

Case No. 24-12311-J

**IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

UNITED STATES OF AMERICA,
Appellant,

v.

DONALD J. TRUMP, WALTINE NAUTA, and CARLOS DE
OLIVEIRA
Defendants-Appellees

On appeal from the United States District Court
for the Southern District of Florida
Case No. 23-80101-CR-CANNON

**MOTION OF AMICI CONSTITUTIONAL LAWYERS,
FORMER GOVERNMENT OFFICIALS, AND STATE
DEMOCRACY DEFENDERS ACTION FOR LEAVE TO FILE
AMICI BRIEF IN SUPPORT OF APPELLANT UNITED
STATES OF AMERICA AND REVERSAL OF JUDGMENT**

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Counsel for Amici

CORPORATE DISCLOSURE STATEMENT

State Democracy Defenders Action (“SDDA”) submits this corporate disclosure statement pursuant to Federal Rules of Appellate Procedure 26.1 and 29 and 11th Circuit Rule 26.1-2. SDDA is a non-profit organization that has no parent company. It has issued no stock, and as such no person or entity owns ten percent or more of its stock.

CERTIFICATE OF INTERESTED PERSONS

A list of the *amici* is attached hereto. Undersigned counsel for *amici* certifies that neither *amici* nor counsel for *amici* have a parent corporation, and no company owns a ten percent or greater interest in *amici* or counsel for *amici*. Pursuant to 11th Circuit Rule 26.1-1(b), the undersigned further certifies that the above information will be entered into the web-based stock ticker symbol CIP, indicating that there is nothing to declare.

Pursuant to Federal Rule of Appellate Procedure 26.1 and 11th Circuit Rules 26.1-1 and 26.1-2, and based on the Certificate of Interested Persons set forth on pages C-1 to C-7 of the Brief of the United States filed on August 26, 2024 [doc. 18], the undersigned

hereby certifies that the following is a list of persons and entities who have an interest in the outcome of this case:

1. Advance Publications, Inc.
2. Alonso, Cristina
3. America First Legal Foundation
4. American Broadcasting Companies, Inc., d/b/a ABC News
5. Ayer, Donald
6. Blackman, Joshua
7. Blanche, Todd
8. Bloomberg, L.P.
9. Bove, Emil
10. Bowman, Chad
11. Bratt, Jay
12. Cable News Network, Inc.
13. Calabresi, Steven
14. Caldera, Louis
15. Cannon, Hon. Aileen
16. Cate, Matthew
17. CBS Broadcasting, Inc. o/b/o CBS News

18. Citizens for Responsibility and Ethics in Washington
19. Citizens United
20. Citizens United Foundation
21. CMG Media Corporation
22. Coleman, Tom
23. Conway, George
24. Cooney, J.P.
25. Cox Enterprises, Inc. (COX) d/b/a The Atlanta Journal-
Constitution
26. Dadan, Sasha
27. De Oliveira, Carlos
28. Dow Jones & Company, Inc., publisher of The Wall Street
Journal
29. Dreeben, Michael
30. Edelstein, Julie
31. Fields, Lazaro
32. Fitzgerald, Patrick
33. Fort Myers Broadcasting Company
34. Gerson, Stuart

35. Gertner, Nancy
36. Gillers, Stephen
37. Goodman, Hon. Jonathan
38. Gray Media Group, Inc. (GTN)
39. Guardian News & Media Limited
40. Harbach, David
41. Hirsch, Steven A.
42. Hulser, Raymond
43. Insider, Inc.
44. Irving, John
45. Kise, Christopher
46. Lacovara, Philip Allen
47. Landmark Legal Foundation
48. Lawson, Gary
49. Los Angeles Times Communications LLC, publisher of The
Los Angeles Times
50. Maynard, Hon. Shaniek Mills
51. McKay, John
52. McNamara, Anne

53. Meese, Edwin
54. Mishkin, Maxwell
55. Mukasey, Hon. Michael B.
56. Murrell, Larry Donald
57. National Cable Satellite Corporation d/b/a C-SPAN
58. National Public Radio, Inc.
59. Nauta, Waltine
60. NBCUniversal Media, LLC d/b/a NBC News, a subsidiary of
Comcast Corporation (CMCSA)
61. Orlando Sentinel Media Group, publisher of the Orlando
Sentinel
62. Pearce, James
63. Pellettieri, John
64. POLITICO LLC
65. Potter, Trevor
66. Radio Television Digital News Association
67. Raul, Alan Charles
68. Reinhart, Hon. Bruce E.
69. Reuters News & Media, Inc.

70. Russell, Lauren
71. Salario, Samuel
72. Sample, James J.
73. Sasso, Michael
74. Schaerr, Gene
75. Seligman, Matthew
76. Smith, Abbe
77. Smith, Fern
78. Smith, Jack
79. State Democracy Defenders Action
80. Sun-Sentinel Company, LLC, publisher of the South Florida
Sun Sentinel
81. TEGNA, Inc. (TGNA)
82. Telemundo Network Group, LLC d/b/a Noticias Telemundo
83. Thakur, Michael
84. The Associated Press
85. The E.W. Scripps Company (SSP)
86. The McClatchy Company, LLC (MNI) d/b/a the Miami
Herald

87. The New York Times Company (NYT)
88. The Palm Beach Post and USA TODAY, publications operated by subsidiaries of Gannett Co., Inc. (GCI)
89. Thompson, Larry
90. Tillman, Seth Barrett
91. Tobin, Charles
92. Torres, Hon. Edwin
93. Trent, Edward H.
94. Tribe, Laurence
95. Troye, Olivia
96. Trump, Donald J.
97. Trusty, James
98. Twardy, Stanley
99. United States of America
100. Univision Networks & Studios, Inc.
101. VanDevender, Cecil
102. Weiss, Stephen
103. Weld, William
104. Wharton, Kendra

105. Whitman, Christine Todd
106. Woodward, Stanley
107. WP Company LLC d/b/a The Washington Post
108. WPLG, Inc.

Respectfully submitted,

Dated: September 3, 2024

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Pursuant to Federal Rule of Appellate Procedure 29(a)(2) and 11th Circuit Rule 29-1, *amici* move for leave to file the *amici curiae* brief in support of Appellant United States America and Reversal of Judgment, attached as Exhibit A. Undersigned counsel for *amici* certifies that he solicited consent from the parties. Counsel for the United States of America, Carlos De Olivera, and Waltine Natua replied taking no position. Counsel for Donald J. Trump did not respond.

Amici (identified in the attachment hereto) are eighteen former prosecutors, elected officials, other government officials, constitutional lawyers, and a non-profit organization who have collectively spent decades defending the Constitution, the interests of the American people, and the rule of law. By virtue of that experience, the *amici* bring expertise that may be useful to the Court. Likewise, *amici* have a significant interest in the proper scope of executive power and the faithful enforcement of criminal laws enacted by Congress. As such, the proposed amici brief is both relevant and desirable to the disposition of this appeal.

Pursuant to Federal Rule of Appellate Procedure 29 and 11th Circuit Rules 29-1 and 29-2, *amici* respectfully request leave to submit

their brief to reinforce why the appointment of the Special Counsel is consistent with the Appointments Clause of the Constitution and the statutes Congress has enacted pursuant to that constitutional provision.

For the foregoing reasons, the motion should be granted.

September 3, 2024

Respectfully submitted,

/s/ Matthew A. Seligman

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CERTIFICATE OF COMPLIANCE (FRAP 32(g))

Under Federal Rule of Appellate Procedure 32(g), I hereby certify that this motion complies with (1) the typeface requirements of Federal Rules of Appellate Procedure 27(d)(1)(E) and 32(a)(5) because it was written in Century Schoolbook, 14-point font and (2) the type-volume limitations contained in Federal Rules of Appellate Procedure 27(d)(2)(A), because it contains 916 words, excluding those parts of the brief excluded from the word count under Federal Rule of Appellate Procedure 32(f), and inclusive of Attachment – List of *Amici*.

September 3, 2024

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CERTIFICATE OF SERVICE

I hereby certify that on September 3, 2024, a true and correct copy of the foregoing document was electronically filed through CM/ECF. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system.

September 3, 2024

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