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January 12, 2024

Via E-Mail and First Class Mail

The Honorable Lewis A. Kaplan
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *E. Jean Carroll v. Donald J. Trump*
20 Civ. 07311 (LAK) (JLC)

Dear Judge Kaplan:

We write on behalf of President Donald J. Trump to respectfully request a one-week adjournment of the trial scheduled to commence on January 16, 2024. We are saddened to report that Mrs. Melania Trump's mother passed away this week on January 9, 2024. As the family has just made my team aware there will be a funeral held on Thursday, January 18, 2024 in Florida. Accordingly, President Trump, who plans to attend his trial, will not be able to be present on Wednesday and Thursday as he will be traveling to be with his family and be attending the funeral. Given that this is one of life's sad unexpected realities, President Trump would greatly appreciate this minor accommodation during this difficult time.

As Counsel, given the fact that Monday is a Court holiday and trial is not held on Fridays, we believe starting a trial on a Tuesday only to stop for Wednesday-Sunday and return will be disruptive for the Court, the jury, witnesses, and attorneys for both parties. I also cannot imagine how this would be prejudice Plaintiff. Accordingly, we believe a clean start the following week or whenever the Court can accommodate would allow both sides to conclude the trial within one week without disruption.

Despite this unforeseen event, Carroll's counsel has refused to consent to this accommodation. Attached is a copy of the January 12, 2024 e-mail correspondence with counsel.

Accordingly, we respectfully request the Court postpone the trial until January 22, 2024 or a later date convenient for the Court.

Respectfully submitted,

Alina Habba, Esq.

From: [Roberta Kaplan](#)
To: [Alina Habba, Esq.](#); [Shawn G. Crowley](#); [Joshua Matz](#); [Trevor Morrison](#)
Cc: [Michael Madaio](#); [Peter Gabra](#); [Peter Swift](#)
Subject: RE: Consent for Short Adjournment
Date: Friday, January 12, 2024 11:38:41 AM
Attachments: [image001.png](#)

Dear Alina:

While we are very sorry for the Trumps' loss, we cannot agree to a complete adjournment of trial at this time. Ms. Carroll and our other witnesses are prepared to proceed as scheduled on Tuesday and any delay would be severely prejudicial, particularly as your client is near certain to assert scheduling conflicts again, and continues to defame Ms. Carroll on a near-daily basis in connection with his campaign for president.

That said, should Mr. Trump choose to testify, and if you have finished all of your other witnesses on Thursday, then we would not oppose a continuance until the following Monday so that Mr. Trump could attend the funeral and testify first thing on Monday. In other words, under that scenario, the parties and Court would have part of Thursday and Friday off, as opposed to just Friday. In this regard, we note that Mr. Trump did not attend the prior trial which decided liability and that this trial will be limited to the question of Ms. Carroll's additional damages.

Very truly yours,

Robbie

Roberta Kaplan | Kaplan Hecker & Fink LLP

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From: Alina Habba, Esq. <ahabba@habbalaw.com>
Sent: Friday, January 12, 2024 10:45 AM
To: Roberta Kaplan <rkaplan@kaplanhecker.com>; Shawn G. Crowley <scrowley@kaplanhecker.com>; Joshua Matz <jmatz@kaplanhecker.com>; Trevor Morrison <tmorrison@kaplanhecker.com>
Cc: Michael Madaio <mmadaio@habbalaw.com>; Peter Gabra <pgabra@habbalaw.com>; Peter Swift <pswift@habbalaw.com>
Subject: Consent for Short Adjournment

This email was sent from outside the Firm.

Counsel,

As I am sure you are aware, Mrs. Melania Trump's mother passed away this week on January 9, 2024. I have just been informed her funeral will be held on Thursday, January 18, 2024, in Florida.

Accordingly, President Trump, who plans to attend his trial, will not be able to be present on Wednesday and Thursday as he will be traveling to be with his family and be attending the funeral.

Given the fact that Monday is a Court holiday and trial is not held on Fridays, we believe starting a trial on a Tuesday only to stop for Wednesday-Sunday and return will be disruptive for the Court, the jury, witnesses, and attorneys for both parties. I also cannot imagine how this would prejudice Plaintiff. Accordingly, we believe a clean start the following week or whenever the Court can accommodate would allow both sides to conclude the trial within one week without disruption.

Please advise if you consent to this accommodation by 2pm today.

We appreciate your consideration.

Thank you,

ALINA HABBA, Esq.

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