

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

E. JEAN CARROLL,

Plaintiff,

v.

DONALD J. TRUMP,

Defendant.

1:20-cv-07311 (LAK)

DEPOSITION DESIGNATIONS AND OBJECTIONS

Pursuant to the Order of Hon. Lewis A. Kaplan, U.S.D.J., dated December 21, 2023, Defendant Donald J. Trump (“Defendant”) respectfully submits his objections to the designations of Plaintiff E. Jean Carroll (“Plaintiff”) set forth in her December 20, 2023 letter (ECF 239) and Defendant’s counter-designations of deposition testimony in this action. Defendant reserves the right to amend his objections to Plaintiff’s designations and Defendant’s counter-designations pending the disposition of any motions and/or applications presently before the Court.

Pursuant to Federal Rule of Evidence (“FRE”) 32, Defendant hereby objects to the introduction of any portion of Defendant’s deposition transcript during trial as Defendant has been named as a witness to testify at this trial. Notwithstanding and subject to the foregoing objection, Defendant respectfully submits the following objections to Plaintiff’s designations and Defendant’s counter-designations set forth herein.

The parties designate and counter-designate the below portions of the October 19, 2022 Deposition of Donald J. Trump (“Defendant’s Deposition”) and the October 14, 2022 Deposition E. Jean Carroll (“Plaintiff’s Deposition”), and note their objections for the Court.

A. Plaintiff's Designations of Defendant's Deposition and Defendant's Objections

Plaintiff's Designations	Defendant's Objections
12:21 - 13:9	FRE 402, 403
13:17 - 13:19	FRE 402
13:24 - 14:9	FRE 402
42:5 - 42:8	FRE 402, 403
43:4 - 43:14	FRE 402, 403
54:9 - 55:3	FRE 402, 403
55:7 - 55:18	FRE 402, 403
56:8 - 56:12	No objection
57:6 - 57:11	No objection
57:15 - 57:18	No objection
60:3 - 60:5	No objection
61:6 - 61:14	No objection
61:22 - 62:18	No objection
67:7 - 67:9	No objection
68:3 - 68:21	No objection
69:7 - 69:23	No objection
81:21 - 83:2	FRE 402, 403, Memorandum Opinion, <i>Carroll v. Trump</i> , No. 20 Civ. 7311 (Sept. 6, 2023), ECF 214 limiting trial to damages only.
87:6 - 88:3	FRE 402, 403
88:7 - 88:17	FRE 402, 403
89:18 - 90:11	No objection
93:19 - 94:20	FRE 402, 403
95:4 - 95:5	FRE 402, 403
95:8 - 95:8	FRE 402, 403
103:8 - 103:19	No objection
125:22 - 126:3	FRE 402
127:5 - 128:5	FRE 402, 403
130:6 - 130:19	No objection
130:25 - 131:4	FRE 402, 403
131:11 - 131:13	FRE 402, 403
131:16 - 131:20	FRE 402, 403
131:24 - 132:5	FRE 402, 403
134:10 - 134:13	FRE 402, 403
137:9 - 138:3	No objection
141:21 - 142:14	FRE 402, 403
146:16 - 146:21	FRE 402, 403
147:3 - 147:17	FRE 402, 403

Plaintiff's Designations	Defendant's Objections
147:20 - 148:7	FRE 402, 403
148:9 - 148:20	FRE 402, 403
148:22 - 149:2	FRE 402, 403
149:4 - 149:6	FRE 402, 403
168:20 - 168:25	FRE 402, 403, 404, Memorandum Opinion, <i>Carroll v. Trump</i> , No. 20 Civ. 7311 (Sept. 6, 2023), ECF 214 limiting trial to damages only.
169:4 - 169:6	FRE 402, 403, 404, Memorandum Opinion, <i>Carroll v. Trump</i> , No. 20 Civ. 7311 (Sept. 6, 2023), ECF 214 limiting trial to damages only.
169:8 - 169:21	FRE 402, 403, 404, Memorandum Opinion, <i>Carroll v. Trump</i> , No. 20 Civ. 7311 (Sept. 6, 2023), ECF 214 limiting trial to damages only.
170:2 - 170:4	FRE 402, 403, 404, Memorandum Opinion, <i>Carroll v. Trump</i> , No. 20 Civ. 7311 (Sept. 6, 2023), ECF 214 limiting trial to damages only.
174:5 - 174:21	FRE 402, 403, 404, Memorandum Opinion, <i>Carroll v. Trump</i> , No. 20 Civ. 7311 (Sept. 6, 2023), ECF 214 limiting trial to damages only.
176:8 - 176:11	FRE 402, 403, 404, Memorandum Opinion, <i>Carroll v. Trump</i> , No. 20 Civ. 7311 (Sept. 6, 2023), ECF 214 limiting trial to damages only.
180:23 - 181:9	FRE 402, 403, 404, Memorandum Opinion, <i>Carroll v. Trump</i> , No. 20 Civ. 7311 (Sept. 6, 2023), ECF 214 limiting trial to damages only.
181:11 - 181:14	FRE 402, 403, 404, Memorandum Opinion, <i>Carroll v. Trump</i> , No. 20 Civ. 7311 (Sept. 6, 2023), ECF 214 limiting trial to damages only.
182:23 - 183:2	FRE 402, 403, 404, Memorandum Opinion, <i>Carroll v. Trump</i> , No. 20 Civ. 7311 (Sept. 6, 2023), ECF 214 limiting trial to damages only.
183:25 - 184:9	FRE 402, 403, 404, Memorandum Opinion, <i>Carroll v. Trump</i> , No. 20 Civ. 7311 (Sept. 6, 2023), ECF 214 limiting trial to damages only.
184:13 - 184:22	FRE 402, 403, 404, Memorandum Opinion, <i>Carroll v. Trump</i> , No. 20 Civ. 7311 (Sept. 6, 2023), ECF 214 limiting trial to damages only.
209:4 - 209:19	FRE 402, 403

B. Defendant's Counter-Designations of Defendant's Deposition

Defendant's Counter-Designations
50:25 - 51:6
51:8 - 51:12
53:11 - 53:24
55:20 (starting with "it was") - 56:5
58:5 - 58:6
58:14 - 59:23
60:3 - 60:18
67:10 - 67:18
71:4 - 71:24
72:6 - 72:10
72:14 - 73:16
73:18 - 73:20
77:14 (starting with "And if") - 78:5
80:4 - 80:16
91:3 - 91:15
103:6 - 103:19
116:22 - 117:4
119:5 - 119:22
119:24 - 120:15
131:5 - 131:9
134:19 - 134:24
139:8 - 139:24
141:3 - 141:20
146:22 - 147:2
148:9 - 148:13
172:3 - 172:10 (Defendant designates only because the issue of whether the "Access Hollywood" tape is admissible at trial remains pending before this Court, and Plaintiff's designations on this issue, and reserves all rights on appeal)
174:22 - 175:4 (ending with "people talk")

Defendant's Counter-Designations
(Defendant designates only because the issue of whether the "Access Hollywood" tape is admissible at trial remains pending before this Court, and Plaintiff's designations on this issue, and reserves all rights on appeal)
176:12 – 176:17 (ending with "remember it") (Defendant designates only because the issue of whether Natasha Stoynoff's testimony, and evidence relating to said testimony, is admissible at trial remains pending before this Court, and Plaintiff's designations on this issue, and reserves all rights on appeal)
176:19 (starting with "a long time") – 177:4 (ending with "phony charge") (Defendant designates only because the issue of whether Natasha Stoynoff's testimony, and evidence relating to said testimony, is admissible at trial remains pending before this Court, and Plaintiff's designations on this issue, and reserves all rights on appeal)
183:13 – 183:23 (ending with "disgrace, also.") (Defendant designates only because the issue of whether Jessica Leeds's testimony, and evidence relating to said testimony, is admissible at trial remains pending before this Court, and Plaintiff's designations on this issue, and reserves all rights on appeal)
185:3 – 187:3 (Defendant designates only because the issue of whether Jessica Leeds's testimony, and evidence relating to said testimony, is admissible at trial remains pending before this Court, and Plaintiff's designations on this issue, and reserves all rights on appeal)
191:25 – 192:22 (Defendant designates only because the issue of whether Jessica Leeds's testimony, and evidence relating to said testimony, is admissible at trial remains pending before this Court, and Plaintiff's designations on this issue, and reserves all rights on appeal)
210:17 - 210:19
210:22 - 210:25
215:3 - 215:19

Dated: December 28, 2023

Respectfully submitted,

/s/ Michael Madaio

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