

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE GRAND JURY SUBPOENAS
[REDACTED]

Case No. 22-gj-25 (BAH)

Chief Judge Beryl A. Howell

UNDER SEAL

ORDER

[REDACTED]
[REDACTED] withheld testimony from the grand jury, under instruction from former president Donald J. Trump to invoke executive privilege and also [REDACTED] [REDACTED], attorney-client privilege, regarding communications and meetings, the topics of which generally are set out in attachments to a letter, dated [REDACTED], from the United States to counsel for the former president [REDACTED] prompting the government to file the pending Motion to Compel Testimony Withheld from the Grand Jury, [REDACTED] [REDACTED], [REDACTED], seeking an order to compel [REDACTED] to give testimony previously withheld on instructions from the former president.

Upon consideration of the United States' Motion [REDACTED]

[REDACTED]
[REDACTED]

[REDACTED] and the entire record herein, the Court finds that (1) the testimony withheld by [REDACTED] [REDACTED] on instructions from the former president are assumed to be presumptively protected by the presidential communications privilege arising from the former president's generalized interest in confidentiality; (2) testimony withheld by [REDACTED] on instructions from the former president to invoke attorney-client privilege should not be withheld since this privilege is inapplicable before

the grand jury to communications made or received by [REDACTED]; (3) the grand jury has a demonstrated, specific need for testimony from [REDACTED] about communications and meetings that overcomes the former president's assertion of the presidential communications privilege, as relied on by the witnesses; and (4) the United States has sufficiently demonstrated that evidence of these communications is important and relevant to the grand jury's investigation and that the evidence is not available with due diligence elsewhere; and, accordingly, it is hereby—

ORDERED that the United States' Sealed Motion to Compel Testimony Withheld from the Grand Jury, [REDACTED], is **GRANTED**; it is further

ORDERED that [REDACTED] is to appear before the Grand Jury of the United States District Court for the District of Columbia and give testimony, which he has previously withheld on the basis of the presidential communications privilege or attorney-client privilege, relating, but not limited, to any communications and meetings in the topic areas generally described in the [REDACTED] Letter, and any similar such communications or meetings; it is further

ORDERED that [REDACTED] is to appear before the Grand Jury of the United States District Court for the District of Columbia and give testimony, which he has previously withheld on the basis of the presidential communications privilege, relating, but not limited, to any communications and meetings in the topic areas generally described in the [REDACTED] Letter, and any similar such communications or meetings; it is further

ORDERED that the United States submit to the Court, [REDACTED], at 12 p.m., any proposed redactions to the accompanying Memorandum Opinion that are necessary

before disclosure of the Opinion to the witnesses, their counsel, the former president, and his counsel.

SO ORDERED.

Date: September 28, 2022



Beryl A. Howell

BERYL A. HOWELL
Chief Judge