

MEMO ENDORSED
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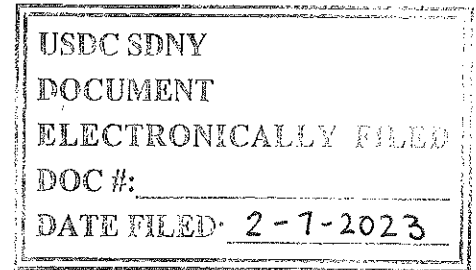
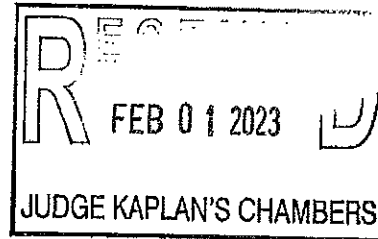
January 31, 2023

BY HAND

The Honorable Lewis A. Kaplan
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *Carroll v. Trump*, No. ²⁰~~21~~-cv-7311 (LAK)

Dear Judge Kaplan:



I am the Executive Producer of and write on behalf of *The Rachel Maddow Show*. On January 18, after Defendant's counsel withdrew its objections to the unsealing of "designated portions of Defendant's deposition transcript attached to Plaintiff's Opposition to Defendant's Motion for Summary Judgment," ECF No. 120, Your Honor ordered the Clerk of Court to unseal those portions of the deposition transcript "attached by ECF No. 117." ECF No. 121.

However, that order does not address the Plaintiff's opposition brief itself. That document, ECF No. 112, remains redacted with respect to any quotation from or reference to the now-unsealed excerpts of Defendant's deposition.

Because Defendant no longer objects to the unsealing of those excerpts attached to Plaintiff's opposition brief, and since his objections were the sole basis for Plaintiff's redactions to her opposition brief as filed, *see* ECF No. 11, I request that the Clerk of Court file a public, unredacted version of ECF No. 112 as soon as is practicable.

As Your Honor is aware, the public interest in this ongoing litigation and Defendant's deposition specifically is substantial, and "it is well-settled that 'documents submitted to a court for its consideration in a summary judgment motion are—as a matter of law—judicial documents to which a strong presumption of access attached, under both the common law and the First Amendment.'" *Brown v. Maxwell*, 929 F.3d 41, 47 (2d Cir. 2019).

To the extent Your Honor has questions or concerns, please do not hesitate to contact me.

Respectfully,
Cory Gnazzo / LGAR
Cory Gnazzo
MSNBC

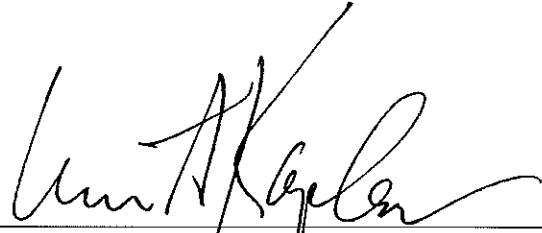
Memorandum Endorsement

Carroll v. Trump, 20-cv-7311 (LAK)

The redacted portions of the plaintiff's opposition brief and plaintiff's response to the defendant's Rule 56.1 statement are information drawn from the defendant's deposition transcript, which already has been unsealed pursuant to this Court's order on January 18, 2023 (Dkt 121). The designated portions of plaintiff's opposition filings accordingly no longer need to be sealed. The Clerk shall unseal the designated portions of plaintiff's opposition brief (Dkt 113) and plaintiff's response to defendant's Rule 56.1 statement (Dkt 115).

SO ORDERED.

Dated: February 7, 2023

A handwritten signature in black ink, appearing to read "Lewis A. Kaplan", written over a horizontal line.

Lewis A. Kaplan
United States District Judge