

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

CASE NUMBER: 2:22-cv-14102-DMM

DONALD J. TRUMP,

Plaintiff,

v.

HILLARY R. CLINTON, et al.,

Defendant.

**PLAINTIFF'S MOTION TO EXTEND TRIAL DATE AND TO
ENTER SCHEDULING ORDER**

The Plaintiff, DONALD J. TRUMP, by and through his undersigned counsel, hereby files his Motion to Extend Trial Date, pursuant to S.D. Fla L.R. 7.6, and to Enter a Scheduling Order, in support states as follows:

1. On April 15, 2022, the Court entered an Order Setting a Trial Date [DE 39]. Pursuant to that Order, the Calendar Call of the above case is set for May 3, 2023.
2. The Plaintiff hereby seeks to reset the trial date, moving the trial date from May, 2023 to November, 2023.
3. This is a complex case, simply as so much evidence will need to be reviewed. Due to the multitude of Defendants in the action, and various complexities of the case, the Plaintiff would request that the Trial Date be pushed back 6 months, which is a reasonable amount of time based on the amount of anticipated discovery and motion practice, that will occur.

4. Furthermore, there are two defendants in England who have not yet been served due to the constraints of the Hague Convention, and there are five former federal employees who are not required to file an Answer or Response to the Complaint until September 6, 2022.

5. Moreover, as the Court has not yet issued a Scheduling Order, pursuant to Rule 16, and the parties have been unable to begin the discovery process, including, but not limited to, taking depositions, and conducting writing discovery. Due to the voluminous amount of anticipated discovery in this case, with the trial being ten months away, the parties will need additional time to properly litigate the case, and to prepare their respective cases.

6. The parties did meet and confer on July 15, 2022, in an effort to come up with a joint scheduling report, and to discuss the extension of the trial date. At the meet and confer were over 41 attorneys, with David Kendall, counsel for Defendant, CLINTON, taking the lead on behalf of the non-governmental defendants.

7. Mr. Kendall, on behalf of the non-government defendants objected to the Continuance of the Trial being extend, and he refused to give any consideration to the proposed Joint Scheduling Report until this Court determines all of the motions to dismiss. He also opposed moving the May trial date. In the event that Mr. Kendall should have his way, there will be extremely little time, if any, for discovery. It would be nothing less than a denial of due process. Also, Joshua Levy, on behalf of Fusion, Peter Frisch and Glenn Simpson objected, as well.

8. This Motion is being filed, at the earliest practicable date, prior to trial, and after the parties met and conferred.

9. Exceptional circumstances exist, due to the complexities of the case, amount of parties involved in the litigation, and the amount of anticipated discovery that will need to be

conducted. Pursuant to Local Rule 7.6, attached to this Motion, as Exhibit “A”. is an Affidavit signed by Peter Ticktin, Esquire, as counsel for the Plaintiff, setting forth a full showing of good cause, in order for the resetting or the continuance to be granted.

10. Moreover, attached as Exhibit “B” and “C”, respectively, is the Plaintiff’s proposed Scheduling Report and proposed Scheduling Order. These documents have also been filed contemporaneously with the filing of this Motion.

11. As such, the Plaintiff hereby requests an extension of time of the trial date, from the May 2023 trial period to November, 2023, and for the Court to enter a proposed Scheduling Order.

12. As stated before, counsel for the Defendants advise that they oppose the relief sought in this motion.

WHEREFORE, the Plaintiff, DONALD J. TRUMP, requests that this Court extend the Trial Date from May 2023 to November, 2023, and enter the proposed Scheduling Order, and such further and other relief that this Court may deem just and proper.

CERTIFICATION PURSUANT TO LOCAL RULE 7.1(a)(3)

The undersigned counsel conferred with counsel for the Defendants in a good faith effort to resolve the issues raised in this Motion and has been advised that the Defendants oppose the relief sought herein. The majority pursuant to David Kendall refused to discuss it until this Court decides the Motions to Dismiss.

/s/ Peter Ticktin
Peter Ticktin, Esquire

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was electronically filed this 21st day of July, 2022, with the Clerk of Court using CM/ECF, which will send a notice of electronic filing to all Parties listed on the Service List.

/s/ Peter Ticktin

THE TICKTIN LAW GROUP
Peter Ticktin, Esquire
Florida Bar No.: 887935
Serv512@LegalBrains.com
Jamie Alan Sasson, Esquire
Florida Bar No.: 10802
Serv513@LegalBrains.com
270 SW Natura Avenue
Deerfield Beach, Florida 33441-1610
Telephone: (954) 570-6757
Attorneys for the Plaintiff

HABBA MADAIO & ASSOCIATES
Alina Habba, Esquire
ahabba@habbalaw.com
Michael T. Madaio, Esquire
mmadaio@habbalaw.com
1430 US Highway 206 Suite 240
Bedminster, New Jersey 07921
Telephone: (908) 869-1188
Attorneys for the Plaintiff

SERVICE LIST

Anthony Erickson-Pogorzelski, Esquire
Fla. Bar No. 619884

Anthony.Pogorzelski@usdoj.gov

Assistant U.S. Attorney

99 N.E. 4th Street, Suite 300

Miami, Florida 33132

Telephone: 305- 961-9296

Attorneys for Defendant

United States of America

David E. Kendall, Esquire

dkendall@wc.com

Williams & Connolly, LLP

725 12th Street NW

Washington, DC 20005-3901

Telephone: 202-434-5000

PRO HAC VICE

Attorney for the Defendant

Hillary R. Clinton

David Oscar Markus, Esquire

dmarkus@markuslaw.com

Markus/Moss, LLP

40 N.W. Third Street

Penthouse 1

Miami, Florida 33128

Telephone: 305-379-6667

Attorneys for the Defendant

Hillary R. Clinton

Katherine M. Turner, Esquire

ktturner@wc.com

Williams & Connolly, LLP

725 12th Street NW

Washington, DC 20005-3901

Telephone: 202-434-5000

PRO HAC VICE

Attorney for the Defendant

Hillary R. Clinton

Michael J. Mestitz, Esquire

mmestitz@wc.com

Williams & Connolly, LLP

725 12th Street NW

Washington, DC 20005-3901

Telephone: 202-434-5000

PRO HAC VICE

Attorney for the Defendant

Hillary R. Clinton

Jonathan Edward Levine, Esquire

Jonathan.levine@levinepllc.com

Levine & Associates, PLLC

5311 Lee Highway

Arlington, Virginia 22207

Telephone: 703-525-2668

Attorney for Defendant

Charles Halliday Dolan, Jr.

George R.A. Doumar, Esquire

gdoumar@doumarmartin.com

**Mahdavi, Bacon, Halfhill & Young,
PLLC**

11350 Random Hills Road, Suite 700

Fairfax, Virginia 22030

Telephone: 703-352-1300

PRO HAC VICE

Attorney for Defendant

Charles Halliday Dolan, Jr

Franklin G. Monsour, Jr., Esquire

fmonsour@orrick.com

Orrick, Herrington & Stcliffe, LLP

51 West 52nd Street

New York, New York 10019

Telephone: 202-339-8533

PRO HAC VICE

Attorney for Defendant

Igor Danchenko

Diana Marie Fassbender, Esquire
dszego@orrick.com
Orrick, Herrington & Stcliffe, LLP
1152 15th Street NW
Washington, D.C. 20005
PRO HAC VICE
Attorney for Defendant
Igor Danchenko

Jennifer Olmedo-Rodriguez, Esquire
Florida Bar No.: 605158
Jennifer.olmedo@bipc.com
Buchanan Ingersoll & Rooney, P.C.
2 South Biscayne Boulevard, Suite 1500
Miami, Florida 33131
Telephone: 305-347-4080
Attorney for the Defendant
Neustar, Inc.

Samantha L. Southall, Esquire
Samantha.southall@bipc.com
Buchanan Ingersoll & Rooney, P.C.
50 South 16th Street, Suite 3200
Two Liberty Place
Philadelphia, PA 19102
Telephone: 215-665-3884
PRO HAC VICE
Attorney for the Defendant
Neustar, Inc

Adam Seth Fels, Esquire
afels@ffslawfirm.com
Florida Bar No.: 0114917
Fridman Fels & Soto, PLLC
2525 Ponce de Leon Blvd., Ste 750
Coral Gables, FL 33134
Telephone: 305-569-7701
Attorney for the Defendant
Bruce Ohr and Nellie Ohr
Fusion GPS
Glenn Simpson
Peter Fritsch

Kevin P. Crenny, Esquire

kcrenny@levyfirestone.com
Levy Firestone Muse, LLP
900 17th Street NW, Suite 1200
Washington, D.C., 20006
Telephone: 202-845-3215
PRO HAC VICE
Attorney for the Defendant
Fusion GPS
Glenn Simpson
Peter Fritsch

Joshua Levy, Esquire
jal@levyfirestone.com
Levy Firestone Muse, LLP
900 17th Street NW, Suite 1200
Washington, D.C., 20006
Telephone: 202-845-3215
PRO HAC VICE
Attorney for the Defendant
Fusion GPS
Glenn Simpson
Peter Fritsch

Rachel Clattenburg, Esquire
rnc@levyfirestone.com
Levy Firestone Muse, LLP
900 17th Street NW, Suite 1200
Washington, D.C., 20006
Telephone: 202-845-3215
PRO HAC VICE
Attorney for the Defendant
Fusion GPS
Glenn Simpson
Peter Fritsch

Joshua Berman, Esquire
Joshua.Berman@cliffordChance.com
Clifford Chance US, LLP
2011 K. Street, NW
Washington, D.C., 20006-1001
Telephone: 202-912-5000
PRO HAC VICE
Attorney for Defendants
Nellie Ohr and Bruce Ohr

Benjamin Peacock, Esquire

Benjamin.Peacock@cliffordChance.com

Clifford Chance US, LLP

2011 K. Street, NW
Washington, D.C., 20006-1001

Telephone: 202-912-5000

PRO HAC VICE

Attorney for Defendants

Nellie Ohr and Bruce Ohr

Eugene K. Pettis, Esquire

cmarr@hpslegal.com

Service@hpslegal.com

Haliczer Pettis & Schwamm P.A.

100 SE 3rd Avenue, 7th Floor

Fort Lauderdale, FL 33394

Telephone: 954-523-9922

Attorneys for Defendant

Marc Elias

Debra P. Klauber, Esquire

dklauber@hpslegal.com

Service@hpslegal.com

Haliczer Pettis & Schwamm P.A.

100 SE 3rd Avenue, 7th Floor

Fort Lauderdale, FL 33394

Telephone: 954-523-9922

Attorneys for Defendant

Marc Elias

April A. Otterberg, Esquire

aotterberg@jenner.com

Jenner & Block, LLP

353 N. Clark Street

Chicago, IL 60654-3454

Telephone: 312-222-9350

PRO HAC VICE

Attorney for the Defendant

Marc Elias

Reid J. Schar, Esquire

rschar@jenner.com

Jenner & Block, LLP

353 N. Clark Street

Chicago, IL 60654-3454

Telephone: 312-222-9350

PRO HAC VICE

Attorney for the Defendant

Marc Elias

Roberto Martinez, Esquire

Bob@colson.com

becky@colson.com

Florida Bar No.: 305596

Colson Hicks Eidson, P.A.,

255 Alhambra Circle, Penthouse

Coral Gables, Florida 33134

Telephone: 305-476-7400

Attorney for the Defendant

Michael Sussmann

Zachary Lipshultz, Esquire

zach@colson.com

Florida Bar No.: 123594

Colson Hicks Eidson, P.A.,

255 Alhambra Circle, Penthouse

Coral Gables, Florida 33134

Telephone: 305-476-7400

Attorney for the Defendant

Michael Sussmann

Michael S. Bosworth, Esquire

Michael.Bosworth@lw.com

Latham & Watkins, LLP

1271 Avenue of the Americas

New York, NY 10020

Telephone: 212-916-1221

PRO HAC VICE

Attorney for the Defendant

Michael Sussmann

Michael F. Houlihan, Esquire

Michael.Houlihan@lw.com

Latham & Watkins, LLP

200 Clarendon Street

Boston, MA 02116

Telephone: 617-880-4642

PRO HAC VICE

Attorney for the Defendant

Michael Sussmann

Sean M. Berkowitz, Esquire
Sean.Berkowitz@lw.com
Latham & Watkins, LLP
330 North Wabash Avenue, Suite 2800
Chicago, IL 60611
Telephone: 312-876-7700
PRO HAC VICE
Attorney for the Defendant
Michael Sussmann

Stephen P. Barry, Esquire
Stephen.Barry@lw.com
Latham & Watkins, LLP
555 Eleventh Street NW, Suite 1000
Washington, D.C. 20004
Telephone: 202-637-2200
PRO HAC VICE
Attorney for the Defendant
Michael Sussmann

Eleni Kastrenakes Howard, Esquire
Eleni.kastrenakeshoward@akerman.com
Florida Bar No.: 73073
Akerman, LLP
777 S. Flagler Drive, Suite 1100, West
Tower
West Palm Beach, Florida 33401
Telephone: 561-653-5000
Attorney for the Defendant
Perkins Coie, LLP

Howard Jay Harrington, Esquire
Jay.harrington@akerman.com
Florida Bar No.: 0118719
Akerman, LLP
777 S. Flagler Drive, Suite 1100, West
Tower
West Palm Beach, Florida 33401
Telephone: 561-653-5000
Attorney for the Defendant
Perkins Coie, LLP

F. Joseph Warin, Esquire
fwarin@gibsondunn.com
Gibson Dunn & Crutcher, LLP
1050 Connecticut Avenue NW

Washington, D.C., 20036-5306
Telephone: 202-887-3609
PRO HAC VICE
Attorney for the Defendant
Perkins Coie, LLP

Geoffrey M. Sigler, Esquire
gsigler@gibsondunn.com
Gibson Dunn & Crutcher, LLP
1050 Connecticut Avenue NW
Washington, D.C., 20036-5306
Telephone: 202-887-3609
PRO HAC VICE
Attorney for the Defendant
Perkins Coie, LLP

Katherine M. Meeks, Esquire
kmeeks@gibsondunn.com
Gibson Dunn & Crutcher, LLP
1050 Connecticut Avenue NW
Washington, D.C., 20036-5306
Telephone: 202-887-3609
PRO HAC VICE
Attorney for the Defendant
Perkins Coie, LLP

Nancy E. Hart, Esquire
nhart@gibsondunn.com
Gibson Dunn & Crutcher, LLP
1050 Connecticut Avenue NW
Washington, D.C., 20036-5306
Telephone: 202-887-3609
PRO HAC VICE
Attorney for the Defendant
Perkins Coie, LLP

Gerald E. Greenberg, Esquire
ggreenberg@gsgpa.com
Florida Bar No.: 440094
Gelber Schachther & Greenberg, P.A.
One South East Third Avenue, Suite 2600
SunTrust International Center
Miami, Florida 33131
Telephone: 305-728-0950
Attorney for the Defendant

*Democratic National Committee
DNC Services Corporation
Debbie Wasserman Schultz*

Shawn G. Crowley, Esquire
scrowley@kaplanhecker.com
Kaplan Hecker & Fink, LLP
350 5th Avenue, 63rd Floor
New York, New York 10118
Telephone: 212-763-0883
PRO HAC VICE
Attorney for the Defendants
Democratic National Committee
DNC Services Corporation

Maximillian Feldman, Esquire
mfeldman@kaplanhecker.com
Kaplan Hecker & Fink, LLP
350 5th Avenue, 63rd Floor
New York, New York 10118
Telephone: 212-763-0883
PRO HAC VICE
Attorney for the Defendants
Democratic National Committee
DNC Services Corporation

Roberta A. Kaplan, Esquire
rkaplan@kaplanhecker.com
Kaplan Hecker & Fink, LLP
350 5th Avenue, 63rd Floor
New York, New York 10118
Telephone: 212-763-0883
PRO HAC VICE
Attorney for the Defendants
Democratic National Committee
DNC Services Corporation

Edward Soto, Esquire
Edward.soto@weil.com
Florida Bar No.: 0265144
Weil Gotshal & Manges, LLP
1395 Brickell Avenue, Suite 1200
Miami, Florida 33131
Telephone: 305-577-3100
PRO HAC VICE
Attorney for the Defendant

Rodney Joffe

Steven Tyrell, Esquire
Steven.tyrrell@weil.com
Weil, Gotshal & Manges, LLP
2001 M St. NW, Suite 600
Washington, D.C. 20063
Telephone:
PRO HAC VICE
Attorney for the Defendant
Rodney Joffe

Noah Brozinsky, Esquire
nbrozinsky@kaiserDillon.com
Florida Bar No.: 010470
KaiserDillon, PLLC
1099 14th Street NW, 8th Floor West
Washington, D.C. 20005
Attorney for the Defendant
Kevin E. Clinesmith

Christopher Muha, Esquire
CMuha@kaiserdillon.com
KaiserDillon, PLLC
1099 14th Street NW, 8th Floor West
Washington, D.C. 20005
Telephone: 202-640-2850
PRO HAC VICE
Attorney for the Defendant
Kevin E. Clinesmith

William Pittard, Esquire
Wpittard@kaiserdillon.com
KaiserDillon, PLLC
1099 14th Street NW, 8th Floor West
Washington, D.C. 20005
Telephone: 202-640-2850
PRO HAC VICE
Attorney for the Defendant
Kevin E. Clinesmith

Paola Pinto, Esquire
ppinto@schertlerlaw.com
Florida Bar No.: 1013933
Schertler Onorato Mead & Sears
555 13th Street, N.W.

Suite 500 West
Washington, D.C. 20004
Telephone: 202-628-4155
Attorney for the Defendants
John Podesta
HFACC, Inc.

Robert P. Trout, Esquire
Rtrout@schertlerlaw.com
Schertler Onorato Mead & Sears
555 13th Street, N.W.
Suite 500 West
Washington, D.C. 20004
Telephone: 202-628-4155
PRO HAC VICE
Attorney for the Defendants
John Podesta
HFACC, Inc.

William R. Barzee, Esquire
williambarzee@barzeeflores.com
Barzee Flores
Courthouse Center, Penthouse One
40 NW Third Street
Miami, Florida 33128
Telephone: 3025-374-3998
Counsel for the Defendants
Robert E. Mook
Jack Sullivan

Andrew J. Ceresney, Esquire
aceresney@debevoise.com
Debevoise & Plimpton, LLP
919 Third Avenue
New York, NY 10022
Telephone: 212-909-6000
PRO HAC VICE
Attorney for the Defendant
Robert E. Mook

Isabela M. Garcez, Esquire
imgarcez@debevoise.com
Debevoise & Plimpton, LLP
919 Third Avenue
New York, NY 10022
Telephone: 212-909-6000

PRO HAC VICE
Attorney for the Defendant
Robert E. Mook

Wendy B. Reilly, Esquire
wbreilly@debevoise.com
Debevoise & Plimpton, LLP
919 Third Avenue
New York, NY 10022
Telephone: 212-909-6000
PRO HAC VICE
Attorney for the Defendant
Robert E. Mook

Brian L. Stekloff, Esquire
bstekloff@wilkinsonstekloff.com
Wilkinson Stekloff, LLP
2001 M. Street NW, 10th Floor
Washington, D.C. 20036
Telephone: 202-847-4030
PRO HAC VICE
Attorney for the Defendant
Jake Sullivan

Sarah E. Neuman, Esquire
sneuman@wilkinsonstekloff.com
Wilkinson Stekloff, LLP
2001 M. Street NW, 10th Floor
Washington, D.C. 20036
Telephone: 202-847-4030
PRO HAC VICE
Attorney for the Defendant
Jake Sullivan

James E. Gillenwater, Esquire
gillenwaterj@gtlaw.com,
Greenberg Traurig, P.A.
333 SE 2nd Avenue, Suite 4400
Miami, Florida 33131
Telephone: 305-579-0500
Attorney for the Defendant
Neustar Security Services

Allison S. Eisen, Esquire
aeisen@wc.com
Williams & Connolly, LLP

380 Maine Avenue, SW
Washington, D.C. 20024
Telephone: 202-434-5000
PRO HAC VICE
Attorney for the Defendant
Neustar Security Services

Kathryn E. Garza, Esquire
kgarza@wc.com
Williams & Connolly, LLP
380 Maine Avenue, SW
Washington, D.C. 20024
Telephone: 202-434-5000
PRO HAC VICE
Attorney for the Defendant
Neustar Security Services

John M. McNichols, Esquire
jmcnichols@wc.com
Williams & Connolly, LLP
380 Maine Avenue, SW
Washington, D.C. 20024
Telephone: 202-434-5000
PRO HAC VICE
Attorney for the Defendant
Neustar Security Services