

EXHIBIT 1

Stephen Weiss

From: Todd Blanche
Sent: Friday, May 24, 2024 9:33 PM
To: DVH (JSPT); JIB (JSPT); Emil Bove; chris [REDACTED]
Cc: Stephen Weiss
Subject: RE: Conferral

David,

There are rules. You guys violated them. I appreciate the attempted explanation, but it does not in any way pacify us. I am beyond amazed that the government would misrepresent facts to the Court about what happened. You did not even bother to inform the Court that you reached out to us for a “meet and confer” at 5:30 p.m. on Friday night of Memorial Day weekend before filing the motion at 8 p.m. I’m confused as to why you think we could not meaningfully meet and confer about a path forward short of a motion. You did not even bother to inform us of the posts/fundraising emails that gave you all concern until 20 minutes before you filed the motion. We would have been more than willing to discuss with you your concerns prior to filing the motion. You had an agenda and you stuck to that agenda. It is not surprising, but still disappointing. The Court may agree with you that the path you chose was the right one. I do not know.

But please do not try to justify a blatant violation of the rules (and beyond the Local Rules, Judge Cannon’s admonition to all of us last summer). You all made a decision tonight to file this motion without complying with the rules (Local Rules and Judge Cannon). That is your decision.

We will respond accordingly.

Todd Blanche

Blanche Law
99 Wall Street
Suite 4460
New York NY, 10005
[REDACTED]
<https://www.BlancheLaw.com>

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From: DVH (JSPT) [REDACTED]
Sent: Friday, May 24, 2024 9:25 PM
To: Todd Blanche [REDACTED]; JIB (JSPT) [REDACTED]; Emil Bove [REDACTED]; chris [REDACTED]
Cc: Stephen Weiss [REDACTED]
Subject: Re: Conferral

Dear Todd,

As we attempted to explain before, our reasoned expectation was that like many other motions that have been filed in this case (by both sides) there was no likelihood of further conferral resulting in agreement or even narrowing issues before the court. Your side has solicited our position shortly before filing other motions where the expectation was (correctly) the same. As we also tried to explain earlier, our judgment was that the situation your client has created necessitated a prompt request for relief that could not wait the weekend to file. We understand your position and represented to the court that you do not believe the government has engaged in adequate conferral here. I write here tonight to hopefully explain our reasons for doing so.

David

From: Todd Blanche [REDACTED]
Sent: Friday, May 24, 2024 8:09:15 PM
To: JIB (JSPT) [REDACTED]; Emil Bove [REDACTED]; [chris@\[REDACTED\]](mailto:chris@[REDACTED])
Cc: DVH (JSPT) [REDACTED]; Stephen Weiss [REDACTED]
Subject: [EXTERNAL] RE: Conferral

Jay, you didn't even inform the Court that you wrote us at 5:30 p.m. tonight regarding a meet and confer? Do you want to correct that before we respond? Or no? Please let us know.

Thank you,
Todd

Todd Blanche

Blanche Law
99 Wall Street
Suite 4460
New York NY, 10005

<https://www.BlancheLaw.com>

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From: Todd Blanche
Sent: Friday, May 24, 2024 7:53 PM
To: JIB (JSPT) [REDACTED]; Emil Bove [REDACTED]; [chris@\[REDACTED\]](mailto:chris@[REDACTED])
Cc: DVH (JSPT) [REDACTED]; Stephen Weiss [REDACTED]
Subject: RE: Conferral

Jay – do what you will. This is a blatant violation of local rules and Judge Cannon's previous admonishments of the Special Counsel's conduct in complying with the rules of the Court. This has not stopped the Special Counsel before, and it appears it will not stop you tonight. We will respond in due course. It is troubling that a representative of the United States has no issues violating rules of the Court when it so suits. But, here we are. I am curious when the drafting of this motion started, and why the Special Counsel waited until 5:30 p.m. to comply

with the rules of the Court requiring a meaningful meet and confer? At this point it is no longer surprising that rules are not followed, even by representatives of the United States in theory sworn to uphold those very rules.

I assume, by your response below, that you will choose how you will represent our position, as opposed to representing our position as articulated by us below. I am actually speechless at this point. I don't have a response beyond what I have written below.

Todd

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Blanche Law

99 Wall Street
Suite 4460
New York NY, 10005

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From: JIB (JSPT) [REDACTED]
Sent: Friday, May 24, 2024 7:45 PM
To: Todd Blanche [REDACTED]; Emil Bove [REDACTED]; [chris](#) [REDACTED]
Cc: DVH (JSPT) [REDACTED]; Stephen Weiss [REDACTED]
Subject: RE: Conferral

Todd:

In light of the coverage your client's "Truths" and campaign emails making false claims about the FBI's standard use of force protocols has received, I find it hard to believe you are unable to discern the statements contained within those communications that create the danger we previously referenced. Nevertheless, I am attaching those communications to this email with the relevant language highlighted in yellow.

We decline to put verbatim in our pleading the statement of your position that you set out below. The portion of the motion describing the conferral process is not a platform for you to make arguments. We will fairly summarize your position, as we have done in the past.

Jay

From: Todd Blanche [REDACTED]
Sent: Friday, May 24, 2024 6:55 PM
To: JIB (JSPT) [REDACTED]; Emil Bove [REDACTED]; [chris](#) [REDACTED]
Cc: DVH (JSPT) [REDACTED]; Stephen Weiss [REDACTED]
Subject: [EXTERNAL] RE: Conferral

Jay,

You still have not informed us of what statement(s) you claim “pose a significant, imminent, and foreseeable danger to law enforcement agents participating in the investigation and prosecution of this case.” You have now informed us *when* the statements have been made and in what forum. But you are seeking to modify bail conditions and in doing so you have not in any way, shape, or form informed us of what statements he has made that you believe warrant this relief.

Our position is not that you have not provided an opportunity for meaningful conferral. Our position is that you have completely failed to meet and confer. As you know, the Local Rule requires you to do more than just inform us that something was said and that, based on that statement and prior positions of our client, you assume we would oppose.

Please include the following position from us in your motion: “At 5:30 p.m. on Friday evening, the Special Counsel informed us that they were seeking to modify President Trump’s bail conditions based on as-yet-unidentified statements purportedly made by President Trump on Truth Social and in fundraising emails. They indicated that they were filing the motion tonight, without informing us of the statement(s) that they claim give rise to the relief sought, and without allowing defense to respond as required under Local Rules. Defense counsel has had no opportunity to confer with the Special Counsel’s Office, nor have we had an opportunity to confer with our client, about the requested relief. Defense counsel indicated its availability over a holiday weekend on Monday, a holiday. The Special Counsel refused this good faith effort. This is a blatant violation of SDFL Local Rules and the prior orders of this Court. We oppose this motion being filed in this format and ask that it be summarily dismissed because of a lack of effort to meaningfully meet and confer.”

In the past, you have refused to put our stated position in your motion. We ask that you include this position in full.

Todd

Todd Blanche

Blanche Law

99 Wall Street
Suite 4460
New York NY, 10005

<https://www.BlancheLaw.com>

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From: JIB (JSPT) [REDACTED]
Sent: Friday, May 24, 2024 6:43 PM
To: Todd Blanche [REDACTED]; Emil Bove [REDACTED]; [chris](#) [REDACTED]
Cc: DVH (JSPT) [REDACTED] Stephen Weiss [REDACTED]
Subject: RE: Conferral

Todd:

The former President issued a statement on Truth Social on May 21, 2024 containing the false accusations and a second one on May 23. He also included similar statements in a mass fundraising email on May 21 and in a second one on May 23. In light of your client’s prior opposition in other cases to any limitation on what he can say - based on the same

putative First Amendment implications you mention in your response below - we do not believe that further conferral would be productive or have any reasonable chance of resulting in your concurrence in our motion. Even were the situation otherwise, waiting until Monday afternoon to speak is unreasonable. As recently as this afternoon, Mr. Trump reposted a statement on Truth Social again making the false accusations and adding new ones. Further conferral will be a fruitless exercise and does nothing to mitigate the danger your client is creating. We will include in our motion that you do not believe we provided you an opportunity for meaningful conferral.

Jay

From: Todd Blanche [REDACTED]

Sent: Friday, May 24, 2024 5:40 PM

To: JIB (JSPT) [REDACTED] Emil Bove [REDACTED] [chris](#) [REDACTED]

Cc: DVH (JSPT) [REDACTED] Stephen Weiss [REDACTED]

Subject: [EXTERNAL] RE: Conferral

Jay, we very much object to a 5:30 p.m. email on Memorial Day weekend asking our position on a very serious motion that has First Amendment implications and addresses the conditions of release of President Trump.

A 5:30 p.m. email on the Friday before Memorial Day is not meeting and conferring in any sense of the word, and certainly not as we have been ordered to do by Local Rule and Judge Cannon. As you know, the names of the law enforcement officers associated with this investigation and associated with the prosecution of this case have been redacted from all of the public filings. There cannot be a real imminent danger, as you are well-aware. Moreover, you have not articulated to us which statements you believe have been made by President Trump that rise to the level of "significant, imminent, and foreseeable danger to law enforcement agents participating in the investigation and prosecution of this case." As such, there is no basis to claim you have done anything to meaningful meet and confer with us prior to filing a motion seeking the relief you articulate below.

We are available to meet and confer on Monday afternoon. This will give us time to meet with our client and discuss whatever position we believe appropriate.

Thank you,
Todd

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New York NY, 10005

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From: JIB (JSPT) [REDACTED]

Sent: Friday, May 24, 2024 5:30 PM

To: Todd Blanche [REDACTED] Emil Bove [REDACTED]; [chris](#) [REDACTED]

Cc: DVH (JSPT) [REDACTED] Stephen Weiss [REDACTED]

Subject: Conferral

Todd/Emil/Chris:

In light of former President Trump's recent false statements about the inclusion of the FBI's standard use of force policy in the operations plan for the search of Mar-a-Lago, and the danger such statements create for the agents who participated in the search, we will be filing a motion to modify his conditions of release to prohibit him from making statements that pose a significant, imminent, and foreseeable danger to law enforcement agents participating in the investigation and prosecution of this case. We assume you will oppose this motion and will want an opportunity to respond. Could you please confirm? We plan to file the motion later this evening. If you would like to discuss further, please let us know.

Thank you.

Jay

Jay I. Bratt
Counselor to the Special Counsel
[REDACTED]