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June 26, 2020

VIA EMAIL

Honorable Hal B. Greenwald
New York State Supreme Court
Dutchess County Supreme Court
10 Market Street
Poughkeepsie, New York 12601

Re: Robert S. Trump v. Mary L. Trump, et al., Index No. 2020-51585

Dear Justice Greenwald:

This office represents the Plaintiff in the above-entitled matter. This letter is in response to Elizabeth MacNamara's and Anne Champion's letters to the Court dated June 26, 2020.

While Defendants are entitled to a right to be heard in opposition, Plaintiff urges that this Court act quickly on his application for a temporary restraining order. As set forth in the moving papers, Mary Trump's Book is scheduled for release on July 28, 2020, and due to lead times in the publishing industry, this means that copies may be distributed to booksellers and to media reviewers any day now. We offered a briefing schedule to Ms. MacNamara as well as to counsel for Mary Trump, conditioned only on their agreement to a temporary pause in distribution of the Book while this matter is briefed, argued, and decided. Defendants declined to this agreement. (Given that fact, Ms. Champion's reliance on the Book's July release date in urging delay is unpersuasive.)

Plaintiff is seeking to avoid the situation presented in the recent case of *United States v. Bolton*, 2020 WL 3401940 at *4 (D.D.C. Jun. 20, 2020), where the Court held that even though the government had established that Mr. Bolton violated his contractual obligations in publishing his book, no injunction could issue because while the book had not yet been released, it had been distributed and numerous people had access to copies of the book. The temporary restraining order Plaintiff seeks will pause matters long enough for the Court to decide the issues raised by Plaintiff's motion. Without such an order, we are concerned that Simon & Schuster (which also published the Bolton book) will take steps to make it impossible to implement a preliminary injunction if one is granted, thereby vitiating Plaintiff's right to injunctive relief that Mary Trump agreed to in the 2001 Settlement Agreement.

Honorable Hal B. Greenwald

May 8, 2020

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Therefore, Plaintiff respectfully requests that the Court rule quickly on Plaintiff's request for a temporary restraining order, absent Simon & Schuster's written agreement to pause distribution of the Book or any excerpts thereof.

Very truly yours,



CHARLES J. HARDER Of
HARDER LLP