

E

Present: Hon. A. Engoron
Justice

SUPREME COURT OF THE STATE OF
NEW YORK COUNTY OF NEW YORK

At I.A.S. Part 37 of the Supreme
Court of the State of New York, held in
and for the County of New York, at the
Courthouse located at 60 Centre Street,
New York, New York, on the 19
of November, 2020.

PEOPLE OF THE STATE OF NEW
YORK, by LETITIA JAMES,
Attorney General of the State of New
York,

Petitioner,

-against-

THE TRUMP ORGANIZATION,
INC.; DJT HOLDINGS LLC; DJT
HOLDINGS MANAGING
MEMBER LLC; SEVEN SPRINGS
LLC; ERIC TRUMP; CHARLES
MARTABANO; MORGAN, LEWIS
& BOCKIUS, LLP; and SHERI
DILLON,

Respondents.

Index No. 451685/2020

Motion Sequence No.: 007

~~PROPOSED~~ ORDER TO SHOW
CAUSE - MOTION FOR LEAVE TO
REARGUE

mst# 7

Upon the Affirmation of Colleen K. Faherty in support of the Office of the Attorney
General's Motion to Reargue, dated November 19, 2020, and exhibits thereto; the memorandum
of law in support of the motion to reargue; and the application of LETITIA JAMES, Attorney
General of the State of New York, on behalf of the People of the State of New York, and all prior
pleadings herein,

LET Respondents the Trump Organization, Inc., DJT Holdings LLC, DJT Holdings
Managing Member LLC, Seven Springs LLC, Eric Trump, and Charles Martabano (together,
"Respondents") or their counsel appear and show cause before IAS Part 37, of the Supreme
Court, New York County, at the Courthouse located at 60 Centre Street, New York, New York
10007, on Dec. 15 ²⁰²⁰ at 11 a.m./p.m., or as soon thereafter as counsel can be
heard, why an order should not be made and entered on behalf of Petitioner, pursuant to Civil

Practice Law and Rules 2221:

12/15/2020

* Session will be virtual via
Microsoft Teams. Court
will send link.

- (1) Granting Petitioner leave to reargue that portion of the underlying special proceeding seeking to compel disclosure of certain communications involving Ralph Mastromonaco; and, upon consideration, (i) compelling Respondents to comply fully with OAG’s subpoenas *duces tecum*, (ii) amending the Court’s October 16 and 30, 2020 privilege rulings in response to the underlying special proceeding, and ordering Respondents to immediately produce all documents involving third-party engineer Ralph Mastromonaco by disclosing without redaction all responsive documents over which Respondents have asserted privilege; and (iv) ordering that such communications with third party engineer Mastromonaco are not privileged; and
- (2) granting such other, further, and additional relief as this Court may deem just and proper.

SUFFICIENT CAUSE being alleged therefore, it is

ORDERED that service of a copy of this Order, and the papers upon which it was granted, upon Respondents:

(1) by email to Respondents the Trump Organization, DJT Holdings LLC, DJT Holdings Managing Member LLC, Seven Springs LLC, and Eric Trump’s counsel, LaRocca Hornik Rosen & Greenberg LLP, by Larry Rosen, Esq., at lrosen@lhr gb.com, on or before

11/23/2020; *per 11/20/20*
 23

(2) by email to Respondent Eric Trump’s counsel, Mukasey Frenchman & Sklaroff LLP, by Marc Mukasey, Esq., at Marc.Mukasey@MukaseyLaw.com, and Law Offices of Alan S. Futerfas, by Alan Futerfas, Esq., at asfuterfas@futerfaslaw.com, on or before

11/23/2020; *per 11/20/20*

11/23/2020

(3) by email to Respondent Charles Martabano's counsel, by George Calcagnini, Esq., at gcalcagnin@aol.com, on or before 11/23/2020 ²³ ~~20~~ ^{Person};

be deemed good and sufficient service; and it is further


ORDERED that any opposition papers shall be served on Petitioner by email to 12/7/2020 Petitioner's counsel, OAG, by Matthew Colangelo at Matthew.Colangelo@ag.ny.gov on 12/7/2020 ^{Burrows}, six business days before the date set forth above for the hearing on Monday Petitioner's motion for leave to reargue; and

ORDERED that any reply papers shall be served on Respondents by email to Respondents' counsel at lrosen@lhr gb.com, Marc.Mukasey@MukaseyLaw.com, asfuterfas@futerfaslaw.com, and gcalcagnin@aol.com on 12/10/2020, ~~one business day~~ before the date set forth above for the hearing on Petitioner's motion for leave to reargue.

Oral Argument Directed
JSC



ENTER:
J.S.C.



HON. ARTHUR F. ENGORON

Index No. 451685/2020