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November 5, 2024

VIA ECF

Hon. Lewis J. Liman
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Freeman et al. v. Giuliani, No. 24-mc-353 (LJL)

Dear Judge Liman:

Plaintiffs and Receivers Ruby Freeman and Wandrea' Moss respectfully submit this update regarding the status of Defendant's compliance with the October 22, 2024 Turnover and Receivership Order (ECF No. 62).

Earlier today, Plaintiffs were alerted to a news report and photographs showing Mr. Giuliani riding today in a Mercedes-Benz automobile in Palm Beach, Florida. That Mercedes appears—both from photographs and from press reports—to be the same Mercedes that this Court ordered Mr. Giuliani to deliver into Receivership custody one week ago:



Alex Rogers
@arogDC

...

Rudy Giuliani shows up to Trump's polling station in the Mercedes convertible he was ordered to surrender to Georgia poll workers for defaming them, acc to the driver.

ft.com/content/d4de45...



11:38 AM · Nov 5, 2024 · 304.9K Views

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See <https://x.com/arogDC/status/1853839248408883518> (last accessed Nov. 5, 2024); see also **Exhibit A**; ECF No. 62, at 17.

It is clear that Mr. Giuliani is flouting his obligations under the Court's Turnover and Receivership Order, which—in addition to requiring that Mr. Giuliani turn over the Mercedes—expressly prohibits him from “concealing, encumbering, or transferring any personal property,” and “interfering in any manner with the discharge of the Receivers’ duties under” the Order. Turnover and Receivership Order ¶ 4(e). Defendant has yet to answer any of the Receivers’ questions regarding the location of the majority of the receivership property—much less about the efforts being made to properly maintain, insure, and otherwise protect the receivership property against damage and loss. This latest revelation indicates that he either does not understand those obligations or, more likely, is knowingly disregarding them.¹

Finally, the Receivers note that although the Court has already denied Mr. Giuliani's request to excuse his attendance at the November 7, 2024 conference, the reasons offered for that request raise serious questions of their own. Mr. Giuliani's counsel stated that Mr. Giuliani “needs to be in his condo in Palm Beach” in order to participate in a live broadcast for FrankSpeech Network. ECF No. 83. But Mr. Giuliani has previously testified under oath that he is able to, and regularly does, conduct live broadcasts “on the road,” including in “a hotel” or “a studio” thanks to “a device . . . that allows me to broadcast anywhere in the world.” See Transcript of Meeting of Creditors Pursuant to § 341 of the Bankruptcy Code, at 16:17-17:25.² Furthermore, Mr. Giuliani's protests that these broadcasts provide “his only source of earned income” and that the expenses of travel to New York “should be avoided” raise more questions than they answer. Each of FrankSpeech, Mr. Giuliani, and Giuliani Communications LLC (the entity with which FrankSpeech contracted to obtain broadcasting appearances by Mr. Giuliani, see **Exhibit B**) are subject to restraining notices forbidding them “to make or suffer any . . . transfer or interference with any property in which [the judgment debtor] has an interest.” CPLR § 5222(b). The prospect that FrankSpeech (or Giuliani Communications) is providing Mr. Giuliani with *any* compensation in light of those restraints—not to mention what bank accounts they may be using to do so—is highly concerning. Similarly, Mr. Giuliani apparently has arranged funds to pay for his travel to and from Florida in recent weeks,³ and arranged to have virtually all of his property

¹ Mr. Giuliani is evidently personally aware of the Turnover and Receivership Order, as evidenced by numerous public statements put out on his own live broadcasts, via the Giuliani Freedom Fund, and through a “spokesperson” to the press. See Rudy W. Giuliani, *America's Mayor Live, America's Mayor Live (523): Countdown to Election 2024: 12 Days*, YouTube (October 23, 2024) (<https://www.youtube.com/watch?v=C5-qFxTww0A>) (Mr. Giuliani stating on his broadcast that people “are trying to take away from me my ability to eat, drive a car”); **Exhibit C** (letter from the Giuliani Freedom Fund titled “A Private Letter from Rudy Giuliani” fundraising off of the Turnover and Receivership Order); Brandi Buchman, *Giuliani Takes Ride In Car That Judge Ordered Him To Surrender*, HuffPost (Nov. 5, 2024), https://www.huffpost.com/entry/trump-harris-2024-election-live-updates_n_672502bde4b01f6919d9f148/liveblog_672a573be4b05debb72c53ec (“A spokesperson for Giuliani told HuffPost in an email Tuesday that Giuliani has ‘made available his property and possessions as ordered’ and that ‘a few items were put into storage over the course of the past year.’”).

² The relevant excerpts of this transcript appear on the docket of No. 24-cv-6563 at ECF No. 32-3 at pages 17 and 18 of the pdf.

³ See Steve Holland et al., *Trump headlines Madison Square Garden rally after vulgar, racist remarks from allies*, REUTERS (Oct. 28, 2024, 2:31 p.m.), <https://www.reuters.com/world/us/trump-kick-off-final-week-campaign-with-madison-square->

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moved out of the New York Apartment. *See* ECF No. 81. Even assuming all of those expenses could properly be paid out of nonexempt funds in light of the restraining notices in effect, Mr. Giuliani cannot seriously maintain that those expenses are worthy but a court-ordered trip to New York is not.

Plaintiffs look forward to discussing these matters further at the November 7, 2024 conference.

Respectfully submitted,

s/ Aaron E. Nathan

[garden-rally-2024-10-27/](#) (last accessed November 5, 2024) (reporting on Mr. Giuliani's attendance at an October 27, 2024 rally at Madison Square Garden in New York).