

DONALD TRUMP DIDN'T DO THE HOMEWORK ASSIGNMENT

There have been a flurry of filings in Donald Trump's January 6 case today.

They are:

- Trump's response to Jack Smith's proposed redactions, asking for more secrecy, not less.
- Jack Smith's reply, basically saying that Trump hasn't done what he was supposed to do on the redactions.
- Jack Smith's response to renewed discovery requests in light of SCOTUS' immunity ruling, along with:
 - Trump's first renewed discovery request
 - A second renewed discovery request, for Michael Horowitz' draft IG Report on January 6
 - Jack Smith's response to those requests

In general, Smith claims that Trump already has a lot of what he asked for. For example, because Smith adopted an expansive view on discovery from the start, Trump already has details about the payments for his January 6 rally and speech, which are newly relevant in the immunity context.

Trump asked for the texts of two people, claiming he only had four and ten texts from each. Smith says they already got far more (and can also look up texts in the warrant returns for others).

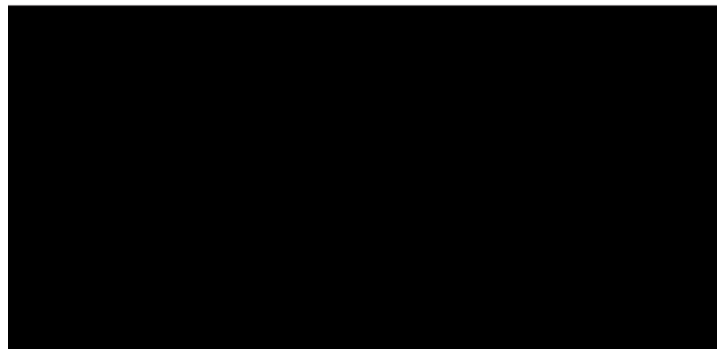
But I'm interested in this big redacted bit discussing ... something about those text messages.

Request 21: To the extent we possess discoverable information responsive to this request, we have produced it to you. It is unclear to us why you are able to locate such a limited number of text messages for [REDACTED] and [REDACTED]. To assist you, below we have assembled certain information regarding facilities and subpoena productions for [REDACTED]

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[REDACTED] that we already provided to you in the detailed Source Logs accompanying our discovery productions. Please note that, in productions or warrant returns for other custodians, you may also identify documents reflecting text messages with [REDACTED] and [REDACTED] by searching by their phone numbers within the discovery materials.



Finally, remember how several of Trump's people (including Mark Meadows and Peter Navarro) used private email to plan their insurrection?

That's going to be part of the immunity case.

With the exception of a handful of publicly available sources, the Government long ago produced this material to the defendant in discovery, even though much of it was arguably not discoverable. This includes material that goes to context and that the defendant incorrectly claims he does not already have— such as proof of the funding and organization of the Ellipse rally at which the defendant spoke on January 6; evidence about the

defendant's actions surrounding meetings and communications that the Government contends are unofficial; and other information indicating private, rather than official conduct, like Hatch Act warnings and use of private email accounts. The defendant's assertion that he does not have such material appears based on the faulty assumption that the Government did not already produce it, as it did. See ECF No. 232 at 60 (counsel "assuming" there is discovery that has not been turned over "because the Government never had to really look at issues relating to immunity before").

It would be hilarious if Trump's failures to abide by the Presidential Records Act ends up biting him in the ass.

For now, because Trump didn't engage with the redactions in the way Judge Tanya Chutkan ordered him to, it looks *more likely* we'll get to see Smith's substantive brief sooner rather than later.

In his response, Trump claimed there's not much new there.

While the Presidential immunity filing contains few, if any, new allegations not already covered in other politically motivated and inaccurate lawfare efforts that President Trump's opponents have improperly funded and disseminated, it is irresponsible for the prosecutors to so quickly abandon the safety and privacy interests that they previously assigned great weight in this case and in the Southern District of Florida. Accordingly, the Court should require the Office to make consistent redactions regarding identity-related information and to show cause why their proposed public disclosure of voluminous purportedly sensitive witness statements will not pose risks to potential

witnesses and unfairly prejudice the
adjudication of this case.

But he's nevertheless trying to better hide the
identities of the witnesses against him.