

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

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DONALD J. TRUMP,

Plaintiff,

- against -

UNITED STATES OF AMERICA,

Defendant.

**INTERIM REPORT AND
RECOMMENDATION NO. 1**
No. 22-81294-CIV-CANNON

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RAYMOND J. DEARIE, Special Master

Pursuant to the Order Appointing Special Master, ECF 91 (“Appointing Order”), as amended by the Order Following Partial Stay, ECF 104, the undersigned respectfully submits this interim report and recommendation.

I. VERIFICATION OF THE DETAILED PROPERTY INVENTORY

Pursuant to the Amended Case Management Plan dated September 23, 2022, ECF 106 (“Amended Plan”), on September 26, 2022, the government submitted an Affidavit Regarding Detailed Inventory together with a Revised Detailed Property Inventory. ECF 116; *see* Amended Plan at 1-2. The information in the Revised Detailed Property Inventory differs in some respects from the information in the government’s previously filed Detailed Property Inventory. *See* ECF 39-1.

Plaintiff’s deadline for submitting a declaration or affidavit contesting the government’s inventory is currently scheduled for September 30, 2022. *See* Amended Plan at 1. However, in light of delays in retaining a vendor to digitize the Seized Materials, *see* ECF 112 (granting motion to extend time), Plaintiff’s deadline for submitting a declaration or affidavit in response

to the government's revised inventory is extended to October 7, 2022. The government's deadline to file a responsive declaration or affidavit remains set for October 14, 2022.

II. REVIEW OF SEIZED MATERIALS

In light of delays in selecting a document review vendor, *see* ECF 108, the undersigned extended the deadlines for the parties to review and exchange positions as to privilege assertions with respect to most of the Seized Materials as set forth in the Amended Plan, *see* ECF 112. The Amended Plan did not alter the original Plan's deadlines for reviewing and exchanging positions as to privilege assertions with respect to the Filter Materials.

III. ADMINISTRATIVE MATTERS

A. Staffing, Compensation, and Expenses. The undersigned is today separately submitting a proposal for the Court's approval pursuant to Paragraph 15 of the Appointing Order.

B. Interim Reports and Adjustments to Prior Orders. In the original Appointing Order, the Court directed that "the Special Master shall submit interim reports and recommendations as appropriate. Upon receipt and resolution of any interim reports and recommendations, the Court will consider prompt adjustments to the Court's orders as necessary." Appointing Order ¶ 6. However, the Court later struck that language as part of its order implementing an unrelated ruling by the Eleventh Circuit. As the language quoted above as to interim reports and adjustments to prior orders is consistent with the Eleventh Circuit's ruling and the efficient administration of the Appointing Order as amended, the undersigned respectfully recommends that the Court issue an order reinstating that language.

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This Interim Report and Recommendation shall be filed on the docket and deemed served on each party today. The parties may file objections to, or motions to adopt or modify, the foregoing report and recommendation by October 2, 2022. Failure to timely object shall result in waiver of the objection. *See* Appointing Order, ¶ 11; Fed. R. Civ. P. 53(f).

Dated: Brooklyn, New York
September 27, 2022

/s/ Raymond J. Dearie
RAYMOND J. DEARIE
United States District Judge