

# PROTECTION RACKET: DONALD TRUMP THINKS HE'S MORE SPECIAL THAN STEVE BANNON

As you no doubt know, Trump and his January 6 prosecutors had a bit of a spat about the protective order governing evidence in the case.

The timeline goes like this:

August 2, 9:55PM: A Jack Smith prosecutor – given the initials, probably Thomas Windom – sends John Lauro a proposed protective order, “largely track[ing] the existing protective order in SDFL.”

“Evening of August 3 and early afternoon of August 4:” DOJ reaches out twice more.

Friday, August 4, 1:09PM: Trump’s latest defense attorney sends their own proposed protective order.

Friday, August 4, 2:39PM: A prosecutor (probably Windom) responds saying that Trump’s proposed order doesn’t make sense, notes that DOJ is again proposing the same order as adopted (by Aileen Cannon) in SDFL.

Friday, August 4, 2:45PM: Someone responds saying they adopted their proposal “form [sic] similar orders used in the district.”

Friday, August 4, 6:06PM: An AUSA responds, noting that Trump’s proposed order “would leave large amounts of material completely unprotected in a way not contemplated by standard orders in” DC.

Friday, August 4, 6:39PM: Someone responds saying they should brief it to Magistrate Judge Upadhyaya, whom they do not name, and ask that DOJ note “that we have did not have adequate time to confer.”

Friday, August 4: Trump tweets out video

attacking the prosecutors prosecuting him and Joe Biden.

Friday, August 4: Trump tweets, "IF YOU GO AFTER ME, I'M COMING AFTER YOU!"

Friday, August 4, at least 3 hours after Trump's tweet: DOJ files for a protective order, noting that Trump plans to just spill out grand jury information. The proposed motion is closely modeled on the Steve Bannon one.

Saturday August 5: Judge Chutkan orders Trump to respond by 5PM Monday

MINUTE ORDER as to DONALD J. TRUMP: It is hereby ORDERED that by 5:00 PM on August 7, 2023, Defendant shall file a response to the  government's 10 Motion for Protective Order, stating Defendant's position on the Motion. If Defendant disagrees with any portion of the government's proposed Protective Order, ECF No. 10-1, his response shall include a revised version of that Protective Order with any modifications in redline

Saturday, August 5: Trump attorney John Lauro moves for reconsideration, claiming – while misrepresenting the timeline – that the government had not conferred with him about the protective order.

Saturday August 5: DOJ responds noting that Trump is holding things up and noting that Lauro left out other efforts to consult.

In emails not appended to the defendant's extension motion, the Government followed up on the evening of August 3 and early afternoon of August 4. Thereafter, defense counsel finally responded by sending an entirely different protective order.

Saturday, August 5: Judge Chutkan denies Lauro's motion, ordering him to comply by 5PM on Monday.

MINUTE ORDER as to DONALD J.

TRUMP: Defendant's 11  Motion for Extension of Time is hereby DENIED. Defendant may continue to confer with the government regarding its proposed protective order before or after the August 7, 2023 5:00 PM deadline for his response. The court will determine whether to schedule a hearing to discuss the proposed protective order after reviewing Defendant's response and, if included, his revised proposed protective order with modifications in redline.

But what has been missed is this: The protective order the government proposed last Friday is the protective order Judge Carl Nichols, the former Clarence Thomas clerk appointed by Trump, issued for the Steve Bannon contempt case.

Here's that order, which Chutkan has ordered Trump to modify.

Here's the order Trump appointee Carl Nichols adopted in 2021 for a similarly situated defendant. They're not identical: the one the government proposed includes more detail about what should be treated as sensitive. But otherwise, they're the same.

What this boils down to is that Trump – after issuing threats targeting prosecutors and judges – thinks he's more special than Steve Bannon.

And Judge Chutkan isn't buying that bullshit.

Update: In Trump's response, he didn't include the protective order *he* wants. He included a great deal of other shit, including the docket from SDFL. But this is a protective order adopted in DC District that separates out sensitive material; it's from the Russian troll farm case.