

DISCOVERIES IN THE STOLEN DOCUMENT DISCOVERY

As I noted in this post, the government provided a supplemental discovery notice yesterday. It included the following:

- CCTV provided by Trump Org on May 9 and May 12 in response to an April 27 subpoena
- CCTV obtained after June 8 pertaining to new obstruction allegations (DOJ does not confirm whether this came from Trump Org or not)
- All 302s finalized by yesterday (302s are what the FBI calls interview reports)
- All grand jury transcripts in government's possession

The discovery confirms that the government took certain steps after June 8 to add Carlos De Oliveira to the indictment. There are two kinds of surveillance footage that appear in that section of the indictment: from De Oliveira and Walt Nauta's stomping around trying to understand what surveillance footage there would be, including looking right at the key cameras in the hallway outside the storage room, as well as their discussions in the bushes just off Mar-a-Lago property.

The reference to location data may mean they obtained De Oliveira's phone account.

The discovery also means that, if DOJ was using another grand jury, in addition to the DC and

SDFL ones, Trump is now aware of it, because DOJ has turned over all transcripts in their possession (past notices had specified the two grand juries).

Finally, the discovery also describes that DOJ subpoenaed Trump Organization for yet more surveillance footage in April, which Trump Org turned over on May 9 and 12. That subpoena was already public; NYT reported it in May.

Prosecutors have also issued several subpoenas to Mr. Trump's company, the Trump Organization, seeking additional surveillance footage from Mar-a-Lago, his residence and private club in Florida, people with knowledge of the matter said. While the footage could shed light on the movement of the boxes, prosecutors have questioned a number of witnesses about gaps in the footage, one of the people said.

The timing is interesting though. It comes after – per this WaPo report – Carlos De Oliveira was informed he might be charged after he claimed not to remember the dates when Trump returned to Mar-a-Lago in July 2022 (note: this “proffer” session sounds more like an interview conducted under a limited proffer before a grand jury appearance).

For one thing, De Oliveira said he did not remember his boss coming back to Mar-a-Lago in July, the people said. Trump tended to stay away from the Florida summer heat, and it did not seem likely to some investigators that De Oliveira would forget the former president showing up twice in two weeks.

The prosecutors' dissatisfaction came to a head in mid-April, when De Oliveira was given a proffer session – an interview in which a prosecutor and a defense lawyer meet with a person to decide if they have valuable information

to offer an investigation, the kind that could lead to a plea deal.

If prosecutors grew convinced De Oliveira was lying, they may have pulled his grand jury appearance. His charged false statements were in a January 13, 2023 interview at his Florida residence, not this appearance in what may still have been DC.

In the same time frame as this subpoena for additional surveillance footage, DOJ also subpoenaed Trump's business records from the Saudi LIV tournament.

One of the previously unreported subpoenas to the Trump Organization sought records pertaining to Mr. Trump's dealings with a Saudi-backed professional golf venture known as LIV Golf, which is holding tournaments at some of Mr. Trump's golf resorts.

A later NYT story reported that the subpoenas were broader: to include foreign deals with a variety of countries.

The subpoena – drafted by the office of the special counsel, Jack Smith – sought details on the Trump Organization's real estate licensing and development dealings in seven countries: China, France, Turkey, Saudi Arabia, Kuwait, the United Arab Emirates and Oman, according to the people familiar with the matter. The subpoena sought the records for deals reached since 2017, when Mr. Trump was sworn in as president.

And then, after those subpoenas but before Trump Org complied with them, the Matthews Calamari testified about why Walt Nauta sent Calamari senior a text in the time frame when he and De Oliveira were allegedly stomping around Mar-a-Lago attempting to implement Trump's order to

destroy surveillance footage.

Both Calamaris testified to the federal grand jury in Washington on Thursday, and were questioned in part on a text message that Trump's valet, Walt Nauta, had sent them around the time that the justice department last year asked for the surveillance footage, one of the people said.

The text message is understood to involve Nauta asking Matthew Calamari Sr to call him back about the justice department's request,

In that same April time frame, DOJ was also asking about loyalty oaths before being given Trump-paid attorneys to represent them – the fruit of which questions likely show up in ¶91 of the superseding indictment.

Another line of inquiry that prosecutors have been pursuing relates to how Mr. Trump's aides have helped hire and pay for lawyers representing some of the witnesses in investigations related to the former president. They have been trying to assess whether the witnesses were sized up for how much loyalty they might have to Mr. Trump as a condition of providing assistance, according to people briefed on the matter.

It was *after* that, though, after the first indictment on June 8 which may have helped demonstrate the seriousness of this inquiry, when per CNN reporting the following happened with Yuscil Taveras, the IT guy who said he didn't have the rights, on his own, to delete surveillance footage:

- Receives a target letter
- Decides he wants to be more forthcoming
- Gets a new lawyer

(reportedly after a conflict review instigated by a judge)

- Testifies about the request De Oliveira made inside the sound room and his own response that De Oliveira would have to call people who might be one of the Calamaris

In that same period, per yesterday's discovery letter, that DOJ obtained more surveillance footage and possibly the warrant tracking location data.

One note: If people testified before the grand jury in DC before Jack Smith moved to present charges in SDPL, they would have separate exposure for perjury there.

Here's my track of what DOJ has turned over when (with links to the documents below).

	302s	Grand Jury	Devices	Surveillance footage	Documents
June 21	Through May 12 Nauta May 26, 2022	DC SDPL Nauta June 21, 20221		Complete CCTV	
June 23: Motion to Implement Special Conditions					84 witnesses on list
July 6: Discovery to Nauta					
July 10: Response Continuance				57 terabytes of video spanning 9 months	428,300 amounting to 833,450 pages 122,650 emails with attachments 305,670 documents from 90 custodians
July 13: Reply Continuance	Next week May 12 through June 23	Transcripts from DC and SDPL through present	Next week: three voluntarily Two of Nauta's	Selected cameras from selected dates	Key documents amounting to 4,500 pages ~250,000 email headers and footers between two people
July 17: Supplement	Between May 12 and June 23		Three voluntarily Two Nauta devices		Additional documents obtained via subpoena
July 18: Hearing			Additional extraction from Nauta's phone		300,000 pages including secret service emails
July 31: Supplement	All finalized	All in possession	Location and other data obtained with warrant	CCTV obtained on May 9 and 12 from April 27 subpoena CCTV obtained after June 8 for destruction court	

June 21, 2023: Response Discovery Order

June 23, 2023: Motion to Implement Special Conditions

July 6, 2023: Supplemental Response Discovery Order

July 10, 2023: Defendants Response Motion for Continuance

July 13, 2023: Government Reply Motion for

Continuance

July 17, 2023: Supplemental Response Discovery Order

July 18, 2023: Status Hearing (Lawfare account)

July 31, 2023: Supplemental Response Discovery Order

Update: Answered two questions I've gotten up in the text above: First, I used "provided by Trump Org" and "obtained" in the bullets above because that's how the filing describes these. As I've noted, the video showing De Oliveira and Nauta in the bushes might well have come from a different property owner.

Second, I defined 302s, which are what the FBI calls interview reports.