

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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PEOPLE OF THE STATE OF NEW YORK, by
LETITIA JAMES, Attorney General of the
State of New York,

Index No. 451685/20

Petitioner,

Motion Seq. No.: 006

-against-

**EMERGENCY
AFFIRMATION OF
LAWRENCE S. ROSEN**

THE TRUMP ORGANIZATION, INC.,
DJT HOLDINGS LLC, DJT HOLDINGS MANAGING
MEMBER LLC, SEVEN SPRINGS LLC,
ERIC TRUMP, CHARLES MARTABANO,
MORGAN, LEWIS & BOCKIUS, LLP, and
SHERI DILLON,

Respondents.

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Lawrence S. Rosen, an attorney duly admitted to practice before the Courts of the State
of New York, affirms the following to be true and correct under penalty of perjury:

1. I am a partner at LaRocca Hornik Rosen & Greenberg LLP, attorneys for
respondents The Trump Organization, Inc., DJT Holdings LLC, DJT Holdings Managing
Member LLC, and Seven Springs LLC, and am personally familiar with the facts, pleadings, and
prior proceedings had in this matter.

2. I submit this affirmation in support of the application by respondents The Trump
Organization, Inc., DJT Holdings LLC, DJT Holdings Managing Member LLC, and Seven
Springs LLC (collectively "TTO") who, along with respondents Eric Trump and Charles
Martabano, Esq., hereby seek an interim order ("TRO") temporarily staying Mr. Martabano's
time to produce certain privileged documents in his possession pending determination of TTO's
motion to reargue, filed simultaneously herewith.

3. It is respectfully requested that the within Order to Show Cause be reviewed on an emergency basis in that this Court's September 23, 2020 Order (the "Order") requires Mr. Martabano to produce to the petitioner all privileged documents in his possession by this Friday, October 2, 2020.

4. If the TRO is not granted prior to October 2, 2020, Mr. Martabano will be required under this Court's Order to produce materials over which TTO--in its own privilege logs that were previously produced to the OAG and in its direct communications with Mr. Martbano's counsel--has asserted attorney-client and work product privileges. The disclosure of these privileged materials will result in immediate and irreparable injury to TTO because once produced to the petitioner this Friday, the production cannot be undone in the event that the motion to reargue is granted. Therefore, an injunction with temporary restraints pending determination of this motion is essential to maintain the *status quo*.

5. On September 29, 2020, TTO informed petitioner's counsel by email that TTO, Eric Trump, and Mr. Martabano would, on September 30, 2020, apply for a temporary stay of the Order.

6. The instant motion was prepared and has been filed with expediency, taking into account that the underlying compel motion was heard and the Order was issued just 5 business days ago, on September 23, 2020, and further taking into account that Yom Kippur commenced on the evening of September 27 and concluded on the evening of September 28, 2020, as well as that Mr. Calcagnini, the attorney for respondent Charles Martabano, [REDACTED]

[REDACTED].

7. In lieu of attaching the extensive record on the motion underlying the Order, TTO, Eric Trump, and Mr. Martabano have designated exhibits in their accompanying

memorandum of law by citing to the docket numbers on the NYSCEF E-Filing System containing the relevant exhibits. The following NYSCEF filings are incorporated by reference on TTO's motion to reargue:

Docket No. 192	Petitioner's prior Order to Show Cause - Motion to Compel dated September 2, 2020
Docket No. 13	Memorandum of Law in Support of the Attorney General's Special Proceeding and Application to Compel Respondents to Comply with Investigatory Subpoenas, dated August 21, 2020
Docket No. 14	First Affirmation of Matthew Colangelo in Support of the Office of the Attorney General's Order to Show Cause to Compel Compliance with Investigatory Subpoenas, dated August 21, 2020 (the "First Colangelo Affidavit")
Docket Nos. 15 - 180	Exhibits 1-166 to the First Colangelo Affidavit
Docket No. 215	Affirmation of George J. Calcagnini, Esq. dated September 16, 2020
Docket No. 217	Memorandum of Law on Behalf of Charles Martabano in Opposition to Motion to Compel dated September 16, 2020
Docket No. 240	Reply Memorandum of Law in Support of the Attorney General's Special Proceeding and Application to Compel Respondents to Comply with Investigatory Subpoenas, dated September 22, 2020
Docket No. 1	Verified Petition dated August 21, 2020
Docket No. 221	Verified Answer to Verified Petition filed by TTO and Eric Trump dated September 16, 2020
Docket No. 211	Answer filed by Respondent Charles Martabano, Esq. dated September 16, 2020
Docket No. 255	Decision and Order dated September 23, 2020

8. No prior request for the relief sought herein has previously been made.

Dated: New York, New York
September 30, 2020

/s/ Lawrence S. Rosen

Lawrence S. Rosen