

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

CASE NO. 22-81294-CIV-CANNON

DONALD J. TRUMP,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

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DECLARATION OF SPECIAL MASTER

I, RAYMOND J. DEARIE, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am a Senior Judge of the United States District Court for the Eastern District of New York.

2. Pursuant to Rule 53(a)(2) of the Federal Rules of Civil Procedure, I am submitting this declaration for the purpose of disclosing whether there is any ground under 28 U.S.C. § 455 for my disqualification in this proceeding.

3. Section 455 provides, in pertinent part, that

(a) Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.

(b) He shall also disqualify himself in the following circumstances:

1) Where he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;

2) Where in private practice he served as lawyer in the matter in controversy, or a lawyer with whom he previously practiced law served


during such association as a lawyer concerning the matter, or the judge or such lawyer has been a material witness concerning it;

- 3) Where he has served in governmental employment and in such capacity participated as counsel, adviser or material witness concerning the proceeding or expressed an opinion concerning the merits of the particular case in controversy;
- 4) He knows that he, individually or as a fiduciary, or his spouse or minor child residing in his household, has a financial interest in the subject matter in controversy or in a party to the proceeding, or any other interest that could be substantially affected by the outcome of the proceeding;
- 5) He or his spouse, or a person within the third degree of relationship to either of them, or the spouse of such a person:
 - i. Is a party to the proceeding, or an officer, director, or trustee of a party;
 - ii. Is acting as a lawyer in the proceeding;
 - iii. Is known by the judge to have an interest that could be substantially affected by the outcome of the proceeding;
 - iv. Is to the judge's knowledge likely to be a material witness in the proceeding.

(c) A judge should inform himself about his personal and fiduciary financial interests, and make a reasonable effort to inform himself about the personal financial interests of his spouse and minor children residing in his household.

4. I have familiarized myself with the issues involved in this case. As a result of my knowledge of the case, I can attest and affirm that I know of no grounds for disqualification under 28 U.S.C. § 455 that would prevent me from serving as Special Master to conduct a review of the seized materials as described in the Order Appointing Special Master.

Dated: Brooklyn, New York
September 15, 2022


RAYMOND J. DEARIE
United States District Judge