

PART 57 NO. 12 2024

From: [Stephen Suhovsky](#)
To: [Emil Bove](#); [Colangelo, Matthew](#); [Hon. Juan M. Merchan](#); [Michele D. Hendricks](#); [Todd Blanche](#); [Kendra Wharton](#); [Stephen Weiss](#); [Susan Necheles](#); [Gedalia Stern](#); [Steinglass, Joshua](#); [Hoffinger, Susan](#); [Conroy, Christopher](#); [Mangold, Rebecca](#); [Ellis, Katherine](#); [REDACTED]
Subject: [EXTERNAL] RE: People v. Trump, Ind. No. 71543-23, request for adjournment
Date: Sunday, November 10, 2024 2:32:39 PM

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Mr. Colangelo and Mr. Bove, the Court is in receipt of your e-mails.

The joint application for a stay of the current deadlines, including decision on the Defendant's CPL 330.30 motion, until November 19, 2024, is granted. As per the People's request, the People are to file with the Court, off calendar, your view of appropriate steps going forward. Please make such filing no later than 10:00am on the requested date.

Please file a copy of this correspondence, including Mr. Bove's e-mail, on the Court docket first thing Tuesday.

Best,
Steve

From: Emil Bove [REDACTED]
Sent: Sunday, November 10, 2024 9:36 AM
To: Colangelo, Matthew [REDACTED]; Hon. Juan M. Merchan [REDACTED]; Stephen Suhovsky [REDACTED]; Michele D. Hendricks [REDACTED]; Todd Blanche [REDACTED]; Kendra Wharton [REDACTED]; Stephen Weiss [REDACTED]; Susan Necheles [REDACTED]; Gedalia Stern [REDACTED]; Steinglass, Joshua [REDACTED]; Hoffinger, Susan [REDACTED]; Conroy, Christopher [REDACTED]; Mangold, Rebecca [REDACTED]; Ellis, Katherine [REDACTED]; [REDACTED]
Subject: Re: People v. Trump, Ind. No. 71543-23, request for adjournment

Dear Justice Merchan,

President Trump joins DANY's request to stay the existing scheduled dates, including the dates for a decision on the pending Presidential immunity motion and sentencing. There are strong reasons for the requested stay, and eventual dismissal of the case in the interests of justice, under the US Supreme Court's decision in Trump v. United States and the Presidential Transition Act of 1963, 3 USC 102 note. The Special Counsel's Office recently sought and obtained the same stay relief in the District of Columbia, and they are reportedly considering dismissing both of their prosecutions. The stay, and dismissal, are necessary to avoid unconstitutional impediments to President Trump's ability to govern, which is the broader argument that we made to DANY on Friday. We are prepared to make a submission regarding these authorities in support of DANY's stay request by noon tomorrow

if that would assist the court in evaluating the importance of a complete stay while DANY decides on their position regarding the dismissal that is warranted here.

Respectfully submitted,
Emil Bove

From: Colangelo, Matthew [REDACTED]
Sent: Sunday, November 10, 2024 8:33:55 AM
To: Hon. Juan M. Merchan [REDACTED]; Stephen Suhovsky
[REDACTED] Michele D. Hendricks
[REDACTED]; Todd Blanche [REDACTED]; Emil Bove
[REDACTED]; Kendra Wharton [REDACTED]; Stephen
Weiss [REDACTED]; Susan Necheles [REDACTED]; Gedalia Stern
[REDACTED]; Steinglass, Joshua [REDACTED]; Hoffinger, Susan
[REDACTED] Conroy, Christopher [REDACTED]; Mangold, Rebecca
[REDACTED]; Ellis, Katherine [REDACTED]; [REDACTED]
[REDACTED]
Subject: People v. Trump, Ind. No. 71543-23, request for adjournment

Dear Justice Merchan,

We are writing to advise the Court that on Friday, defendant asked the People to agree to a stay of these proceedings in order to provide time to review and consider a number of arguments based on the impact on this proceeding from the results of the Presidential election; defendant's forthcoming certification as President-elect on January 6, 2025; and his inauguration on January 20, 2025. In the alternative, the defense represented that they intend to file a motion on Monday, November 11, to stay all proceedings before this Court.

The People agree that these are unprecedented circumstances and that the arguments raised by defense counsel in correspondence to the People on Friday require careful consideration to ensure that any further steps in this proceeding appropriately balance the competing interests of (1) a jury verdict of guilt following trial that has the presumption of regularity; and (2) the Office of the President. Accordingly, the People respectfully request that the Court adjourn the upcoming scheduled dates to afford the People time to assess these recent developments, and set November 19, 2024 as a deadline for the People to advise the Court regarding our view of appropriate steps going forward.

The People have consulted with defense counsel, who consent to this request.

Respectfully submitted,
Matthew Colangelo

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