

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PEOPLE OF THE STATE OF NEW YORK

-against-

DONALD J. TRUMP,

Defendant.

23 Civ. 3773 (AKH)

DECLARATION OF MATTHEW COLANGELO

Matthew Colangelo, pursuant to penalty of perjury under 28 U.S.C. § 1746, does hereby state the following:

I am an attorney in the New York County District Attorney's Office and counsel to the People in this action. I submit this Declaration in support of the People's motion to seal (ECF No. 15) and the People's motion for remand (ECF No. 17).

Attached to this Declaration are true and correct copies of the following numbered exhibits¹:

- Ex. 1* Sealed Exhibit.
- Ex. 2 People's Response to Defendant Donald J. Trump's April 27 Request for a Bill of Particulars, *People v. Donald J. Trump*, Ind. No. 71543-23 (Sup. Ct. N.Y. Cnty. May 12, 2023).
- Ex. 3* Sealed Exhibit.
- Ex. 4 Donald J. Trump, @realDonaldTrump, Twitter (May 3, 2018, 6:46 AM, 6:54 AM, and 7:00 AM).
- Ex. 5 May 4, 2018 Statement from Rudy Giuliani, *reprinted in* Politico Staff, *Full text: Rudy Giuliani issues statement clarifying his earlier remarks*, Politico (May 4, 2018).

¹ Exhibits marked with an asterisk are filed under seal pending the Court's ruling on the People's motion to seal. ECF No. 15.

- Ex. 6 Transcript of Rudy Giuliani interview, *Hannity* (Fox News broadcast May 2, 2018).
- Ex. 7 Transcript of Rudy Giuliani interview, *This Week* (ABC News broadcast May 6, 2018).
- Ex. 8* Sealed Exhibit.
- Ex. 9* Sealed Exhibit.
- Ex. 10* Sealed Exhibit.
- Ex. 11* Sealed Exhibit.
- Ex. 12* Sealed Exhibit.
- Ex. 13 Complaint, *Trump v. Cummings*, No. 19-cv-1136 (D.D.C. filed Apr. 22, 2019).
- Ex. 14 Complaint, *Trump v. Deutsche Bank AG*, No. 1:19-cv-03826 (S.D.N.Y. filed Apr. 29, 2019).
- Ex. 15 U.S. Dep't of Justice, Office of Legal Counsel, *Payment of Expenses Associated with Travel by the President and Vice President*, 6 Op. OLC 214 (1982).
- Ex. 16 Brief for United States as Amicus Curiae, *Blassingame v. Trump*, No. 22-5069 (D.C. Cir. filed Mar. 2, 2023).
- Ex. 17 U.S. Office of Special Counsel, *Federal Hatch Act Advisory: Candidate Visits to Federal Agencies* (Feb. 15, 2018).
- Ex. 18 U.S. Dep't of Justice, Office of Legal Counsel, *A Sitting President's Amenability to Indictment and Criminal Prosecution*, 24 Op. OLC 222 (2000).
- Ex. 19 U.S. Dep't of Justice, Office of Legal Counsel, *Amenability of the President, Vice President and other Civil Officers to Federal Criminal Prosecution While in Office* (Sept. 24, 1973).
- Ex. 20 Decision & Order, *People v. The Trump Corporation*, Ind. No. 1473/2021 (Sup. Ct. N.Y. Cnty. Sept. 6, 2022).
- Ex. 21 Information, *United States v. Cohen*, No. 18-cr-602 (S.D.N.Y. Aug. 21, 2018).
- Ex. 22 Hearing Transcript, *United States v. Cohen*, No. 18-cr-602 (S.D.N.Y. Aug. 21, 2018).
- Ex. 23 Memorandum from Antonin Scalia, Assistant Attorney General, Office of Legal Counsel, U.S. Dep't of Justice to Kenneth A. Lazarus, Associate Counsel to the President, *Applicability of 3 C.F.R. Part 100 to the President and Vice President* (Dec. 19, 1974).

Ex. 24 Protective Order, *People v. Donald J. Trump*, Ind. No. 71543-23 (Sup. Ct. N.Y. Cnty. May 8, 2023).

DATED: May 30, 2023

/s/ Matthew Colangelo
Matthew Colangelo
New York County District Attorney's Office
1 Hogan Place
New York, NY 10013
212-335-9000
colangelom@dany.nyc.gov

Attorney for the People