the case.

6 PROSPECTIVE JUROR: If they do not prove I will
7 not be returning a guilty verdict.

8 MS. NECHELES: You will return a verdict of not
9 guilty?

10 PROSPECTIVE JUROR: Absolutely.

11 MS. NECHELES: Would you be able to return a
12 verdict of not guilty?

13 PROSPECTIVE JUROR: I just want to say that I have
14 done that before too, I have served on juries and I have
15 gone both ways, and you have to listen to the law, the law
16 is the most important and valuable thing we have.

17 MS. NECHELES: Thank you.

18 Would you be able to return a verdict of not
19 guilty?

20 PROSPECTIVE JUROR: Absolutely.

21 PROSPECTIVE JUROR: Absolutely.

22 MS. NECHELES: Thank you.

23 PROSPECTIVE JUROR: Yes.

24 PROSPECTIVE JUROR: Yes.

25 PROSPECTIVE JUROR: Yes.

1 PROSPECTIVE JUROR: Yes.

2 MS. NECHELES: Thank you.

3 PROSPECTIVE JUROR: Yes.

4 PROSPECTIVE JUROR: Yes.

5 PROSPECTIVE JUROR: Yes.

6 PROSPECTIVE JUROR: Yes.

7 MS. NECHELES: Thank you.

8 PROSPECTIVE JUROR: Yes.

9 PROSPECTIVE JUROR: Yes.

10 PROSPECTIVE JUROR: Yes.

11 PROSPECTIVE JUROR: Yes.

12 PROSPECTIVE JUROR: Yes.

13 PROSPECTIVE JUROR: Yes.

14 MS. NECHELES: Thank you.

15 THE COURT: Thank you, Ms. Necheles.

16 Okay, the law permits the attorneys to take some
17 time to review their notes and make some decisions. I will
18 ask you all to step out and follow the instructions of the
19 officer.

20 Please remember all the instructions I said
21 before, do not discuss the case, put it out of your mind.

22 (Whereupon, the panel of prospective jurors left
23 the courtroom)

24 THE COURT: You can start making your decisions, I
25 will bring down the next panel, but you can start making

1 your decisions.

2 MR. STEINGLASS: I am sorry?

3 THE COURT: I am waiting for the next panel to be
4 bought in.

5 MR. STEINGLASS: So we can talk?

6 THE COURT: You can talk.

7 (Whereupon, there was a pause in the proceedings)

8 THE COURT: Can you please take your seats, the
9 panel is coming in.

10 THE SERGEANT: Panel entering.

11 (Whereupon, the new panel of prospective jurors
12 entered the courtroom)

13 THE COURT: Counsels, please approach.

14 (Whereupon, there was a side-bar discussion
15 outside the presence of open court as follows:)

16 THE COURT: So there is a person in the jury box
17 who used to work not for the Court, she used to work for the
18 Veterans Affairs related to the veterans court that I
19 preside over. So it was her job to coordinate participants
20 with benefits.

21 I don't know her personally, I have not spent any
22 time with her personally, but she worked with the Court for
23 a few years.

24 Is that objectionable to anyone?

25 MR. STEINGLASS: No.

1 MR. BLANCHE: No.

2 THE COURT: Thank you.

3 (The following took place in open court)

4 COURT CLERK: Can all the prospective jurors
5 please stand and raise your right hand.

6 Do you solemnly swear or affirm that you will
7 truthfully answer all questions put to you relative to your
8 qualifications to serve as jurors in the case of the People
9 of the State of New York against Donald J. Trump, do you
10 swear or affirm?

11 ALL PROSPECTIVE JURORS: Yes.

12 COURT CLERK: You may be seated.

13 Thank you.

14 THE COURT: Good afternoon, Jurors.

15 Welcome to New York County Supreme Court Part 59.
16 My name is Juan Merchan, I am the judge presiding over this
17 matter.

18 I know you have all been waiting around since this
19 morning, waiting for some direction. Rather than keeping
20 you waiting any longer, I asked that you be brought in so we
21 can swear you in and you can go home now and not come back
22 until tomorrow morning. I will need you at about 11:30 in
23 the morning.

24 Before I excuse you, I do want to give you some
25 instructions regarding this case.

1 I ask you please not to discuss this case either
2 among yourselves or with anyone else.

3 Do not at any time during the trial request,
4 accept, agree to accept or discuss with any person the
5 receipt or acceptance of any payment or benefit in return
6 for supplying any information concerning the trial.

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

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

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

18 I emphasize in addition to not conversing
19 face-to-face with anyone about the case, you must not
20 communicate with anybody about the case by any other means,
21 including by telephone, text messages, E-mail, blogs, social
22 websites and the like.

23 You must not provide any information about the
24 case to anyone by any means whatsoever, that includes
25 posting of information about the case, what we are doing on

1 the case, on any device or on the internet, including blogs,
2 chat rooms, social websites or any other means.

3 Also do not Google or otherwise search for any
4 information about the case, or the law which applies to the
5 case, or the people involved in the case, including the
6 attorneys, witnesses and myself.

7 I would like to start at 11:30 tomorrow morning,
8 so you will need to arrive before that. I know the officers
9 will give you some more specific instructions as to what
10 time to get to the building so you can all get here at
11 11:30.

12 Thank you for your patience.

13 You can ask the question outside.

14 THE SERGEANT: You can step this way.

15 (Whereupon, the panel of prospective jurors left
16 the courtroom)

17 (Whereupon, Senior Court Reporter Vikki Benkel was
18 relieved by Principal Court Reporter Susan Pearce-Bates)

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1 (Continued from the previous page.)

2 THE COURT: Counsel do you need a few minutes?

3 MR. BLANCHE: Yes.

4 (Short recess is taken.)

5 THE COURT: Counsel, how are you doing?

6 Are you ready, or do you need another minute?

7 MR. STEINGLASS: Ready.

8 THE COURT: People ready?

9 MR. STEINGLASS: We are ready.

10 MR. BLANCHE: Your Honor, we are ready for cause.

11 If we can have one minute after we do the cause?

12 THE COURT: You can have a minute or two after
13 you do the cause.

14 So we started the day with seven. Unfortunately,
15 we lost two. So we are down to five.

16 The first two seats that we are going to fill are
17 seat number two and seat number four and then jump up to
18 number eight.

19 We are looking at seven seats, one through seven.

20 One through seven only, People, are there any
21 challenges for cause?

22 MR. STEINGLASS: Yes. Seat number one.

23 THE COURT: You need to put on the record why.

24 MR. STEINGLASS: Number one stated that she could
25 not be fair. That she had heard so much about this case.

1 That she would not be able to put it aside and she was just
2 fairly clear that she could not give us an assurance that
3 she could do that.

4 THE COURT: Do you agree?

5 MS. NECHELES: Yes, Your Honor. We agree.

6 THE COURT: Granted challenge to causes number
7 one.

8 And any other in the seven.

9 MR. STEINGLASS: No.

10 THE COURT: The defendant, any challenges for
11 cause through seven.

12 MS. NECHELES: Yes. We would also challenge
13 number four.

14 First of all, while she says we only met once 15
15 years ago, it might have been 15 years ago, but she stayed
16 at my house one night. I was friendly with her husband.
17 She and her kids and her husband stayed at my house.

18 She said she'll talk to her husband throughout
19 this trial.

20 THE COURT: Is that what she said?

21 I thought she said she would not.

22 MS. NECHELES: I thought she said she would.

23 THE COURT: Let's bring in seat number four.

24 That would be 675.

25 She can use the podium.

1 COURT OFFICER: Judge, what was the number?

2 THE COURT: 675.

3 Are there any other issues with her that you want
4 to bring up before we bring her in?

5 MR. BOVE: Yes.

6 MS. NECHELES: Well, Your Honor, let me just move
7 on to the next person.

8 THE COURT: 675.

9 MS. NECHELES: Her husband's article, really
10 is -- it talks about President Trump.

11 He says, books about Trump, his presidency and
12 his associates tend to be chronical sub-crimes,
13 misdemeanors, outrages and transgressions without much
14 analysis, and such.

15 For her husband to be talking about how -- books
16 about our client are about crimes, it's disturbing. It's
17 very --

18 THE COURT: Now, was that a book that he wrote?

19 MS. NECHELES: In a book review.

20 THE COURT: What book was he reviewing?

21 MS. NECHELES: Maggie Haberman's book.

22 THE COURT: And would you say that your
23 friendship was more with the husband than with her?

24 MS. NECHELES: Absolutely. Absolutely. And I
25 haven't seen him in years, so --

1 COURT OFFICER: Prospective juror entering.

2 (Prospective juror entered the courtroom.)

3 THE COURT: Hi. Thank you for coming back in.

4 I just have a couple of follow-up questions for
5 you.

6 One has to do, can you tell me a little bit more
7 about your friendship, if any, that you had with Ms.
8 Necheles and your husband's friendship with Ms. Necheles?

9 I want to understand that better.

10 PROSPECTIVE JUROR: About 15 years ago, I met her
11 through my husband. They are both lawyers. At the time --
12 I believe at the time he was at a firm and we went and
13 stayed at her house.

14 THE COURT: Okay. After that, or other than
15 that, have you spent any time with her?

16 PROSPECTIVE JUROR: No, and I don't think I would
17 have recalled the connection if he hadn't reminded me.

18 THE COURT: So is there anything about that
19 interaction that you had that would affect your ability to
20 be fair and impartial?

21 PROSPECTIVE JUROR: Not at all.

22 THE COURT: Turning to your husband's work. I am
23 trying to remember what you said exactly about what he has
24 written or not written about Mr. Trump.

25 I think you said he may have written -- I don't

1 want to put words in your mouth, so why don't you tell us
2 what you said.

3 PROSPECTIVE JUROR: He is general counsel of a
4 company and he also writes for a publication and he mostly
5 does book reviews.

6 And I have been thinking since she asked me that
7 question, he must have said something. So I have been
8 trying to remember what that is. And he did a review of
9 Maggie Haberman's book, so I assume that's what she is
10 referring to.

11 THE COURT: Now, when he does the review, the
12 book is not his opinion, right; the review is his opinion,
13 not the book itself?

14 PROSPECTIVE JUROR: Right, correct.

15 THE COURT: Have you discussed his opinions about
16 Mr. Trump and how he feels about Mr. Trump? Have you
17 discussed that with him?

18 PROSPECTIVE JUROR: We talk about policies all
19 the time, of course. About this case, no.

20 THE COURT: Is there anything about your
21 husband's opinions or conversations that you have had with
22 your husband in the past about Mr. Trump that would affect
23 your ability to be fair and impartial in this case?

24 PROSPECTIVE JUROR: No.

25 THE COURT: Is there anything in your mind, any

1 doubts you have, whatsoever, about your ability to sit here
2 in this case, listen to the evidence and return a verdict
3 that's consistent with the facts and the law?

4 PROSPECTIVE JUROR: No. I should say I work in
5 publishing also and I have published voices on both sides.
6 So I do believe everyone deserves a voice.

7 THE COURT: Any follow-up questions?

8 MR. STEINGLASS: No.

9 THE COURT: Any follow-up questions?

10 MS. NECHELES: No.

11 THE COURT: Thank you. You can step out.

12 (Prospective juror is excused.)

13 THE COURT: Well.

14 MS. NECHELES: Judge, I would renew the objection
15 to it. I mean, it's awkward. I never seen a case where
16 somebody who didn't know of the lawyers be dismissed, I
17 mean --

18 THE COURT: That's not grounds.

19 MS. NECHELES: But, in addition to that --

20 THE COURT: She doesn't really know you.

21 She said she met you once about 15 years ago,
22 spent the night with the kids. That's it.

23 MS. NECHELES: But I know her husband very well
24 at the time.

25 THE COURT: He is not on the jury.

1 MS. NECHELES: I understand but the first thing
2 she did when she got on the case was call her husband.

3 THE COURT: How do you know that?

4 MS. NECHELES: She just said it.

5 THE COURT: No. What she said was she spoke to
6 her husband about the case and she knows that you are on
7 it. She didn't say that she did that today.

8 MS. NECHELES: It had to be on today because she
9 didn't know I was on it until she sat on the jury.

10 THE COURT: Everybody knows you have been on this
11 case for months.

12 MS. NECHELES: Your Honor, when she first sat
13 down, she didn't remember me until her husband reminded her
14 and her husband knew I was on the case. She didn't
15 remember my name.

16 THE COURT: And then when she spoke to her
17 husband today and he told her that you were on the case.

18 MS. NECHELES: Right. When she was sitting there
19 she called her husband. I don't blame her for it. She
20 called her husband.

21 And then he said, oh, remember you know her. You
22 know Susan Necheles.

23 THE COURT: She had to be reminded of that, yes.

24 Your challenge for cause is denied.

25 Any other than seven?

1 MS. NECHELES: Seat number 11?

2 THE COURT: We are just going through seven right
3 now.

4 MS. NECHELES: Just one through seven. I am
5 sorry.

6 THE COURT: People peremptory challenges, one
7 through seven?

8 MR. STEINGLASS: I am ready to do that. I
9 thought they needed a minute.

10 THE COURT: I am sorry. Do you need a minute?

11 MR. BLANCHE: I am sorry. Yes.

12 (Short recess is taken.)

13 THE COURT: Ms. Necholes, how are we doing?

14 The people, one through seven, any peremptory
15 challenges.

16 MR. STEINGLASS: Yes, Judge, number six, B784.

17 THE COURT: Is that it?

18 MR. STEINGLASS: Yes.

19 THE COURT: All right.

20 Through seven, any peremptory challenges for the
21 defense?

22 MS. NECHELES: Yes, Your Honor. We strike seat
23 two, B502; seat four, B675 and seat five, B680.

24 THE COURT: Okay. So that means that seat number
25 three, B565 becomes juror number two. Okay.

1 Looking at seats -- I am sorry. And seat seven
2 becomes juror number four.

3 So the next seat that we fill is seat eight.

4 The seats eight through twelve, any challenges
5 for cause from the People, eight through twelve?

6 MR. STEINGLASS: No judge.

7 THE COURT: The defense for counsels.

8 MS. NECHELES: Yes, Judge. Seat number 11. If I
9 can pass this up and I will give it to the people as well.

10 THE COURT: Sure.

11 MS. NECHELES: One for the Court and one for the
12 People.

13 These are all from her social media, except for
14 the last page, which is her husband's social media.

15 THE COURT: Okay.

16 MS. NECHELES: And, Your Honor, we specifically
17 asked about social media. She said she stopped posting in
18 2020 and I believe she said because of COVID. She said it
19 didn't seem nice to post anymore given that we had a crisis
20 in the country.

21 And she said she only posted about politics, but
22 these posts are vitriol.

23 This woman harbors, at least until 2020 when she
24 stopped posting because of COVID, not because she started a
25 liking President Trump, but only because of COVID.

1 She harbors a deep hatred for him.

2 She wrote things like, that you need to protect
3 this country to stop the election of a racist, sexist
4 narcissist.

5 She said that -- that was the first post that we
6 have here.

7 She said that, I wouldn't believe Donald Trump if
8 his tongue were notarized.

9 This is a woman who is going to be judging if he
10 testifies on his truth or not, failure to tell the truth.

11 And then the final post, there are a number of
12 others. I am not reading them all. But the final one by
13 her in 2020, she said -- posts that, something that she is
14 quoting someone else, it says, Trump is an anathema to
15 everything I was taught to love about Jesus, everything I
16 was taught about how to live out my faith.

17 His disdain for decency, disrespect toward basic
18 tenets of right and wrong and complete disregard for the
19 most vulnerable amongst us could not be more fundamentally
20 un-Christian.

21 She then goes on, so, there is no question that
22 these are -- this is as strong language as you can get
23 about her dislike for President Trump. And I submit that
24 this is not a person who could be fair.

25 THE COURT: All right. I just want to make sure

1 we are looking at the same things.

2 So, the first page that you gave me has a post
3 from 2016 and another post from 2016, right?

4 MS. NECHELES: Yes.

5 THE COURT: And the next page has a post from
6 2016 and one from 2017?

7 MS. NECHELES: That's correct.

8 THE COURT: The next page is from 2016. I am not
9 reading them. I don't know what they say yet. I am just
10 looking at the dates.

11 And then there is one from 2018, one from 2019.
12 I see one February 1, 2020.

13 MS. NECHELES: And then the next page is her post
14 as well that's from, I believe, 2024, from a post she
15 posted about the latest that --

16 THE COURT: Why don't you let me make a record of
17 what I am seeing.

18 So I see a date February 6th. I don't see the
19 year. I assume it was this year. I am making that
20 assumption.

21 It says, next stop SCOTUS, but still. It is an
22 imagine of a black imagine BBC News. And it says, Donald
23 Trump has no presidential immunity from election fraud
24 charges, court rules. Live updates.

25 And then after that there is one that is dated

1 February 6th. I don't see anything here, so I am going to
2 assume it's 2024.

3 MS. NECHELES: It is the same article.

4 THE COURT: So it says here, court denies Trump's
5 presidential immunity claims.

6 A US court ruled Donald Trump does not have
7 presidential immunity.

8 That means he can be prosecuted on charges of
9 plotting to overturn the 2020 election.

10 The three judge ruling says Trump's stance, and
11 it's a summary of a decision.

12 Is there anything I am missing there that is
13 offensive language or inflammatory?

14 MS. NECHELES: No. The language that shows a
15 view on this comes more on the page before where she said,
16 next stop SCOTUS.

17 But, still, you know, she is happy with this
18 decision. This is a good decision. Next stop SCOTUS.

19 THE COURT: Now, I am looking at a post from
20 2021, May 28, 2021, it says there is no center between
21 reality and the GOP cult. Refusing to abolish the
22 filibuster is essentially a vote to allow Trump's mob to
23 decide America's future.

24 And that's what I see. The language that you
25 were referring to earlier that sounded pretty extreme,

1 which post is that from? What year?

2 MS. NECHELES: First from 2016. That's where she
3 talks about a racist, sexist, narcissist.

4 THE COURT: Is that on the first page?

5 MS. NECHELES: That's the first page.

6 THE COURT: Down at the bottom?

7 MS. NECHELES: Yes.

8 THE COURT: Just give me a second to read it,
9 please.

10 Okay. And the next one.

11 MS. NECHELES: The next one is the next page.
12 The bottom tweet.

13 THE COURT: That is the one from 2017.

14 I wouldn't believe Donald Trump if his tongue
15 were notarized.

16 This is a fascinating glimpse into what it must
17 have been like dealing with T-Rump in his earlier days. I
18 love the description of the planned phone call interrupting
19 the meeting. Okay.

20 And I am going back to the first page. I am
21 trying to find language.

22 MS. NECHELES: It's in the second to the bottom
23 line, Your Honor.

24 THE COURT: All right.

25 So it is a fairly lengthy paragraph and near the

1 bottom it says, it is certainly a broken system. And we
2 badly need electoral reforms like campaign finance
3 restrictions, run-off, voting, et cetera.

4 But in the meantime, let's be civil and try to
5 protect the rights of the many at risk should we fail to
6 stop the election of a racist, sexist, narcissist. Okay.
7 That's it from this Bernie Gal.

8 Okay, People.

9 MR. STEINGLASS: What we would point out, Judge,
10 is unlike juror from yesterday, or from Tuesday, who said
11 that Mr. Trump should be locked up, this is certainly
12 anti-Trump rhetoric, but it is old. And the juror said
13 that post-COVID she has mellowed quite a bit both in terms
14 of what she posts and how she feels.

15 I think it's worth bringing her back in to just
16 get a better since before we make a decision.

17 THE COURT: Let's bring juror B430 back, please.

18 MR. STEINGLASS: And maybe to confirm that it is
19 her.

20 THE COURT: Ms. Necheles, do you have another
21 copy we can hand her?

22 MS. NECHELES: No. I marked up my copy. I don't
23 have another copy.

24 THE COURT: Mine is not marked up. I will hand
25 mine up.

1 MS. NECHELES: Your Honor, I would just note one
2 other thing, the events in this case were all when she is
3 posting. That part that you just read about her strong
4 feelings about we need election reform and campaign reform
5 is at the exact time that we are talking about the campaign
6 violation.

7 THE COURT: But nobody knew about it then, right?

8 MS. NECHELES: That's when she is -- this is a
9 woman who is saying, I have strong feelings and posting.

10 THE COURT: We are going to talk to her about it.

11 LIEUTENANT: Juror entering.

12 (Prospective juror entered the courtroom.)

13 THE COURT: Good afternoon.

14 Thank you for coming back in.

15 We just want to follow-up with some additional
16 questions regarding some of your posts online in the past.

17 Do you have a copy in front of you.

18 PROSPECTIVE JUROR: Do you have a copy of the
19 posts?

20 THE COURT: You are being handed a copy now.

21 PROSPECTIVE JUROR: Thank you.

22 THE COURT: In some of these posts, let's begin
23 with the first page, the bottom article?

24 PROSPECTIVE JUROR: Yeah, hold on a second. I
25 need to get my glasses out. Okay.

1 THE COURT: Sure.

2 PROSPECTIVE JUROR: Apologies.

3 THE COURT: That's okay.

4 So I am looking at the one on the bottom.

5 PROSPECTIVE JUROR: Yes. Okay.

6 THE COURT: First, are these your posts?

7 PROSPECTIVE JUROR: Well, that's my picture.

8 This dates back to 2016.

9 THE COURT: Do you remember making these posts?

10 PROSPECTIVE JUROR: No, I don't, but let's see.

11 THE COURT: Well, I would like to direct your
12 attention to the one on the bottom.

13 If you can just read the bottom portion of it or
14 I can read it and you can follow with me.

15 Beginning with, it is certainly, do you see that
16 part?

17 Four lines from the bottom?

18 PROSPECTIVE JUROR: It is certainly a broken
19 system, yes.

20 THE COURT: Why don't you go ahead and read that.

21 PROSPECTIVE JUROR: It was certainly a broken
22 system and we badly needed electoral reforms like campaign
23 financing restrictions, run-off voting, etc. And in the
24 meanwhile let's be civil and try to protect the rights of
25 the many at risk should we fail to stop the election of a

1 racist, sexist, narcissist. Oops. That sounds bad.

2 Thanks guys.

3 Okay. Okay. That is from -- that is from a
4 Bernie Gal piece.

5 THE COURT: It is from a what?

6 PROSPECTIVE JUROR: A Bernie Gal. I was
7 responding to comments about Bernie Bros at the time.

8 THE COURT: So who is Bernie Gal?

9 PROSPECTIVE JUROR: Me. I was a Sanders
10 supporter at that time.

11 THE COURT: Those are pretty strong sentiments?

12 PROSPECTIVE JUROR: Yes, they were.

13 THE COURT: I am sure you can appreciate how if
14 you are sitting at the defense table you would be
15 concerned.

16 PROSPECTIVE JUROR: Yes, I can understand.

17 THE COURT: Can you tell us, help us understand
18 what you were thinking?

19 PROSPECTIVE JUROR: They are strong words and I
20 do feel I was in a -- I was in a disturbed frame of mind
21 during that election cycle.

22 I was very concerned. I do not -- I do not hold
23 those -- I do not hold those positions today.

24 THE COURT: Okay.

25 If you can look at the section, the next page,

1 the second post.

2 PROSPECTIVE JUROR: Oh gosh. Okay. Let's see.

3 THE COURT: The first sentence says, I wouldn't
4 believe Donald Trump if his tongue were notarized, from
5 2017.

6 Do you remember that one?

7 PROSPECTIVE JUROR: No. Honestly, that is a long
8 time ago.

9 THE COURT: All right. So most of it --

10 PROSPECTIVE JUROR: They are very negative posts.

11 THE COURT: Except for the last two appear to be
12 about 2/20 or prior to 2/20.

13 PROSPECTIVE JUROR: Well, they are from the 2016,
14 20 -- it's the last election cycle.

15 THE COURT: If you could look at the very last
16 one. The one from November 30, 2021.

17 PROSPECTIVE JUROR: Yes. Pardon me, so this is
18 the very last BBC News.

19 THE COURT: Yes. I can hold it up.

20 There is no center.

21 PROSPECTIVE JUROR: This is a meme, yes.

22 THE COURT: Do you remember posting that one.

23 PROSPECTIVE JUROR: No.

24 THE COURT: Okay. So you refer to Defendant's
25 followers as a mob?

1 PROSPECTIVE JUROR: Well, hold on a second.

2 MS. NECHELES: I am sorry. I believe that's her
3 husband. The one before that is her's.

4 PROSPECTIVE JUROR: And I can't vouch for what he
5 said.

6 MS. NECHELES: The one before that is from 2024.

7 THE COURT: So the one before that, it deals with
8 presidential immunity claims, right?

9 PROSPECTIVE JUROR: I am sorry, guys. I am
10 trying to cooperate. It's just that I am a little
11 confused.

12 THE COURT: It is a little confusing.

13 Do you see the BBC post?

14 PROSPECTIVE JUROR: I see. Okay. So the
15 presidential immunity thing?

16 THE COURT: Yes.

17 PROSPECTIVE JUROR: Yeah, I don't believe in
18 presidential immunity, but that's a different case, as I
19 understand it.

20 And I said the next court, stop Supreme Court,
21 which I think is an interesting political situation.

22 I mean, I am just interested to see how the
23 Supreme Court handles that.

24 THE COURT: All right. So, as you stand here
25 today --

1 PROSPECTIVE JUROR: Yes.

2 THE COURT: In 2024, how do you feel about
3 Mr. Trump and, specifically, can you give us an assurance
4 that if you were to be selected on this jury that you could
5 be fair and impartial and set aside these -- these were
6 pretty strong views.

7 PROSPECTIVE JUROR: Yeah.

8 THE COURT: How can you give me an assurance that
9 you will be a fair and impartial juror if you are selected
10 for this case?

11 PROSPECTIVE JUROR: Well, first of all, I would
12 like to say that, electoral politics can get pretty spicy.
13 And Mr. Trump can get pretty spicy with his politics
14 sometimes too.

15 And I actually feel I should apologize for some
16 of the tone in my posts. And as I mentioned, I have
17 stopped making such harsh political posts because I have
18 sort of dialed back that.

19 I don't think it's appropriate.

20 But, and I did have some strong feelings about
21 the politics at that time. However, I, in my core, believe
22 that everybody is entitled to a fair trial.

23 Everybody in this country needs to be seen as a
24 human being before the law. And we are all vulnerable and
25 we can all be accused of things. We all need to be able to

1 be innocent until proven guilty.

2 And also, nobody is above the law. So I see both
3 sides of that. I certainly can understand the concern of
4 the defendant's counsel.

5 THE COURT: And just to be clear, the post that
6 we are referring to right now with the strong language,
7 that was from July 26, 2016.

8 PROSPECTIVE JUROR: Yeah.

9 THE COURT: So we are coming up on eight years on
10 that?

11 PROSPECTIVE JUROR: Yes.

12 THE COURT: Any follow-up?

13 MS. NECHELES: Thank you for your honesty.

14 PROSPECTIVE JUROR: Thank you.

15 MS. NECHELES: So, given that this trial is about
16 the things that occurred during the election cycle when you
17 were obviously so upset about President Trump being
18 elected, and so concerned about it, do you have any doubt
19 at all in your mind that you could be -- that that wouldn't
20 color your perception of things?

21 PROSPECTIVE JUROR: Well, I feel like on some
22 level I have to hold myself to a higher standard because I
23 need to make sure that it is not coloring my mind.

24 I think you have to look at the facts, ma'am,
25 just the facts. And the facts will either be convincing or

1 they won't be convincing, the facts as presented.

2 I -- I feel that on my honor, I would have to be
3 fair and not be judging with a bias against anyone who I
4 would be on a jury to look at the facts with, so.

5 MS. NECHELES: So at this point my other question
6 for you is, I know we have all learned to be nicer on the
7 internet.

8 PROSPECTIVE JUROR: Yes.

9 MS. NECHELES: But I don't know whether that
10 means that you have changed your views.

11 You know, I hear you saying that you are not
12 going to, that you don't want to be saying those kinds of
13 things publicly anymore.

14 PROSPECTIVE JUROR: Uh-hum.

15 MS. NECHELES: But you had really strong
16 opinions.

17 Have you changed your view?

18 PROSPECTIVE JUROR: Yes, I have changed some of
19 those views significantly. I would say I withdraw the
20 term, racist.

21 I would say that sometimes there have been
22 behaviors that I have not approved of by President Trump
23 towards females, but that is not what this is about.

24 It is my understanding -- it is not about me
25 judging him ethically, his ethics, or personal business.

1 I think there is -- politicians often get judged
2 for the ethics in ways that normal people wouldn't be and I
3 don't think that's particularly fair.

4 MS. NECHELES: Also, one of your views was he is
5 a liar and you wouldn't believe anything he said.

6 Have you changed that view?

7 PROSPECTIVE JUROR: I believe that President
8 Trump is swearing in the court and is going to tell us the
9 truth. He is going to tell us the truth.

10 I would not -- there have been times when I have
11 not believed things that he has said at speeches and
12 rallies. That's just the honest truth.

13 I think in a courtroom situation, we are doing a
14 courtroom situation.

15 THE COURT: All right, Ms. Necheles. Thank you.

16 PROSPECTIVE JUROR: Thank you.

17 (Prospective juror is excused.)

18 THE COURT: The People, do you want to be heard
19 on this.

20 MR. STEINGLASS: Judge -- no, judge. I think her
21 answers speaks for themselves.

22 THE COURT: All right. I think that this is a
23 close call. I think that I could easily find that she is
24 actually quite credible and she apologized to Mr. Trump.

25 But I think that viewed as a whole, viewed in its

1 totality, I don't think that we need to take a chance with
2 this juror and I am going to grant the challenge for cause
3 to number 11.

4 Those are pretty strong views that she expressed.
5 That is not to say that everyone that expresses strong
6 views needs to be excused for cause. I am just looking at
7 it as a whole.

8 So that's it through 12 for cause?

9 MS. NECHELES: Yes, Your Honor.

10 THE COURT: People. Peremptory challenges, eight
11 through 12.

12 MR. STEINGLASS: Number nine, B555.

13 THE COURT: Is that it.

14 MR. STEINGLASS: Yes, Judge.

15 THE COURT: How about for the defense?

16 I believe you have one peremptory challenge left.

17 MS. NECHELES: Your Honor, can we have a minute?

18 (Defense counsel confer.)

19 MS. NECHELES: Your Honor, we would strike juror
20 number ten.

21 THE COURT: Okay, juror number ten.

22 And that's your last strike.

23 MS. NECHELES: 742.

24 MR. BLANCHE: Juror number ten was.

25 THE COURT: 742.

1 All right. So that means seat number eight
2 becomes juror number eight. And seat number 12 becomes
3 juror number nine.

4 Looking at seat 13 -- is there something wrong?

5 MR. BOVE: I have seat nine.

6 THE COURT: For seat 12, becomes juror number
7 nine, right?

8 MS. HOFFINGER: Yes.

9 MR. BLANCHE: Yes, that's right.

10 THE COURT: Looking at seats 13 through 15, any
11 challenges for cause from the People.

12 MR. STEINGLASS: No.

13 THE COURT: Cause from the defense?

14 MS. NECHELES: No.

15 THE COURT: No. People any peremptory
16 challenges?

17 MR. STEINGLASS: I am confirming that we used
18 eight peremptories, correct?

19 That's your understanding as well?

20 THE COURT: Yes.

21 MR. STEINGLASS: We are doing 13 through 15.
22 Can we have one minute, please?

23 THE COURT: Sure.

24 (Counsel confer.)

25 MR. STEINGLASS: All right.

1 THE COURT: Okay.

2 MR. STEINGLASS: Okay. Thank you, judge.

3 THE COURT: Sure.

4 MR. STEINGLASS: We are going to strike number --
5 seat number 13, juror 496.

6 THE COURT: Okay.

7 MR. STEINGLASS: And seat number 15, juror 744.

8 THE COURT: Okay. So seat 14, number 789, is
9 juror number ten.

10 And we are looking at those two seats now, seats
11 sixteen and seventeen.

12 Any challenges for cause from the People?

13 MR. STEINGLASS: No.

14 THE COURT: Cause from the defense?

15 MS. NECHELES: Yes, Your Honor.

16 THE COURT: Which one.

17 MS. NECHELES: Juror number 16.

18 THE COURT: Okay.

19 MS. NECHELES: Your Honor, this woman said about
20 President Trump that she was selfish, self-serving. She
21 doesn't like his persona and I don't like him.

22 THE COURT: She said that amongst many other
23 things that she said.

24 MS. NECHELES: I think that while it is not as
25 strong language, this is current language. And I

1 appreciate her honesty. She starts off disliking him and
2 we respectfully submit that that person should not be on
3 the jury.

4 THE COURT: People.

5 MR. STEINGLASS: That's not close to a cause
6 challenge. If Your Honor has any concern we could bring
7 her back in to confirm this, but she was pretty clear that
8 what she was talking about, despite a lot of prompting, was
9 his persona.

10 That had nothing to do with the case. She was
11 very clear about that.

12 I mean, if the defendant were a skinhead, lots of
13 people wouldn't like his persona, but that wouldn't give
14 anybody who doesn't like skinheads a cause challenge.

15 THE COURT: Right. I think that we touched on
16 it. It took a lot of prompting to get those words out.

17 But more importantly, look, again, it doesn't
18 come down to whether she likes your client or not.

19 I am not done.

20 I preside over trials all the time involving
21 defendants who are not really likeable, gang members,
22 people accused of committing terrible acts of child sex
23 abuse, kingpin drug smugglers. And when you ask the
24 jurors, how do you feel about sex abusers, nobody says that
25 they like them.

1 So the issue here is not really whether they like
2 your client, but can they be fair and impartial.

3 I think she was adamant that she could be fair
4 and impartial.

5 (Whereupon Senior Court Reporter, Vincent
6 Gerald, III, relieved Principal Court Reporter, Susan
7 Pearce-Bates.)

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1 MS. NECHELES: Your Honor, I hear you, but I
2 think that the case is clear. I think that the difference
3 between what your Honor is saying and what the situation
4 that stands here is nobody likes a sex offender, but you
5 don't like the crime. Nobody likes when you learn in a
6 case as it's going along that--it's my client, but,
7 usually, it's not someone you particularly know--maybe he
8 acted despicable. That's stuff they learn in the case.
9 That's evidence they learn in the case that I have a chance
10 to fight back against. Here, we're talking about--and this
11 is exactly what Torpey talks about--people who come into
12 the case with preconceived notions about how they feel
13 about him. We won't have a chance to fight against that.

14 THE COURT: There's also a case that says that
15 it's understood and expected that everybody comes into
16 cases with opinions and preconceived ideas. If we
17 eliminated everybody who comes into a case having an
18 opinion or a preconceived idea, we would never be able to
19 pick a jury. There's case law that says that.

20 I'm denying your challenge for cause.

21 Seat number 16 becomes Juror number 11.

22 Seat number 17 becomes Juror number 12.

23 We have our jury.

24 Let's start to pick our alternates.

25 Looking at Seat 18, any challenge for cause by

1 the People?

2 MR. STEINGLASS: No.

3 THE COURT: For cause from the defense?

4 MR. BLANCHE: No.

5 THE COURT: Peremptory challenge, People?

6 MR. STEINGLASS: No.

7 THE COURT: Defense, peremptory challenge as to
8 Number 18?

9 (Counsel consulting with co-counsel)

10 (Pause in the proceedings)

11 MS. NECHELES: We're fine.

12 THE COURT: All right.

13 Seat number 18 becomes Alternate number 1.

14 Before we bring the jurors back in, I think we
15 have about 20, 21, 22, or something like that in the
16 audience. Just so you know, we're going to seat all of
17 them in the next round. We might have to have someone in
18 the front row move over, but we're going to put 18 in the
19 box and we'll put two, three, four, or whatever it is that
20 we have in the front row and we'll conduct our voir dire
21 for everybody that remains and see if we could get it done.

22 Let's bring the jurors back in, please.

23 MS. HOFFINGER: We're doing it this afternoon or
24 tomorrow?

25 THE COURT: I think we can sit them today and

1 then we'll move on.

2 MS. HOFFINGER: Okay.

3 THE COURT: Let's bring the jurors back in,
4 please.

5 (At this time, the panel of prospective jurors
6 entered the courtroom)

7 THE COURT: Welcome back, jurors.

8 The clerk of the court is going to call out a few
9 numbers. If your name is called, please come up with your
10 belongings and the court officer will show you where to
11 sit.

12 Please remember your seat. That's going to be
13 your seat for the remainder of the trial.

14 THE CLERK: Seat number 2, B-565.

15 Juror number 4, B-470.

16 Juror number 8, B-639.

17 Juror number 9, B-423.

18 Juror number 10, B-789.

19 Juror number 11, B-500.

20 Juror number 12, B-440.

21 Alternate 1, B-714.

22 THE COURT: Jurors, if you were in the jury box
23 and your number was not called, you're excused. Thank you
24 very much for your service. You're excused at this time.

25 If you were in the audience and you have not yet

1 had a chance to sit in the jury box, please remain in the
2 audience.

3 (At this time, the unselected prospective jurors
4 from the jury box exited the courtroom)

5 THE CLERK: Are the remaining jurors satisfactory
6 to the People?

7 MR. STEINGLASS: Yes, they are.

8 THE CLERK: To the defense?

9 MR. BLANCHE: Yes, your Honor.

10 THE COURT: Will the unsworn jurors please rise
11 and raise your right hand.

12 Do you solemnly swear or affirm that you will try
13 the case of The People of the State of New York against
14 Donald J. Trump in a fair and impartial manner and, to the
15 best of your ability, render a true verdict according to
16 the law and evidence? Do you swear or affirm?

17 (AFFIRMATIVE RESPONSE FROM JURORS)

18 THE COURT: Thank you.

19 Please have a seat.

20 Jurors, we're not quite done with jury selection.
21 We're going to continue that tomorrow.

22 I'm hopeful we will finish tomorrow. So, I'm
23 going to ask you to please come back on Monday morning
24 at 9:30. If everything goes according to plan, at that
25 time, you will hear my instructions at the start of the

1 trial and then you will hear opening statements.

2 You've heard me give you certain admonitions
3 several times today. I apologize, but I have to give them
4 to you again. It's very very important that you follow
5 these instructions:

6 Please do not discuss this case either among
7 yourselves or with anyone else.

8 Please continue to keep an open mind as to the
9 defendant's guilt or innocence.

10 Please do not form or express an opinion as to
11 the defendant's guilt or innocence.

12 Do not, at any time during the trial, request,
13 accept, agree to accept, or discuss with any person the
14 receipt or acceptance of any payment or benefit in return
15 for supplying any information concerning the trial.

16 You must promptly report directly to me any
17 incident within your knowledge involving any attempt by any
18 person to improperly influence you or any member of the
19 jury.

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

23 Do not attempt to research any fact, issue, or
24 law related to the case whether by discussion with others,
25 by research in the library or on the internet, or by any

1 other means or source.

2 I stress that you are not to talk face-to-face
3 with anyone about the case.

4 You must also not communicate with anyone about
5 the case by any other means including telephone,
6 text messages, e-mails, chat rooms, blogs, and social
7 websites.

8 You must not provide any information about the
9 case with anyone by any means whatsoever. That includes
10 the posting of information about the case or what you're
11 doing on the case on any device or internet site including
12 blogs, chat rooms, and social websites.

13 You must also not Google or otherwise search for
14 any information about the case, the law which applies to
15 the case, or the people involved in the case including the
16 attorneys, the witnesses, and myself.

17 On Monday, I expect that we will have our
18 12 jurors and we will also have six alternate jurors--18 of
19 you total. We can't start until every single one of you is
20 here. So, if you're going to be delayed for any reason,
21 give us a call and let us know. If you're going to be
22 delayed, let us know how long you're going to be delayed so
23 that we could let everybody else know.

24 When I say I want to get started here at 9:30, it
25 means you probably have to get to the building at about a

1 quarter to 9:00 or so. So, give yourself plenty of time.

2 Thank you.

3 Please follow the instructions of the officers.

4 (At this time, the sworn jurors exited the
5 courtroom)

6 THE COURT: Those of you that remain out in the
7 audience, we're not done with you.

8 We're going to call out every one of your numbers
9 right now. When your number is called, please come up.
10 You'll be shown to your seat.

11 We're doing this now, but we're not going to
12 actually start with the questionnaire this afternoon.
13 We're doing it now so that we could know where your seated
14 tomorrow and we could get started at 9:30 sharp.

15 Whatever seat you get this afternoon will be the
16 same seat that you have tomorrow.

17 Please listen for your number.

18 THE CLERK: Seat number 1, B-428.

19 Seat number 2, B-441.

20 Seat number 3, B-706.

21 Seat number 4, B-644.

22 Seat number 5, B-616.

23 Seat number 6, B-447.

24 Seat number 7, B-530.

25 Seat number 8, B-624.

1 Seat number 9, B-445.

2 Seat number 10, B-483.

3 Seat 11, B-647.

4 Seat 12, B-800.

5 Seat 13, B-456.

6 Seat 14, B-561.

7 Seat 15, B-557.

8 Seat 16, B-596.

9 Seat 17, B-588.

10 Seat 18, B-651.

11 Seat 19, B-468.

12 Seat 20, B-620.

13 Seat 21, B-662.

14 Seat number 22, B-763.

15 THE COURT: Jurors, these are your seats for

16 tomorrow. Try to remember where you're seated.

17 I really want to get started at 9:30 sharp and,

18 hopefully, we could get you out of here at a decent time.

19 Those of you in the audience, those are your

20 seats.

21 The plan is to go through the questionnaires

22 first thing tomorrow at 9:30. Then, you will hear from the

23 attorneys, just as you saw them do earlier today.

24 Again, in order for you to be here at 9:30, you

25 need to arrive around 8:30, 8:45.

1 Thank you.

2 Have a good night.

3 Please remember all of my instructions.

4 (At this time, the panel of prospective jurors
5 exited the courtroom)

6 THE COURT: Counsel, in case we get done tomorrow
7 picking our jury and there's some time left in the day, I
8 intend to have a Sandoval hearing at that time.

9 Is there anything else you wanted to go over?

10 MR. STEINGLASS: There's two things that I need
11 to put on the record--one brief, one mostly brief:

12 The brief one is I know your Honor had offered to
13 break early for counsel on Monday and Tuesday. I'm just
14 inquiring as to whether that's what we're going to do.

15 THE COURT: Yes. That's the request. We can do
16 that.

17 What we'll do is we'll work through lunch and
18 we'll break at 2:00.

19 MR. STEINGLASS: On both Monday and Tuesday?

20 THE COURT: On Monday and Tuesday. If that's the
21 request, we could do that.

22 Is that what you're asking?

23 MR. STEINGLASS: That is what I'm asking.

24 MR. BLANCHE: Yes.

25 (Counsel consulting with the People)

1 (Pause in the proceedings)

2 MR. BLANCHE: Let me just check one thing,
3 your Honor.

4 THE COURT: Sure.

5 (Counsel consulting with co-counsel)

6 (Pause in the proceedings)

7 MR. BLANCHE: Your Honor, Tuesday, for Mr. Stern,
8 it's a religious day all day. A half a day doesn't help.
9 It certainly helps other members of the team. Monday, we
10 very much would ask to do what you just said and break
11 after lunch. Tuesday, we would ask that we not sit. He
12 can't be here at all. That's our ask.

13 THE COURT: People, what's your position on that?

14 MR. STEINGLASS: I think we discussed this
15 already and filed a letter with our position. We'll leave
16 it to the Court.

17 THE COURT: I can appreciate that it's a holiday
18 the entire day for him, but it's not a court holiday. What
19 I'm doing is I'm trying to work with everyone by breaking
20 at 2:00. We're working through lunch, which means everyone
21 that you see in the courtroom is going to have to work
22 through lunch so that we can stop at 2:00 so that everyone
23 can get to their destinations. Unfortunately, we can't
24 take the whole day off. I'm sorry.

25 Anything else?

1 MR. STEINGLASS: So, does that mean we're going
2 to work a full day on Tuesday?

3 THE COURT: No, just until 2:00.

4 MR. STEINGLASS: I'm not sure that anyone's
5 requesting that if Mr. Stern's not going to be here.

6 MR. BLANCHE: We are, your Honor. We have other
7 members who --

8 MR. STEINGLASS: Okay. I misunderstood.

9 So, we're working until 2:00 both days. Got it.

10 The other thing that I wanted to raise for the
11 record, Judge, is we just wish to inquire the Court's
12 preference for potential witnesses at trial being present
13 for other portions of the case including testimony from
14 other witnesses. I believe, in the Trump Corporation
15 trial, your Honor permitted non-factual witnesses--such as
16 summary witnesses--to be present. That's really why I'm
17 asking this--because we have some paralegals that are
18 controlling our technology who also may testify briefly as
19 summary witnesses. I just wanted to clear that in advance
20 because we're going to have to do a lot of training of
21 other paralegals if we can't use these guys for the
22 presentation of evidence.

23 THE COURT: All right.

24 Is there any objection to that?

25 MR. BLANCHE: This is the first I'm hearing of

1 it. I don't know that there will be an objection. I could
 2 talk about it with my team and communicate with the People
 3 tonight.

4 THE COURT: Sure.

5 MR. BLANCHE: On the same theme, I would ask that
 6 the People provide us with the names of their first three
 7 witnesses so that we can prepare. We're opening now,
 8 likely, on Monday morning, which means we maybe won't have
 9 evidence, but we could have evidence on Monday.

10 MR. STEINGLASS: Look, I got to be honest:
 11 That's a courtesy that we normally extend.
 12 Mr. Trump has been tweeting about the witnesses. We're not
 13 telling who the witnesses are. I'm sorry.

14 THE COURT: I can't fault the People for that.

15 MR. BLANCHE: What if I commit to the Court and
 16 the People that President Trump will not tweet about any
 17 witness?

18 THE COURT: That he will not tweet about any
 19 witness?

20 MR. BLANCHE: Well --

21 THE COURT: I don't think you can make that
 22 representation.

23 MR. BLANCHE: Well, your Honor --

24 (Counsel consulting with co-counsel)

25 (Pause in the proceedings)

1 MR. BLANCHE: If that's the case, attorneys' eyes
2 only. We won't share it with President Trump.

3 You're talking about a situation where the People
4 are saying they're literally not going to say who they're
5 calling until they walk through the back door?

6 THE COURT: No, I don't think that's what they're
7 saying. They're just saying that they won't give it to you
8 today or tomorrow--and they're not required to.

9 MR. BLANCHE: Well, they are required to if
10 your Honor orders them to, your Honor.

11 THE COURT: Well, I'm not going to order them to
12 do it, no.

13 I'll see you tomorrow morning.

14 * * * * *

15 (At this time, the above-captioned matter was
16 adjourned to April 19, 2024 for further proceedings)

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