

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DONALD J. TRUMP, DONALD J. TRUMP
JR., ERIC TRUMP, IVANKA TRUMP,

and

THE DONALD J. TRUMP REVOCABLE
TRUST, THE TRUMP ORGANIZATION,
INC., TRUMP ORGANIZATION LLC, DJT
HOLDINGS LLC, DJT HOLDINGS
MANAGING MEMBER LLC, TRUMP
ACQUISITION LLC, and TRUMP
ACQUISITION, CORP.,

Plaintiffs,

- against -

DEUTSCHE BANK AG and CAPITAL ONE
FINANCIAL CORP.,

Defendants,

and

COMMITTEE ON FINANCIAL SERVICES
OF THE U.S. HOUSE OF
REPRESENTATIVES and PERMANENT
SELECT COMMITTEE ON
INTELLIGENCE OF THE U.S. HOUSE OF
REPRESENTATIVES,

Intervenor-Defendants.

Docket No. 1:19-cv-03826-ER

JOINT MOTION TO STAY

The parties jointly ask this Court to stay further proceedings in this case until Plaintiffs' interlocutory appeal from the denial of their motion for a preliminary injunction is resolved.

After Plaintiffs filed this suit on April 29, 2019, the Defendant Banks and Intervenor-Defendant Committees agreed not to comply with or enforce the challenged subpoenas until seven days after this Court resolved Plaintiffs' preliminary-injunction motion. *See* Dkt. No. 22. This Court denied Plaintiffs' motion on May 22, and Plaintiffs filed an interlocutory appeal on May 24. *See*

Dkt. Nos. 59, 60. The parties have reached an agreement regarding compliance with and enforcement of the subpoenas during the pendency of Plaintiffs' appeal. *See* CA2 Dkt. No. 5-2.

Accordingly, the parties agree that proceedings in this Court should be stayed while Plaintiffs' interlocutory appeal is pending. If this Court's order is ultimately affirmed on appeal, then this case may become moot before any meaningful proceedings can be conducted here. And if this Court's order is not ultimately affirmed, then the proceedings here will have the benefit of the appellate court's ruling. Either way, conducting simultaneous proceedings in this Court and the appellate court would not be an efficient use of the parties' or the Court's resources. The parties thus respectfully ask the Court to stay further proceedings until Plaintiffs' interlocutory appeal is resolved.

Dated: May 25, 2019

s/ Douglas N. Letter
Douglas N. Letter
Todd B. Tatelman
Megan Barbero
Josephine Morse
Brooks M. Hanner
OFFICE OF GENERAL COUNSEL
U.S. HOUSE OF REPRESENTATIVES
219 Cannon House Building
Washington, D.C. 20515
(202) 225-9700
douglas.letter@mail.house.gov

*Counsel for the Committee on Financial Services and
Permanent Select Committee on Intelligence of the U.S.
House of Representatives*

s/ Steven R. Ross
Steven R. Ross
Raphael A. Prober
Parvin D. Moyne
Thomas C. Moyer
AKIN GUMP STRAUSS HAUER & FELD LLP
2001 K Street N.W.
Washington, D.C. 20006
(202) 887-4343

Counsel for Deutsche Bank AG

s/ James A. Murphy
James A. Murphy
Steven D. Feldman
MURPHY & MCGONIGLE, P.C.
1185 Avenue of the Americas, 21st Floor
New York, NY 10036
(212) 880-3999
jmurphy@mmlawus.com
sfeldman@mmlawus.com

Counsel for Capital One Financial Corp.

Respectfully submitted,

s/ Patrick Strawbridge
Patrick Strawbridge
CONSOVOY MCCARTHY PLLC
Ten Post Office Square
8th Floor South PMB #706
Boston, MA 02109
patrick@consovoymccarthy.com

William S. Consovoy
Cameron T. Norris
CONSOVOY MCCARTHY PLLC
3033 Wilson Blvd., Ste. 700
Arlington, VA 22201
(703) 243-9423
will@consovoymccarthy.com
cam@consovoymccarthy.com

*Counsel for President Donald J. Trump, Donald J. Trump
Jr., Eric Trump, and Ivanka Trump.*

Marc L. Mukasey
MUKASEY FRENCHMAN & SKLAROFF LLP
250 Park Avenue, 7th Floor
New York, NY 10177
(347) 527-3940
marc.mukasey@mukaseylaw.com

*Counsel for The Donald J. Trump Revocable Trust, The
Trump Organization, Inc., Trump Organization LLC,
DJT Holdings LLC, DJT Holdings Managing Member
LLC, Trump Acquisition LLC, and Trump Acquisition,
Corp.*