

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

DONALD J. TRUMP,

Defendant.

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CRIMINAL NO. 23-cr-257 (TSC)

PROPOSED ORDER

The Government has moved to require the defendant to provide notice, by December 18, 2023, of his intent to rely at trial on the advice-of-counsel defense. For the reasons stated in the Government’s motion, and for good cause shown, the motion is **GRANTED**.

The defendant’s notice, if any, should describe with particularity the following: (1) the identity of each attorney who provided advice; (2) the specific advice given, including whether the advice was oral or written; (3) the date on which the advice was given; and (4) the information the defendant communicated or caused to be communicated to the attorney concerning the subject matter of the advice, including the date and manner of the communication.

If the defendant serves notice, he must at the same time produce in discovery to the Government (1) all “communications or evidence” the defendant intends to rely on to establish the defense and (2) any “otherwise-privileged communications” the defendant does “not intend to use at trial, but that are relevant to proving or undermining” it. *United States v. Crowder*, 325 F. Supp. 3d 131, 138 (D.D.C. 2018).

TANYA S. CHUTKAN
UNITED STATES DISTRICT JUDGE