

EXHIBIT C

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE: Grand Jury
GRAND JURY SUBPOENA No. 23-GJ-00046 (JEB)
GJ42-67

UNITED STATES OF AMERICA, June 30, 2023
Interested Party,
Washington, D.C.

Trump Employee 4
Interested Party,

WALTINE NAUTA,
Interested Party..

SEALED PROCEEDING
BEFORE THE HONORABLE JAMES E. BOASBERG
UNITED STATES DISTRICT COURT CHIEF JUDGE

APPEARANCES:

FOR THE UNITED STATES: John Pellettieri, Esquire
David Harbach, Esquire
Julie Edelstein, Esquire
Anne McNamara, Esquire
Michael Thakur, Esquire
Special Counsel's Office
950 Pennsylvania Avenue Northwest
Room B-206
Washington, D.C.20530

FOR **Trump Employee 4** Stanley M. Brand, Esquire
and WALTINE NAUTA: **[REDACTED]**

[REDACTED]
[REDACTED]
Stanley E. Woodward, Jr., Esquire
Brand Woodward Law, LP
400 Fifth Street Northwest
Washington, D.C. 20001

REPORTED BY: Tammy Nestor, RMR, CRR
Official Court Reporter
333 Constitution Avenue Northwest
Washington, D.C. 20001
[REDACTED]

1 The following proceedings began at 4:17 p.m.:

2 THE COURT: Good afternoon, everybody.

3 THE COURTROOM DEPUTY: Good afternoon. We are here
4 today for -- first of all, Your Honor, the courtroom is locked
5 and sealed.

6 We are here today for a motion hearing in 23-46 Grand
7 Jury Subpoena GJ42-67, interested party, the United States of
8 America.

9 Beginning with the government, please approach the
10 lectern and state your name for the record.

11 MR. PELLETTIERI: Good afternoon, Your Honor. John
12 Pellettieri on behalf of the United States. And also here on
13 behalf of the government is David Harbach, Julie Edelstein,
14 Anne McNamara, and Mike Thakur.

15 THE COURT: Thank you. Welcome to you folks.

16 MR. WOODWARD: Good afternoon, Your Honor. Stanley
17 Woodward on behalf of **Trump Employee 4** who is also present with us
18 physically, and Stan Brand of our law firm.

19 THE COURT: Thank you so much. Welcome.

20 **Trump Employee 4** good afternoon to you.

21 **First Assistant Federal Public Defender** if you would be so kind as to state your
22 appearance.

23 **First Assistant Federal Public Defender** Good afternoon, Your Honor. **First Assistant Federal Public Defender**

24 **First Assistant Federal Public Defender** as conflicts counsel for **Trump Employee 4**

25 THE COURT: Thanks so much.

1 Thanks, everybody, for being available at this time.

2 I know that the schedule for, actually, ^{First Assistant Federal Public Defender} [REDACTED] and

3 Mr. Woodward and my own made it difficult to do until now.

4 So we are here to determine whether there's a conflict
5 in regard to representation of ^{Trump Employee 4} [REDACTED] and if so, whether
6 he would be inclined to waive that conflict or whether, if not,
7 I should find that it can't be waived.

8 So I appointed ^{First Assistant Federal Public Defender} [REDACTED] as conflicts counsel to
9 advise ^{Trump Employee 4} [REDACTED]

10 Have you had an opportunity to do that, ^{First Assistant Federal Public Defender} [REDACTED]

11 ^{First Assistant Federal Public Defender} [REDACTED] Yes, Your Honor, I have. Just so the
12 record is clear, I have had a conversation with the government.
13 I have had the opportunity to review but not have a copy of his
14 grand jury testimony. I have reviewed the letter, the target
15 letter, that he received. I have spoken both with the
16 government and with Mr. Woodward and gone over all of that with
17 the lawyers involved. And we have had about an hour for me and
18 ^{Trump Employee 4} [REDACTED] to discuss things.

19 What I would like to say is we are not quite finished
20 with that discussion. He is not prepared today to waive a
21 conflict, so I would ask the Court to continue my appointment
22 as conflicts counsel, allow us to have the weekend and perhaps
23 a little bit into next week to continue those discussions and
24 to discuss with the government a possible path forward
25 depending on how things shake out.

1 What I was going to suggest, because it is an
2 imposition for Trump Employee 4 to come here, now that we have had
3 an opportunity to meet in person, I believe he would be
4 comfortable proceeding by video. Certainly our communications
5 over the next few days will be by video or phone. So if we
6 could set it down for a video status next week, hopefully we
7 will be able to tell the Court precisely how we are going to
8 proceed.

9 If he declines to waive the conflict, then I believe
10 he would be asking the Court to appoint counsel, either me or
11 if he has another idea in the future, someone else. But that's
12 where we would be.

13 THE COURT: Okay. So do you believe you would be
14 ready to have that hearing by, say, Wednesday?

15 First Assistant Federal Public Defender Yes, Your Honor, I believe we will.

16 THE COURT: Thank you very much.

17 Mr. Pellettieri, how does that sound to you in terms
18 of timetable?

19 MR. PELLETTIERI: Yes, we are amenable to that, Your
20 Honor.

21 THE COURT: Okay. Great. That's easy.

22 11:30 on July 5, that's the Wednesday, First Assistant Federal Public Defender
23 is that convenient for you?

24 First Assistant Federal Public Defender I think that's fine. I know I just
25 scheduled something that didn't make it to my calendar, but I'm

1 fairly confident that's at 10:00, so I think we are okay.

2 THE COURT: Okay. And, Mr. Woodward, is that okay
3 with you?

4 MR. WOODWARD: The Court's brief indulgence.

5 THE COURT: While you are looking, Mr. Pellettieri,
6 does that time work for you?

7 MR. PELLETTIERI: That will work for the Special
8 Counsel's Office.

9 THE COURT: Thank you.

10 MR. PELLETTIERI: Thank you, Your Honor.

11 MR. WOODWARD: Your Honor, we will make it work. I've
12 got something that I've got to move, but I will --

13 THE COURT: Okay. Thanks so much.

14 So, Trump Employee 4 you are available on Wednesday at
15 11:30?

16 Trump Employee 4 Yes.

17 THE COURT: So 11:30 Wednesday, we will do this via
18 Zoom.

19 So, Trump Employee 4 do you have any questions for me
20 about what's going on? I'm sure you have been informed, and I
21 can tell you First Assistant Federal Public Defender
22 is an excellent, very experienced
23 lawyer. She's there -- I have appointed her, as you
24 understand, not to represent you at this time, but to advise
25 you about the potential conflicts and to see what you want to
do about that.

1 If you decide you think there is a conflict and that
2 you would prefer not to be represented by Mr. Woodward because
3 of that, then I can talk to you about whether you qualify
4 financially for court-appointed counsel, in which case it could
5 be First Assistant Federal Public Defender or someone from her office. You could also
6 retain someone else that you wish.

7 So do you have any questions about proceedings?

8 Trump Employee 4 No, Your Honor.

9 THE COURT: Okay. Great. Thanks so much.

10 First Assistant Federal Public Defender Your Honor, one other thing. I did
11 want to say for the record, I should have started with this, I
12 have seen no reason to believe that either Mr. Woodward or
13 Mr. Brand or anyone else associated with this has done anything
14 improper. This has just come up at this point in time, and
15 based on the status of the record, I've given Trump Employee 4 my
16 best counsel, and he will be making the decision based on
17 everything he knows now.

18 THE COURT: Right. And thank you. And certainly my
19 reading of the government's motion for this hearing did not
20 suggest that Mr. Woodward or Mr. Brand had done anything
21 improper either. The government's was a prophylactic measure
22 to comply with the law as it exists regarding conflicts and to
23 make sure that Trump Employee 4 is aware of his rights.

24 So thank you, First Assistant Federal Public Defender

25 Okay. Anything else then that anybody else wants to

1 add or raise at this point, Mr. Pellettieri?

2 MR. PELLETTIERI: I think I would just say briefly
3 that we are perfectly happy to have this status by Zoom on
4 Wednesday, but depending on where things go from there, we
5 might prefer an in-person hearing depending on where things
6 move in the future.

7 THE COURT: Okay. Sounds fine.

8 MR. PELLETTIERI: Thank you.

9 THE COURT: ^{First Assistant Federal Public Defender} anything else?

10 ^{First Assistant Federal Public Defender} No, Your Honor. Thank you.

11 THE COURT: Mr. Woodward?

12 MR. WOODWARD: No, sir.

13 THE COURT: Okay. ^{Trump Employee 4} anything else for you?

14 ^{Trump Employee 4} No, sir.

15 THE COURT: Thank you all very much. Appreciate your
16 availability. Have a nice weekend.

17 (The hearing concluded at 4:25 p.m.)

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I hereby certify that the foregoing is an accurate transcription of the proceedings in the above-entitled matter.

8/29/23

s/ Tammy Nestor
Tammy Nestor, RMR, CRR
Official Court Reporter
333 Constitution Avenue NW
Washington, D.C. 20001

