

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
WEST PALM BEACH DIVISION**

**UNITED STATES OF AMERICA**

Case No.: 9:22-MJ-08332-BER-1

**v.**

**SEALED SEARCH WARRANT**

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**CBS BROADCASTING INC.'S MOTION TO INTERVENE FOR THE LIMITED  
PURPOSE OF OBTAINING ACCESS TO SEARCH WARRANT COURT RECORDS,  
ADOPTION OF MOTION FOR ACCESS AND MEMORANDUM OF LAW**

CBS Broadcasting Inc.<sup>1</sup> (herein referred to as “CBS News”) hereby moves to intervene in this matter for the limited purpose of joining Intervenor The New York Times Company in seeking to unseal and obtain access to all documents filed with this Court related to the search warrant executed on Monday, August 8, 2022, at former President Donald J. Trump’s Mar-a-Lago Palm Beach, Florida, club and residence. *See* ECF 8, 9 (“The Times’ Motion”). CBS also hereby adopts this substantive motion for access to court records.

Earlier today, this Court recognized the right of the news media to intervene in this matter, granting The New York Times Company leave to intervene. *See* ECF 11. It further ordered the United States to respond to all pending motions to unseal in one omnibus response by 5:00 p.m. on August 15, 2022. *See* ECF 12. Thus, granting the instant motion, which raises no additional substantive legal arguments beyond those raised in The Times’ Motion, will not prejudice any

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<sup>1</sup> CBS Broadcasting Inc., on behalf of CBS News, is an indirect, wholly owned subsidiary of Paramount Global. Paramount Global is a publicly traded company. National Amusements, Inc., a privately held company, beneficially owns the majority of the Class A voting stock of Paramount Global. Paramount Global is not aware of any publicly held entity owning 10% or more of its total common stock, i.e., Class A and Class B on a combined basis.

government response deadlines. Additionally, the Government has now filed a motion to unseal limited warrant materials. *See* ECF 18.

Additional grounds for this motion are set forth in the below memorandum of law.

## **MEMORANDUM OF LAW**

### **I. CBS News Has Standing to Intervene.**

CBS News produces, broadcasts, and streams news, public affairs and entertainment programming. Its produces morning, evening, and weekend news and public affairs programming, such as CBS MORNINGS, the CBS EVENING NEWS, CBS SUNDAY MORNING, and FACE THE NATION, as well as news and public affairs newsmagazine shows, such as “60 MINUTES” and “48 HOURS.” CBS News also operates twenty-nine television stations in fifteen of the top twenty major markets across the country, and operates CBS News Streaming for 24-hour news. It also operates the news website CBSNews.com. In gathering and reporting news, CBS News uses public records, including court records, to inform the public of newsworthy events. It has reported on President Trump before and throughout his presidential administration. It continues to report on President Trump post-presidency, including reporting on the August 8, 2022, search warrant execution at Mar-a-Lago.

The Eleventh Circuit has recognized the news media’s right to intervene in matters to challenge the denial of access to court records. *See, e.g., United States v. Ellis*, 90 F.3d 447, 449 (11th Cir. 1996), *cert. denied*, 519 U.S. 1118 (1997); *Newman v. Graddick*, 696 F.2d 796, 800 (11th Cir. 1983); *see also Globe Newspaper Co. v. Super. Ct.*, 457 U.S. 596, 609 n.25 (1982) (“the press and general public ‘must be given an opportunity to be heard on the question of their exclusion.’” (citation omitted)). Only through intervention can the public’s right to open courts and records be vindicated. *See Newman*, 696 F.2d at 800.

There is no question that CBS News as a news organization—like The New York Times Company—has standing to intervene to seek access to all search warrant records related to the August 8, 2022, events at Mar-a-Lago.

**II. All Subject Search Warrant Records Should Be Released.**

For all the reasons stated in The Times’ Motion, which are specifically adopted and incorporated herein by reference, this Court should unseal all court records related to the subject search warrant.

**III. Conclusion.**

CBS News respectfully requests that this Court grant this motion to intervene and unseal or otherwise make publicly available all search warrant-related court records regarding the events of August 8, 2022, at Mar-a-Lago.

**REQUEST FOR HEARING**

Pursuant to Local Rule 7.1(b)(2), CBS News requests a hearing be set for this motion.<sup>2</sup> Oral argument will aid this Court in assessing any further basis to continue to keep these extremely newsworthy records secret and allow this Court to directly inquire into any government justification for doing so. CBS News estimates the time required for argument to be sixty (60) minutes.

**LOCAL RULE 7.1(a)(3) CERTIFICATE OF GOOD-FAITH CONFERENCE**

Undersigned counsel for hereby certifies that on the afternoon of August 10, 2022, she made reasonable efforts to confer with the Assistant United States Attorney for the Southern District of Florida handling the matter, leaving a message with their office about news media

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<sup>2</sup> CBS News and The New York Times Company are represented by the same legal counsel in this matter, which would argue concurrently for both at any set hearing.

intervention. She has yet to receive a return telephone call. As set forth in ECF 18, the Government does not oppose release of certain search warrant records identified therein.

Dated: August 11, 2022

Respectfully submitted,

THOMAS & LOCICERO PL

*/s/ Carol Jean LoCicero*

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*Attorneys for CBS Broadcasting Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on August 11, 2022, a true and correct copy of the foregoing document is being electronically filed and will be furnished via CM/ECF. A copy of the foregoing is also being served by email and first-class mail, postage paid, to:

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*/s/ Carol Jean LoCicero*

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