

DEFENDANTS' NOTICE REGARDING EXECUTIVE PRIVILEGE

Defendants submit this notice pursuant to the Court's February 23, 2023 Minute Order, in which the Court authorized depositions of FBI Director Christopher Wray and former President Donald Trump to proceed, subject to limitations as to scope and duration. The Executive Office of the President will not assert the Presidential Communications Privilege, and Defendants will not assert the Deliberative Process Privilege, with respect to the authorized topics. This notice is limited to the deposition topics authorized by the Court during the February 23, 2023 hearing, and Defendants reserve all rights with respect to privilege assertions as to all other topics during the remainder of discovery and at any trial.¹

As part of Defendants' review of the authorized topics, counsel for Defendants made a representative of former President Trump aware of the Court's Minute Order. Former President Trump has not requested an assertion of privilege over any of the information within the scope of the authorized depositions.

Dated: March 24, 2023

Respectfully submitted,

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/s/ Bradley P. Humphreys
BRADLEY P. HUMPHREYS
(D.C. Bar 988057)

¹ Defendants expressly reserve their rights to seek further review of this Court's February 23, 2023 decision regarding Defendants' motion to quash Mr. Strzok's subpoena for the deposition of former President Trump, including, if appropriate, through mandamus relief. Nothing in this notice should be construed as a waiver or forfeiture of those rights.

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