



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

EXECUTIVE DIVISION

By NYSCEF

June 21, 2022

Hon. Arthur F. Engoron
New York Supreme Court
New York County
60 Centre Street, Room 566
New York, NY 10007

Re: People v. The Trump Organization, Inc., -- No. 451685/2020

Dear Justice Engoron:

This office (“OAG”) represents Petitioner in the above-referenced special proceeding. OAG has reviewed Respondent’s submission of additional affidavits on June 17, 2022, which reveals that each of the seven identified departments independently (and coincidentally) adopted precisely the same retention and destruction policy and practice—a policy that apparently depended on the individualized discretion of particular employees. While the time frame for the policy and practice with respect to three of the departments does not reach back as early as 2010 (the beginning of the relevant period under the subpoena), we recognize that Respondent’s counsel must rely upon current employees to provide the required information so we are prepared to agree that the affidavits satisfy the Court’s order because it is not apparent what else, if anything, the Respondent and his counsel can be ordered to do right now that would shed any additional light on the retention or destruction of Respondent’s documents. We have every expectation that Respondent will be examined under oath next month and will advise the Court promptly if new information regarding Respondent’s documents is gleaned from that testimony.

However, we have separate concerns about whether and how the described policies and practices were followed given the apparent absence in the productions of documents one would expect to see from Mr. Trump relating to his Statements of Financial Condition. We also have concerns about whether all of the locations (including drives) identified in the affidavits and reports have been reviewed or collected by HaystackID, but that is something OAG will address with the Court separately.

Respectfully,

/s/ Andrew S. Amer

Andrew S. Amer

Special Counsel

Andrew.Amer@ag.ny.gov

(212) 416-6127

cc: Counsel of Record (via NYSCEF)