

PAPERLESS ORDER denying without prejudice for lack of meaningful conferral 581 the Special Counsel's Motion to Modify Conditions of Release. Upon review of the Motion 581 [581-1], Defendant Trump's procedural opposition 583, and the attached email correspondence between counsel [583-1], the Court finds the Special Counsel's pro forma "conferral" to be wholly lacking in substance and professional courtesy. It should go without saying that meaningful conferral is not a perfunctory exercise. Sufficient time needs to be afforded to permit reasonable evaluation of the requested relief by opposing counsel and to allow for adequate follow-up discussion as necessary about the specific factual and legal basis underlying the motion. This is so even when a party "assume[s]" the opposing party will oppose the proposed motion [583-1], and it applies with additional force when the relief sought -- at issue for the first time in this proceeding and raised in a procedurally distinct manner than in cited cases -- implicates substantive and/or Constitutional questions. Because the filing of the Special Counsel's Motion did not adhere to these basic requirements, it is due to be denied without prejudice. Any future, non-emergency motion brought in this case -- whether on the topic of release conditions or anything else -- shall not be filed absent meaningful, timely, and professional conferral. S.D. Fla. L.R. 88.9, 7.1(a)(3); see ECF No. 28 p. 2; ECF No. 82. Moreover, all certificates of conference going forward shall (1) appear in a separate section at the end of the motion, not embedded in editorialized footnotes; (2) specify, in objective terms, the exact timing, method, and substance of the conferral conducted; and (3) include, if requested by opposing counsel, no more than 200 words verbatim from the opposing side on the subject of conferral, again in objective terms. Failure to comply with these requirements may result in sanctions. In light of this Order, the Court determines to deny without prejudice Defendant Trump's Motion to Strike and for Sanctions 583 . Signed by Judge Aileen M. Cannon on 5/28/2024. (jf01) (Entered: 05/28/2024)

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Order on Motion to Modify
Conditions of Release[Buy on PACER](#)