

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

<p>RUBY FREEMAN</p> <p><i>and</i></p> <p>WANDREA MOSS,</p> <p style="text-align: center;"><i>Plaintiffs,</i></p> <p style="text-align: center;">v.</p> <p>RUDOLPH W. GIULIANI,</p> <p style="text-align: center;"><i>Defendant.</i></p>	<p>Civil Action No. 21-3354 (BAH)</p> <p>Judge Beryl A. Howell</p>
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**NOTICE OF DEFENDANT GIULIANI’S FAILURE TO COMPLY WITH
THE AUGUST 30, 2023 ORDER**

Plaintiffs Ruby Freeman and Wandrea’ ArShaye Moss, by and through their counsel, hereby notify the Court of Defendant Rudolph Giuliani’s failure to comply with the Court’s Order of August 30, 2023, granting plaintiffs’ motion for discovery sanctions (the “Sanctions Order”), and for the Court’s information, state the following:

1. The Sanctions Order ordered Defendant Giuliani to take or cause the Giuliani Businesses¹ to take certain actions by September 20, 2023, including:
 - a. To produce complete responses to plaintiffs’ Requests for Production (“RFP”) Numbers 40 and 41;
 - b. To ensure that Giuliani Communications LLC and Giuliani Partners LLC (collectively, the “Giuliani Businesses”) produce complete responses to plaintiffs’ requests for financial documents and viewership metrics, including RFP Numbers 19 and 35 and designate one or more corporate representatives to sit for depositions on behalf of the Giuliani Businesses;

¹ The Giuliani Businesses are defined as Giuliani Communications LLC and Giuliani Partners LLC.

- c. To reimburse plaintiffs' attorneys' fees and costs associated with their successful first motion to compel discovery in the amount totaling \$89,172.50, with interest on that amount to accrue from July 25, 2023; and
 - d. To ensure that the Giuliani Businesses reimburse plaintiffs' attorneys fees associated with their successful motion to compel discovery from those Businesses in the amount totaling \$43,684, with interest on that amount to accrue from September 20, 2023 against defendant Rudolph W. Giuliani personally if his Businesses fail to timely comply.
2. As of the date of this filing, Defendant Giuliani has failed to take any of the actions, or to cause the Giuliani Businesses to take any of the actions, so-ordered in the Sanctions Order.
 3. Plaintiffs are considering what further relief may be appropriate and will file a request, if any, no later than September 29, 2023, unless the Court directs otherwise.

DATED: September 21, 2023

/s/ Michael J. Gottlieb

WILLKIE FARR & GALLAGHER LLP

Michael J. Gottlieb (974960)
Meryl C. Governski (1023549)
J. Tyler Knoblett (1672514)
Timothy P. Ryan (1719055)
1875 K Street NW
Washington, DC 20006
Tel: (202) 303-1000
Fax: (202) 303-2000
mgottlieb@willkie.com
mgovernski@willkie.com
jknoblett@willkie.com

WILLKIE FARR & GALLAGHER LLP

M. Annie Houghton-Larsen*
787 7th Avenue
New York, New York
Tel: (212) 728-8164
Fax: (212) 728-9164
mhoughton-larsen@willkie.com

UNITED TO PROTECT DEMOCRACY

John Langford*
Rachel Goodman*
82 Nassau Street, #601
New York, NY 10038
Tel: (202) 579-4582
john.langford@protectdemocracy.org
rachel.goodman@protectdemocracy.org

DUBOSE MILLER LLC

Von A. DuBose*
75 14th Street NE
Suite 2110
Atlanta, GA 30309
Tel: (404) 720-8111
dubose@dubosemiller.com

UNITED TO PROTECT DEMOCRACY

Christine Kwon*
555 W. 5th St.
Los Angeles, CA 90013
Tel: (919) 619-9819
Christine.kwon@protectdemocracy.org

UNITED TO PROTECT DEMOCRACY

Sara Chimene-Weiss*
7000 N 16th Street Ste. 120, #430
Phoenix, AZ 85020
Tel: (202) 579-4582
sara.chimene-weiss@protectdemocracy.org

UNITED TO PROTECT DEMOCRACY

Brittany Williams*
15 Main St., Suite 312
Watertown, MA 02472
Tel: (202) 579-4582
brittany.williams@protectdemocracy.org

**Admitted pro hac vice*

*Attorneys for Plaintiffs Ruby Freeman and
Wandrea' Moss*

CERTIFICATE OF SERVICE

I hereby certify that on September 21, 2023, the foregoing document was filed with the Clerk of the Court of the U.S. District Court for the District of Columbia by using the CM/ECF system, which will automatically generate and serve notices of this filing to all counsel of record.

Dated: September 21, 2023

/s/ Michael J. Gottlieb
WILLKIE FARR & GALLAGHER LLP
Michael J. Gottlieb (974960)
1875 K Street, #100
Washington, DC 20006
Tel: (202) 303-1000
Fax: (202) 303-2000
mgottlieb@willkie.com