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November 10, 2022

VIA ECF

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

Re: Carroll v. Trump, 20 Civ. 07311 (LAK)(JLC)

Dear Judge Kaplan:

We write to respectfully request a scheduling conference at the Court's convenience.

As Your Honor is aware, trial in this matter is scheduled to begin on February 6, 2023, with a joint pre-trial order and motions in limine due on December 1 and 8, 2022, respectively. *See* ECF 77. Fact discovery closed on October 19, 2022, and the parties agree that ongoing expert discovery should be completed. Plaintiff E. Jean Carroll also intends to file a separate action against Defendant Donald J. Trump on November 24, 2022, raising a claim of battery pursuant to the Adult Survivors Act and a new claim of defamation relating to an October 12 statement that Defendant made about Plaintiff.¹ The D.C. Court of Appeals recently set an expedited briefing schedule and ordered oral argument to be held on January 10, 2023, in connection with the *respondeat superior* question certified to that court by the Second Circuit. *See* Ex. A.

In light of the D.C. Court of Appeals' scheduling order, and to ensure the efficiency of these proceedings, we respectfully request a conference to discuss the trial date in this matter. Defendant consents to this request.

¹ Donald J. Trump (@realDonaldTrump), Truth Social (Oct. 12, 2022, 10:38 PM), <https://truthsocial.com/@realDonaldTrump/posts/109158644496040450>.

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Respectfully submitted,



Roberta A. Kaplan

cc: Counsel of Record (via ECF)