

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 22-CV-81294-AMC

DONALD J. TRUMP,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

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**NOTICE OF RECEIPT OF PRELIMINARY ORDER
AND ATTORNEY APPEARANCE**

The United States notifies the Court of the following in response to its Preliminary Order on Motion for Judicial Oversight and Additional Relief (“Preliminary Order”), Docket Entry (D.E.) 29:

1. The United States acknowledges receipt of this Court’s August 27, 2022 Preliminary Order, D.E. 29.
2. The undersigned, the United States Attorney for the Southern District of Florida, and Jay I. Bratt, Chief of the Counterintelligence and Export Control Section of the National Security Division of the United States Department of Justice, are appearing on behalf of the United States in this case.
3. As directed by the Court’s Preliminary Order, the United States will file a public response to Plaintiff’s August 22, 2022 Motion for Judicial Oversight and Additional Relief and August 26, 2022 Supplemental Filing in Support of Motion for Judicial Oversight and Additional Relief, D.E. 1 & D.E. 28.

4. The government also will review the materials obtained pursuant to the search warrant and coordinate with the Case Team and Privilege Review Team¹ to submit, as directed by the Preliminary Order, a sealed supplemental filing containing a “more detailed Receipt for Property” seized pursuant to the search warrant approved on August 5, 2022 (S.D. Fla. Case No. 22-MJ-8332-BER), and executed on August 8, 2022; as well as a “particularized notice indicating the status of [the United States’] review of the seized property, including any filter review conducted by the privilege review team and any dissemination of materials beyond the privilege review team,” D.E. 29 at 2.
5. Although the government will provide the Court more detail in its forthcoming supplemental filing, the government notes that, before the Court issued its Preliminary Order, and in accordance with the judicially authorized search warrant’s provisions, the Privilege Review Team (as described in paragraphs 81-84 of the search warrant affidavit) identified a limited set of materials that potentially contain attorney-client privileged information, completed its review of those materials, and is in the process of following the procedures set forth in paragraph 84 of the search warrant affidavit to address potential privilege disputes, if any. Additionally, the Department of Justice and the Office of the Director of National Intelligence (“ODNI”) are currently facilitating a classification review of materials recovered pursuant to the search. As the Director of National Intelligence advised Congress, ODNI is also leading an

¹ The redacted version of the search warrant affidavit, made public on August 26, 2022, is available at D.E. 102-1 of Case No. 22-MJ-8332-BER. As laid out in pages 31 and 32 of the affidavit, the search was executed both by law enforcement personnel conducting the investigation (the “Case Team”) and personnel not participating in the investigation, who were available to initiate a filter process to protect potentially attorney-client privileged information (the “Privilege Review Team”). D.E. 102-1 at ¶ 81.

intelligence community assessment of the potential risk to national security that would result from the disclosure of these materials.

Date: August 29, 2022

Respectfully submitted,

/s/ Juan Antonio Gonzalez
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