



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL
28 LIBERTY STREET
NEW YORK, NY 10005

January 31, 2023

Hon. Arthur Engoron
Supreme Court, New York County
60 Centre Street
New York, NY 10007

RE: *People v. Trump*, et al., No. 452564/2022

Dear Justice Engoron:

The Office of the Attorney General (“OAG”) writes to request a pre-motion conference concerning its objections to the Verified Answers filed by Defendants on Thursday, January 26, 2023. (NYSCEF No. 467-482, together the “Verified Answers”). As explained in greater detail below, each of the Verified Answers is deficient in a host of ways. Defendants falsely deny facts they have admitted in other proceedings, they deny knowledge sufficient to respond to factual allegations that are plainly within their knowledge, and they propound affirmative defenses that have been repeatedly rejected by this Court as frivolous and without merit.¹

To remedy these improper pleadings, OAG intends to file a motion seeking to: (i) deem factual allegations subject to improper denials as admitted; (ii) dismiss affirmative defenses; and (iii) sanction Defendants and their counsel. OAG believes this briefing should be on a consolidated basis as each Verified Answer largely parrots the others, utilizing the same boilerplate language. Given Defendants’ approach to briefing on the motions to dismiss, however, spreading duplicative arguments across a series of briefs, OAG respectfully requests a pre-motion conference as soon as practicable to set a consolidated briefing schedule.

That schedule should be expedited to ensure that the pleading deficiencies do not delay the course of discovery and preparation for trial. Those deficiencies include:

1. Demonstrably False Denials

A cursory review of the Verified Answers reveals that a number of the denials are demonstrably false and actually contradict sworn statements by the Defendants in other proceedings. To take an obvious example, Paragraph 29 of the Verified Complaint alleges that

¹ These are the same problems OAG identified almost one year ago regarding the answers filed by Donald J. Trump, Donald Trump, Jr., and Ivanka Trump in the subpoena enforcement proceeding overseen by this Court. *See People v. The Trump Organization*, 451685/2020 (the “Special Proceeding”) NYSCEF No. 650.

“Donald J. Trump served as the President and Chairman of the Trump Organization from May 1, 1981 to January 19, 2017. While serving as President of the United States, Mr. Trump remained the inactive president of the Trump Organization. After leaving office, Mr. Trump resumed his position as the president of the Trump Organization.” NYSCEF No. 1 at ¶ 29. Defendants object to the definition of the “Trump Organization” and then deny “each and every allegation therein.” NYSCEF No. 471 ¶ 29.

But the allegation that Mr. Trump was the “inactive president of the Trump Organization,” while in the White House, is taken directly from his own sworn testimony in *Galicia v. Trump* on October 18, 2021. In fact, OAG’s complaint uses Mr. Trump’s own phrasing:

11	Q. Okay. Very good,
12	Mr. President.
13	Are you currently the
14	president of The Trump Organization?
15	A. Yes, I am.
16	Q. And was there a period of time
17	that you were not the president of The
18	Trump Organization?
19	A. Well, I wasn't active during
20	the time I was at 1600. I would say that
21	I was an inactive president and now I'm
22	active again.
23	Q. Okay. But there was never a
24	period of time when you ceased to be the
25	president of The Trump

	Page 11
1	DONALD J. TRUMP
2	Organization during --
3	A. Not to my knowledge, no.

See Videotaped Deposition of Donald J. Trump, *Galicia v. Trump*, Index No. 24973/2015 (Sup. Ct. Bronx County) at 10-11 (excerpt attached at Tab A).

Elsewhere, Defendants demonstrate a pattern of denying allegations that were earlier admitted. For example:

- Mr. Trump denies the nature of his interest in the Vornado Partnership despite admitting it in the Special Proceeding. *Compare* NYSCEF No. 471, ¶ 68 *with* Special Proceeding, NYSCEF No. 647 (Supplemental Petition Answer) ¶ 137.
- Defendant Eric Trump denies that Seven Springs LLC purchased property in December 1995 for \$7.5 million after having admitted those same facts in the Special Proceeding. *Compare* NYSCEF No. 467 ¶ 233 (admitting the description of Seven Springs but denying facts about purchase of Seven Springs) *with* Special Proceeding, NYSCEF No. 221 ¶ 61 (admitting all of those facts).
- Defendants including Eric Trump and Seven Springs LLC previously admitted that on or about March 15, 2016, Cushman & Wakefield, Inc. delivered a written appraisal that valued the Seven Springs property at \$56.5 million as of December 1, 2015. Special Proceeding, NYSCEF No. 221 ¶¶ 66-67. These same Defendants now deny the allegations concerning that appraisal in their entirety. *See* NYSCEF No. 467 ¶ 255; NYSCEF No. 478 ¶ 255.²

2. Improper Denials Based on Restating Lack of Sufficient Knowledge

Defendants repeatedly plead that they “lack sufficient knowledge or information to form a belief as to the truth or falsity of the allegations,” despite the fact that those allegations plainly cover information that is within their control. Donald J. Trump claims that he lacks sufficient information about the structure of his own companies to answer the Verified Complaint. For example, Mr. Trump claims that he doesn’t know whether DJT Holdings LLC is a “Delaware limited liability company with a principal place of business in New York, NY,” *see* NYSCEF No. 471 ¶ 27, despite the fact that the LLC itself admits that “it is a Delaware LLC registered to do business in New York,” *see* NYSCEF No. 475 ¶ 27, and despite the fact that the information is readily available to him as the ultimate beneficial owner. Ivanka Trump denies “knowledge or information sufficient to form a belief” as to whether she personally met with bankers, or whether she can confirm the contents of her own emails. *See* NYSCEF No. 469 ¶¶ 574, 576.

Denying knowledge sufficient to answer is inappropriate where the relevant knowledge is available to defendants, and a court may deem those allegations as admitted. *See Majerski v. City of New York*, 193 A.D.3d 715, 718 (2d Dep’t 2021); *Gilberg v. Lennon*, 193 A.D.2d 646, 646 (2d

² While the CPLR does not allow for a motion to strike false answers, the Court can impose sanctions under 22 NYCRR § 130–1.1 for frivolous conduct where a party “asserts material factual statements that are false.” Further, an attorney is required to sign all court filings to certify that – to the best of that attorney’s knowledge, information and belief, formed after an inquiry reasonable under the circumstances – the court filing is not frivolous as defined in 22 NYCRR § 130-1.1(c).

Dep't 1993) ("To the extent the portions of the answer constitute improper denials, they may be deemed admissions.").

3. Improper Denials That Fail to Respond to the Allegations

Defendants also deny hundreds of allegations by indirectly—and improperly—responding to allegations about the structure of the Trump Organization. It is hornbook law that: "Denials should be direct and forthright, not indirect or coy. It is not satisfactory for the defendant merely to take the complaint's transaction and recite a different version of it in the answer." Patrick M. Connors, Practice Commentaries, McKinney's Cons. Laws of NY, Book 7B, CPLR C3018:3 (2021) at C3018:3. But this is precisely what Defendants do, time and time again. The Verified Complaint clearly alleges that:

Defendant Donald J. Trump is the beneficial owner of the collection of entities he styles the "Trump Organization." Approximately 500 separate entities collectively do business as the Trump Organization and operate for the benefit, and under the control, of Donald J. Trump.

NYSCEF No. 1 ¶ 27. The Verified Complaint then identifies some of the entities that make up the Trump Organization including the entity defendants. *Id.* ¶¶ 27-28.

Defendants do not directly respond to that allegation. Instead, they treat the Verified Complaint as alleging the existence of a single entity called the Trump Organization and object to that definition. In paragraph after paragraph, Defendants repeat a boilerplate denial concerning the definition of the Trump Organization:

While the shorthand "Trump Organization" is utilized by Defendants for branding and business purposes, no entity as such exists for legal purposes. The definitions of "Trump Organization" and "Defendants," as used by the Attorney General, improperly group Defendants together, without regard to the nature or discrete legal identity of each Defendant, and fails to specify to which named Defendant or Defendants the conduct alleged is attributed.

See, e.g., NYSCEF No. 471 at ¶ 1.

There are a host of issues with this boilerplate response. *First*, it does not directly respond to the allegations in the Verified Complaint, and instead operates as a deflection that the Defendants use to avoid answering direct factual allegations. *Second*, Eric Trump and multiple entity defendants, including The Trump Organization, Inc. and DJT Holdings LLC, have already admitted that approximately "500 separate entities collectively do business as The Trump Organization." *See* Special Proceeding, NYSCEF No. 221 ¶ 35. *Third*, Defendants' own documents and practices demonstrate that the "Trump Organization" is more than a mere

“shorthand” but in fact reflects how the business is organized,³ how its top executives are appointed, and how the business presents itself to outside parties like the public⁴ and courts.⁵ And *fourth*, to the extent the Defendants are trying to argue there is any legal significance to the distinction between the “Trump Organization” as alleged and the entity defendants, the Court has already rejected that argument in the motions to dismiss. *See* NYSCEF No. 211 at 14-15.

4. Improper and Improperly Pled Affirmative Defenses

Each of the Verified Answers asserts dozens of “Affirmative Defenses” that have already been (repeatedly) rejected by the Court. For example, the Court recently ruled that the Defendants’ claims that the Attorney General lacks capacity or standing to sue “were borderline frivolous even the *first time* defendants made them.” NYSCEF No. 453 at 3. Nevertheless Mr. Trump and his co-defendants raise those claims—standing, authority, capacity to sue, etc.—yet again, this time as putative affirmative defenses.⁶

Likewise, Mr. Trump, Eric Trump and Donald Trump Jr. again raise the contention that they are being improperly targeted for investigation,⁷ even though the Court held that “[t]he ‘witch hunt’ argument is claim-precluded because this Court already rejected it in its February 17 Decision and Order enforcing certain subpoenas in the special proceeding, which the Appellate Division, First Department affirmed.” NYSCEF No. 453 at 4-5.

To be sure, some of the more than 40 “affirmative defenses” are nothing of the kind and simply make conclusory statements like, “Defendant’s conduct was consistent with practices and

³ For example, Defendant Jeffrey McConney testified at the criminal trial of the Trump Corporation that although he is formally employed by the Trump Corporation, he also considers himself to be the senior vice-president and controller of the “Trump Organization,” and that he has worked for the “Trump Organization” for over 35 years. *See People v. The Trump Corporation*, Indictment No. 1473-21, Trial Transcript at 780, excerpt attached at Tab B.

⁴ Mr. Trump’s online “official biography” refers to him as the Founder of “The Trump Organization” and repeatedly describes “The Trump Organization” as the entity engaging in business activities referenced in the Verified Complaint. *See* <https://www.trump.com/leadership/donald-j-trump-biography> (last visited Jan. 29, 2023).

⁵ Lawyers for Mr. Trump and his business entities routinely refer to the “Trump Organization” as their client. For example, at the November 22, 2022 preliminary conference held in this proceeding, Ms. Habba introduced herself as counsel for “Trump Organization, Donald Trump, et cetera.” *See* Hearing Transcript at 3:20-22, excerpt attached at Tab C.

⁶ This conduct is especially frivolous because Defendants cannot contend, as they did at the motion to dismiss stage, that reiterating their arguments was necessary to preserve them for appeal.

⁷ *See* NYSCEF No. 471, Aff. Def. XX (“The Attorney General in her conduct and public statements has acted contrary to the ancient and customary norms that prescribe the manner in which prosecutors are expected to conduct themselves under the rule of law.”); NYSCEF No. 467, Aff. Def. XVII (same); NYSCEF No. 468, Aff. Def. XVII (same).

norms that were customary and widespread throughout the industry at the time of the transactions alleged.” NYSCEF No. 471 at 295. Others fail to provide sufficient notice. For example, “Affirmative Defense XXXVI” alleges a failure to name an indispensable party but never names that party. *Id.* at 297. And “Affirmative Defense XXX” claims that Mr. Trump “relied in good faith upon the advice of outside accountants and other professionals,” without even naming the accountants or the professionals, let alone the factual circumstances under which such advice was relevant. Such generalized assertions are appropriately subject to dismissal under CPLR 3211(b). *See, e.g., Scholastic Inc. v. Pace Plumbing Corp.*, 129 A.D.3d 75, 76 (1st Dep’t 2015) (“neither plaintiff nor the court ought to be required to sift through a boilerplate list of defenses”).

* * *

The Court has already admonished Defendants and their counsel for their continued invocation of meritless legal claims but exercised its discretion in not imposing such sanctions, “having made its point.” It does not appear that this point was taken, however, and OAG would ask the Court to renew the issue.

We thank the Court and Chambers for their attention to these issues, and we respectfully request a conference with the court at its earliest convenience to discuss a briefing schedule.

Respectfully submitted,



Kevin Wallace
Senior Enforcement Counsel
Division of Economic Justice

Tab A:

Excerpt from Videotaped
Deposition of Donald J. Trump
in *Galicia v. Trump*
October 18, 2021

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----X
EFRAIN GALICIA, FLORENCIA TEJEDA PEREZ,
GONZALO CRUZ FRANCO, MIGUEL VILLALOBOS,
and NORBERTO GARCIA, as Administrator of
the Estate of JOHNNY HOSVALDO GARCIA
ROJAS,

Plaintiffs,

-against- Index No. 24973/2015E
DONALD J. TRUMP, DONALD J. TRUMP FOR
PRESIDENT, INC., THE TRUMP ORGANIZATION
LLC, KEITH SCHILLER, GARY UHER, EDWARD
JON DECK JR. and JOHN DOES 3-4,

Defendants.

-----X

VIDEOTAPED DEPOSITION OF
DONALD J. TRUMP
New York, New York
October 18, 2021

Reported By:
ERIC J. FINZ

1 DONALD J. TRUMP

2 DONALD J. TRUMP,
3 having been first duly sworn by the
4 Notary Public (Eric J. Finz), was
5 examined and testified as follows:

6 THE VIDEOGRAPHER: Counselors,
7 you may proceed, we are now on the
8 record.

9 MR. DICTOR: Before we
10 proceed, I just note that I believe
11 the reference made to the Superior
12 Court, in fact this is in the
13 Supreme Court of the State of New
14 York, Bronx County. So with the
15 record to be corrected to that
16 effect at the time, that would be
17 great.

18 EXAMINATION BY

19 MR. DICTOR:

20 Q. Good morning, Mr. President.

21 A. Good morning.

22 Q. As I noted, my name is
23 Benjamin Dictor, I'm a partner at the law
24 firm of Eisner & Dictor. I accompanied
25 by co-counsel here today; Nathaniel

1 DONALD J. TRUMP

2 Charny, Thomas Lamadrid and Roger
3 Bernstein, together we are counsel for
4 the plaintiffs in this matter.

5 Am I correct that you would
6 like to be referred to as Mr. President
7 throughout this examination?

8 A. I don't know who told you
9 that. But I guess it would be
10 appropriate.

11 Q. Okay. Very good,
12 Mr. President.

13 Are you currently the
14 president of The Trump Organization?

15 A. Yes, I am.

16 Q. And was there a period of time
17 that you were not the president of The
18 Trump Organization?

19 A. Well, I wasn't active during
20 the time I was at 1600. I would say that
21 I was an inactive president and now I'm
22 active again.

23 Q. Okay. But there was never a
24 period of time when you ceased to be the
25 president of The Trump

1 DONALD J. TRUMP

2 Organization during --

3 A. Not to my knowledge, no.

4 Q. Do you understand that the
5 testimony that you're giving today will
6 be used in lieu of your live testimony at
7 trial?

8 A. Yes.

9 Q. Have you ever testified in a
10 trial before?

11 A. Yes.

12 Q. What did you do to prepare for
13 your testimony today?

14 A. Just tell the truth.

15 Q. Did you look at any documents?

16 A. Only, I believe I signed an
17 affidavit at some point. I looked at
18 that briefly. I spoke to my lawyer
19 briefly, very briefly. This morning.

20 Q. Have you ever looked at any
21 videos concerning this case?

22 A. I saw it on television today.
23 I saw my people being attacked from
24 behind by, I assume, your client. I saw
25 that on television today.

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C E R T I F I C A T E

STATE OF NEW YORK)

: ss.

COUNTY OF NEW YORK)

I, ERIC J. FINZ, a Shorthand
Reporter and Notary Public within and for
the State of New York, do hereby certify:

That DONALD J. TRUMP, the witness
whose deposition is hereinbefore set
forth, was duly sworn by me and that such
deposition is a true record of the
testimony given by the witness.

I further certify that I am not
related to any of the parties to this
action by blood or marriage, and that I
am in no way interested in the outcome of
this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 22nd day of October,
2021.



ERIC J. FINZ

Tab B:

Excerpt from Trial Transcript
in *People v. Trump Corp.*

(From Testimony of Jeffrey McConney)

SUPREME COURT
TRIAL TERM

NEW YORK COUNTY
PART 59

-----x
THE PEOPLE OF THE STATE OF NEW YORK : INDICTMENT #
: 1473-21
:
:
AGAINST : CHARGE
: SCHEME TO DEFRAUD, ET AL
THE TRUMP CORPORATION, :
TRUMP PAYROLL CORPORATION, :
:
:
Defendants :
-----x Proceedings

100 Centre Street
New York, New York 10013
October 24, 2022

B E F O R E:

HONORABLE: JUAN MERCHAN,
JUSTICE OF THE SUPREME COURT

APPEARANCES FOR THE PEOPLE:

ALVIN BRAGG, JR. DISTRICT ATTORNEY BY:
SUSAN HOFFINGER, ESQ. ADA
JOSHUA STEINGLASS, ESQ. ADA
GARY FISHMAN, ESQ. AAG.

FOR THE DEFENDANTS, THE TRUMP ORGANIZATIONS:

ALAN S. FUTERFAS, ESQ.
SUSAN NECHELES, ESQ.
GEDALIA STERN, ESQ
MICHAEL VAN DER VEEN, ESQ.
WILLIAM BRENNAN, ESQ.

1 will hand you some writing materials.

2 People, call your first witness.

3 MR. STEINGLASS: Judge, the People call Jeffery
4 McConney.

5 COURT OFFICER: Witness entering.

6 (At this point witness sworn in).

7 COURT OFFICER: Have a seat. In a loud clear
8 voice, give your full name, spelling your last name.

9 THE WITNESS: Jeffrey McConney, M. C. C. O. N. N.
10 E. Y.

11 COURT OFFICER: County of residence?

12 THE WITNESS: New York County, Manhattan.

13 THE COURT: Good afternoon, you may inquire.

14 MR. STEINGLASS: Thank you, Judge.

15 DIRECT EXAMINATION

16 BY MR. STEINGLASS:

17 Q Good afternoon Mr. McConney.

18 A Good afternoon sir.

19 Q Can you please describe your educational background?

20 A Graduated from Baruch College in 1978 with a BBA in
21 accounting, Bachelor's of Business Administration in accounting,
22 it was a while ago.

23 Q Can you describe your professional history?

24 A I graduated, I worked for a small real estate company.
25 From there I went to a CPA firm. Worked there for nine years.

1 Then I came to the Trump Organization, I have been there for 35
2 years.

3 Q The accounting firm you worked at, was that Spahr
4 Lacher Berk and Naimer, S. P. A. H. R, L. A. C. H. E. R, B. E.
5 R. K, and N. A. I. M. E. R.?

6 A Yes sir.

7 Q You said that was an accounting firm?

8 A Yes sir, CPA firm, accounting firm.

9 Q What was your title?

10 A I was just an accountant. May have made it to senior
11 in my last year, but that is about as far as I got that I can
12 remember. I have a tickle in my throat today.

13 Q I'll wait.

14 A Thank you.

15 Q Were you a manager level by the time you left that
16 firm?

17 A It was a long time ago. I don't know what the
18 differentiation would be between senior and manager.

19 It is possible, yeah. Looking back on it, I could have
20 been a manager.

21 Q You said, you used the phrase CPA firm. What does that
22 stand for?

23 A Certified public accountant.

24 Q What were your duties at Spahr?

25 A Before I left, right before I left I oversaw the Trump

1 account, Fred's, Donald's father, Fred Trump had an office in
2 Brooklyn. He had a number of properties in Queens, Brooklyn,
3 Staten Island, I oversaw saw the audits, HUD audits, financial
4 statement audits for whatever financial statements needed to be
5 produced at the time.

6 Q What is an audit?

7 A An audit is a financial statement that is produced to a
8 bank. It has a balance sheet, income statement, footnotes,
9 describes the business, the profit and loss of the business, the
10 assets of the business, the liabilities of the business.

11 Describes if there was a mortgage or notes payable
12 related party transactions. Basically, a disclosure for the
13 bank.

14 Q So, you oversaw the creation of those audits?

15 A I remember overseeing the basic work that was done in
16 the field. Make sure leases were vouched, the accounts payable
17 schedules were prepared properly; mortgage statements, I'm
18 sorry, escrow accounts were analyzed.

19 I don't know if I actually got to preparation of
20 financial statements, it has been 35 years.

21 Q Among other responsibilities at that CPA firm, did you
22 process payroll for small clients?

23 A Yes, I had a couple of small clients I did payroll for.

24 Q And in your work at Spahr, did you prepare 940 payroll
25 tax returns that had to be filed?

1 A Yes, I believe so.

2 Q You mentioned, I believe one of the accounts you worked
3 on when you were at Spahr, was the Fred Trump account, is that
4 correct?

5 A That is correct.

6 Q Briefly, what did you do for that account?

7 A Basically, what I was mentioning before; oversaw a team
8 of co-workers to make sure we gather the information for the
9 preparation of financial statements.

10 Q In addition to your work for the Trump Organization,
11 which I believe you said started about 35 years ago?

12 A April of 1987.

13 Q Have you also worked as a tax preparer?

14 A Outside of working for Trump Organization, yes.

15 Q So, does that mean you prepared income tax returns for
16 clients?

17 A I have a few clients I prepare small tax returns for
18 them, yes, personal tax returns.

19 Q What documentation do you need in order to complete a
20 client's tax return?

21 A Any information necessary; W-2's for the wages, 1099
22 for interest or dividends. Broker statements of stock
23 transactions.

24 If they had a business, the receipts for the business
25 or information about what their expenses were and what their

1 income was.

2 Q Now, were you paid by these clients to do this?

3 A Most of the time, yes.

4 Q Did you also prepare your own tax returns?

5 A Yes sir.

6 Q For how long have you prepared taxes for the people
7 other than yourself approximately?

8 A Probably about 40 years.

9 Q Did you do tax returns for any other employees of the
10 Trump Organization?

11 A Yes, there were a couple.

12 Q Such as?

13 A Matthew Calamari Senior, Matthew Calamari Junior.
14 Matthew's brother Michael Calamari, Patrick Birney, Stacey
15 Glazer. I think that is it, but I could have missed a couple.

16 Q Those are just the ones who worked for the Trump
17 Organization?

18 A Yes.

19 Q Some of your clients did not?

20 A Most of the rest of the clients were friends or friends
21 of friends.

22 Q Over the years, approximately how many different
23 people's taxes did you prepare or help prepare?

24 A Business-wise, outside of business or just on my own
25 practice?

1 Q Your own practice?

2 A 60, 65.

3 Q Are you currently employed?

4 A Yes sir.

5 Q By whom?

6 A The Trump Corporation.

7 Q In what capacity?

8 A Senior vice-president and controller.

9 Q Are you the senior vice-president and controller of the
10 Trump Corporation, Trump Organization, or both?

11 A Both.

12 Q How long have you worked for the Trump Organization?

13 A 35 years, a little over 35 years.

14 Q What was your position when you first joined?

15 A Assistant controller.

16 Q Did there come a time you were promoted to the full
17 controller?

18 A Yes sir.

19 Q When was that?

20 A Off the top of my head, I don't remember, a number of
21 years ago.

22 Q More than 10 years ago?

23 A 10, 15, probably more than 15 years ago.

24 Q At the time that you were promoted, before you were
25 just promoted to controller, who was the controller?

Tab C:

Excerpt from Transcript of
Nov. 22, 2022 Hearing
In *People v. Trump*

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK: CIVIL TERM: PART 37

PEOPLE OF THE STATE OF NEW YORK, BY
LETITIA JAMES, ATTORNEY GENERAL OF THE
STATE OF NEW YORK,

Plaintiff(s)

INDEX NO.

- against -

452564/2022

DONALD J. TRUMP, DONALD TRUMP, JR.,
ERIC TRUMP, IVANKA TRUMP, ALLEN WEISSELBERG,
JEFFREY McCONNEY, THE DONALD J. TRUMP
REVOCABLE TRUST, THE TRUMP ORGANIZATION, INC.,
TRUMP ORGANIZATION LLC, DJG HOLDINGS LLC,
DJT HOLDINGS MANAGING MEMBER, TRUMP ENDEAVOR
12 LLC, 401 NORTH WABASH VENTURE LLC, TRUMP
OLD POST OFFICE LLC, 40 WALL STREET LLC,
and SEVEN SPRINGS LLC,

Defendant(s).

Preliminary Conference

60 Centre Street
New York, New York 10007
November 22, 2022

B E F O R E: HONORABLE ARTHUR F. ENGORON,
SUPREME COURT JUSTICE

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

OFFICE OF THE ATTORNEY GENERAL
Attorneys for Plaintiff
28 Liberty Street
New York, New York 10005
BY: KEVIN WALLACE, ESQ.
COLLEEN FAHERTY, ESQ.
ERIC R. HAREN, ESQ.
LOUIS SOLOMON, ESQ.

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Attorneys for Donald Trump, Jr. and Eric Trump
526 RXR Plaza
Uniondale, New York 11556
BY: CLIFFORD S. ROBERT, ESQ.

Kitty S. Acosta, SCR

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A P P E A R A N C E S: (Continued)

HABBA MADAIIO & ASSOCIATES, LLP
Attorneys for Donald J. Trump,
Allen Weisselberg, Jeffrey McConney, et al
1430 US Highway 206 - Suite 240
Bedminster, NJ 07921
BY: ALINA HABBA, ESQ.

KELLOGG HANSEN TODD FIGEL & FREDERICK, PLLC
Attorneys for Ivanka Trump
1615 M Street, N.W. - Suite 400
Washington, D.C. 20036
BY: REID FIGEL, ESQ.

A L S O P R E S E N T:

ALLISON GREENFIELD, ESQ.,
Principal Law Clerk

Kitty S. Acosta,
Senior Court Reporter

Proceedings

1 COURT OFFICER: Everybody, come to order.

2 Part 37 is now in session.

3 THE COURT: Okay. You are in order. Now you can
4 sit down.

5 MS. GREENFIELD: I'm just going to ask, have all
6 appearances already happen been stated for the court
7 reporter?

8 Appearances, everyone.

9 MR. WALLACE: We are the plaintiffs, so we can go
10 first.

11 For the Office of the Attorney General, Kevin
12 Wallace.

13 MS. FAHERTY: Good morning, Your Honor.

14 Colleen Kelly Faherty on behalf of the People.

15 MR. HAREN: Good morning.

16 Eric Haren from the Office of the Attorney General.

17 MR. SOLOMON: Good morning, Your Honor.

18 Louis Solomon from the Office of the Attorney
19 General.

20 MS. HABBA: Good morning, Your Honor.

21 Alina Habba for Trump Organization, Donald Trump,
22 et cetera.

23 MR. ROBERT: Good morning, Your Honor.

24 Clifford Robert on behalf of Donald Trump, Junior
25 and Eric Trump.

Kitty S. Acosta, SCR

Proceedings

1 so that the record is clear.

2 THE COURT: The record is clear.

3 MR. FIGEL: Just making sure the record is clear,
4 your observations about reasonable additions to the word
5 limits apply to Ms. Trump as well?

6 MR. WALLACE: We will not be ridiculous on the word
7 limit, Your Honor.

8 THE COURT: All right. Thank you for coming,
9 everybody and have a great holiday.

10 * * * *

11 The foregoing is hereby certified to be a true and
12 accurate transcript of the proceedings as transcribed from
13 the stenographic notes.

14 * * * *

15 **** REPORTER'S SIGNATURE IS ONLY VALID WHEN IN BLUE INK ****

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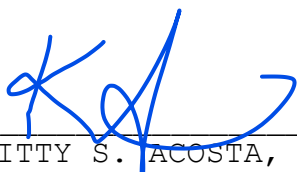
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KITTY S. ACOSTA, SCR
SENIOR COURT REPORTER

Kitty S. Acosta, SCR