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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

CASE NO. 22-CV-81294-CANNON

DONALD J. TRUMP,

Plaintiff,

v.

UNDER SEAL AND EX PARTE

UNITED STATES OF AMERICA,

Defendant.

NOTICE BY INVESTIGATIVE TEAM OF STATUS OF REVIEW

In its order of August 27, 2022, the Court ordered the undersigned to provide a "particularized notice indicating the status of [the government's] review of the seized property." D.E. 29 (the "Preliminary Order") at 2, Section 3.b.ii. This submission represents the investigative team's notice.¹ A separate notice will be filed by the "filter" team.

As of the date of this filing, the investigative team has completed a preliminary review of the materials seized pursuant to the search warrant executed on August 8, 2022, with the exception of any potentially attorney-client privileged materials that, pursuant to the filter protocols set forth in the search warrant affidavit, have not been provided to the investigative team. The documents bearing classification markings that were seized during the execution of the search warrant have been segregated from the remainder of the seized materials and

¹ The Preliminary Order indicated that this notice should be filed under seal. In an abundance of caution, the government is filing this Notice under seal and *ex parte* since it contains the type of information that, in the normal course, would not be shared with the owner of a premises that was searched pursuant to a court-authorized criminal search warrant.

are being separately stored in accordance with the appropriate procedures governing the security of classified material.

The investigative team has reviewed the seized materials in furtherance of its ongoing investigation, evaluating the relevance and character of each item seized, and making preliminary determinations about investigative avenues suggested or warranted by the character and nature of the seized items. The seized materials will continue to be used to further the government's investigation, and the investigative team will continue to use and evaluate the seized materials as it takes further investigative steps, such as through additional witness interviews and grand jury practice. Additionally, all evidence pertaining to the seized items—including, but not limited to, the nature and manner in which they were stored, as well as any evidence with respect to particular documents or items of interest—will inform the government's investigation. Thus, it is important to note, "review" of the seized materials is not a single investigative step but an ongoing process in this active criminal investigation. That said, the government can confirm for the Court that the investigative team has already examined every item seized (other than materials that remain subject to the filter protocols), even as its investigation and further review continues. The investigative team has been and will be continually mindful of the potential for attorney-client privilege issues and the filter protocols contained in the search warrant.

Additionally, as the government has separately explained in its Notice of Receipt of Preliminary Order and Attorney Appearance, D.E. 31, the Department of Justice and the Office of the Director of National Intelligence ("ODNI") are facilitating a classification review of materials recovered pursuant to the search warrant, and ODNI is leading an intelligence community assessment of the potential risk to national security that would result

from disclosure of the seized materials.

As directed by the Court's Preliminary Order, the government has attached a more detailed property receipt as Exhibit A hereto.

Respectfully submitted,

/s Juan Antonio Gonzalez

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