

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

CABLE NEWS NETWORK, INC., MS NOW
CABLE, LLC, POLITICO LLC, ET AL.,

Plaintiffs,

v.

DONALD J. TRUMP, ET AL.,

Defendants.

Case No. 1:26-cv-03287-TJK

SUPPLEMENTAL DECLARATION OF
DAVID VIGILANTE

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I, David Vigilante, hereby declare under penalty of perjury as follows:

1. I am over 18 years of age, am competent, and make this supplemental declaration based upon my own personal knowledge, my review of CNN's business records, and information provided to me in the course of my duties by CNN personnel with knowledge of the matters described.

2. I am the Executive Vice President and Head of Legal of Cable News Network, Inc. (CNN), a Plaintiff in this action. I make this supplemental declaration in further support of that Motion to describe a communication CNN received from the White House after Plaintiffs filed suit. If called to do so, I could and would competently testify to these matters under oath.

3. At approximately 10:30 p.m. Eastern Time on the night of September 22, 2026, David Chalian, CNN's Washington Bureau Chief, received by email a letter from the White House Press Office. Defendants filed a copy of the White House Press Office letter with their opposition to the Motion as ECF No. 16-1.

4. The White House Press Office letter identifies four CNN articles: (1) an article by Betsy Klein about plans to rebuild the bunker beneath the White House East Wing, published

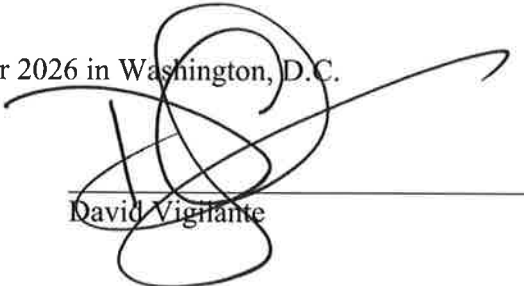
January 19, 2026; (2) an article by Aaron Blake about the administration's statements concerning a munitions shortfall, published July 27, 2026; (3) an article by Zachary Cohen, Jim Sciutto, and Haley Britzky about the depletion of missile interceptors, published August 4, 2026; and (4) an article by Jessie Yeung about a United Nations report on a United States strike on a school in Iran, published September 18, 2026.

5. Only one of the four articles cited in the White House Press Office letter—the January 2026 article by Ms. Klein—was written by a journalist who held a White House hard pass. As indicated in Ms. Klein's Declaration in support of Plaintiffs' Motion for a Temporary Restraining Order, the White House accepted Ms. Klein's submission for renewal of her hard pass in June 2026, approximately five months after she wrote the article cited in the White House Press Office Letter, and that renewal was made effective when her prior pass expired at the end of August 2026. The hard pass taken from her on September 19, 2026, bore an expiration date of August 31, 2027.

6. The other three articles cited in the White House Press Office were written by five CNN journalists, none of whom holds a White House hard pass: Mr. Blake, Mr. Cohen, Mr. Sciutto, Ms. Britzky, and Ms. Yeung. Each of them reports for CNN from outside the White House.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 23rd day of September 2026 in Washington, D.C.



David Vigilante