

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

BARBARA J. LEE *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP *et al.*,

Defendants.

Case No. 21-cv-00400 (APM)

Consolidated Cases:

21-cv-00586 (APM)

21-cv-00858 (APM)

21-cv-02265 (APM)

22-cv-00010 (APM)

22-cv-00011 (APM)

22-cv-00034 (APM)

23-cv-00038 (APM)

**DECLARATION OF GERALD A. URBANEK IN SUPPORT OF PRESIDENT TRUMP'S
MOTION FOR SUMMARY JUDGMENT**

I, Gerald A. Urbanek, Jr., hereby declare under penalty of perjury under the laws of the United States as follows:

I am over the age of 18, of sound mind, and competent to make this declaration. I am an associate with the Dhillon Law Group, Inc., and I am admitted to practice law in the Commonwealth of Virginia and the State of Florida. I am admitted to practice before this Court, and I represent President Donald J. Trump in the above-captioned matters. I submit this declaration to provide to the Court true and correct copies of documents submitted in support of President Trump's Motion for Summary Judgment and the Statement of Undisputed Material Facts.

1. **Exhibit 1** is a true and correct copy of the decision of the Second Circuit Court of Appeals in *Knight First Amendment Inst. at Columbia Univ. v. Trump*, 953 F.3d 216 (2d Cir. 2020) as obtained from Westlaw.
2. **Exhibit 2** is a true and correct copy of the decision of the Second Circuit Court of Appeals in *Knight First Amendment Inst. at Columbia Univ. v. Trump*, 928 F.3d 226 (2d Cir. 2019) as obtained from Westlaw.
3. **Exhibit 2a** is a true and correct copy of exhibits referenced throughout *Knight First*

Amendment Inst. at Columbia Univ. v. Trump, 302 F. Supp. 3d 541 (S.D.N.Y. 2018) and its subsequent appellate history as obtained from Westlaw and PACER filings.

4. **Exhibit 3** is a true and correct copy of a supplemental submission filed by the Department of Justice in the matter of *James Madison Project v. Dep't of Justice*, 302 F. Supp. 3d 12, 16 (D.D.C. 2018) as obtained from Westlaw.
5. **Exhibit 4** is a true and correct copy of documents produced by the National Archives in response to President Trump's third-party subpoena (*See Exhibit 48*).
6. **Exhibit 5** is a true and correct copy of documents produced by the National Archives in response to President Trump's third-party subpoena (*See Exhibit 48*).
7. **Exhibit 6** is a true and correct copy of documents produced by the National Archives in response to President Trump's third-party subpoena (*See Exhibit 48*).
8. **Exhibit 7** is a true and correct copy of documents produced by the National Archives in response to President Trump's third-party subpoena (*See Exhibit 48*).
9. **Exhibit 8** is a true and correct copy of documents produced by the National Archives in response to President Trump's third-party subpoena (*See Exhibit 48*).
10. **Exhibit 9** is a true and correct image from the archived Trump White House website, as maintained and preserved by the National Archives.
<https://trumpwhitehouse.archives.gov/people/donald-j-trump/>
11. **Exhibit 10** is a true and correct copy of a tweet appearing on the official National Archives' webpage on X, formerly known as Twitter.
<https://x.com/USNatArchives/status/1348330024420700160>
12. **Exhibit 11** is a true and correct copy of documents produced by the National Archives in response to President Trump's third-party subpoena (*See Exhibit 48*).
13. **Exhibit 12** is a true and correct copy of documents produced by the National Archives

in response to President Trump's third-party subpoena (*See* Exhibit 48).

14. **Exhibit 13** is a true and correct copy of documents produced by the National Archives in response to President Trump's third-party subpoena (*See* Exhibit 48).

15. **Exhibit 14** is a true and correct copy of documents produced by the National Archives in response to President Trump's third-party subpoena (*See* Exhibit 48).

16. **Exhibit 15** is a true and correct copy of documents produced by the National Archives in response to President Trump's third-party subpoena (*See* Exhibit 48).

17. **Exhibit 16** is a true and correct copy of documents produced by the National Archives in response to President Trump's third-party subpoena (*See* Exhibit 48).

18. **Exhibit 17** is a true and correct copy of documents produced by the National Archives in response to President Trump's third-party subpoena (*See* Exhibit 48).

19. **Exhibit 18** is a true and correct copy of a letter from the Archivist of the United States to the Committee on Oversight and Reform within the U.S. House of Representatives.

<https://www.archives.gov/files/foia/ferriero-letter-to-maloney-on-trump-presidential-records-on-social-media-platforms.02.18.2022.pdf>

20. **Exhibit 19** is a true and correct copy of an excerpt from the testimony of Amy Kremer before the January 6 Select Committee as sworn to in her declaration provided to the consolidated Plaintiffs in this matter (*See* Exhibit 19a).

21. **Exhibit 19a** is a true and correct copy of the Declaration of Amy Kremer provided by the consolidated Plaintiffs in this matter.

22. **Exhibit 20** is a true and correct copy of an excerpt from the testimony of Katrina Pierson before the January 6 Select Committee as sworn to in her declaration provided to the consolidated Plaintiffs in this matter (*See* Exhibit 20a).

23. **Exhibit 20a** is a true and correct copy of the Declaration of Katrina Pierson provided by

the consolidated Plaintiffs in this matter.

24. **Exhibit 21** is a true and correct copy of documents produced by the Department of the Interior in response to President Trump's *Touhy* request (*See* Exhibit 49).
25. **Exhibit 22** is a true and correct copy of documents produced by the Department of the Interior in response to President Trump's *Touhy* request (*See* Exhibit 49).
26. **Exhibit 23** is a true and correct copy of documents produced by the Department of the Interior in response to President Trump's *Touhy* request (*See* Exhibit 49).
27. **Exhibit 24** is a true and correct copy of documents produced by the National Archives in response to President Trump's third-party subpoena (*See* Exhibit 48).
28. **Exhibit 25** is a true and correct copy of the sworn declaration provided by Justin Clark in the above-captioned matters.
29. **Exhibit 26** is a true and correct copy of an image captured from the official Federal Election Commission website in response to the identified search terms and criteria.
30. **Exhibit 27** is a true and correct copy of an image captured from the official Federal Election Commission website in response to the identified search terms and criteria.
31. **Exhibit 28** is a true and correct copy of a document provided by Donald J. Trump for President, Inc. in response to a subpoena from the Plaintiffs in *Smith v. Trump*.
32. **Exhibit 29** is a true and correct copy of documents produced by the National Archives in response to President Trump's third-party subpoena (*See* Exhibit 48).
33. **Exhibit 30** is a true and correct copy of documents produced by the National Archives in response to President Trump's third-party subpoena (*See* Exhibit 48).
34. **Exhibit 31** is a true and correct copy of documents produced by the National Archives in response to President Trump's third-party subpoena (*See* Exhibit 48).
35. **Exhibit 32** is a true and correct copy of documents produced by the National Archives

in response to President Trump's third-party subpoena (*See* Exhibit 48).

36. **Exhibit 33** is a true and correct copy of documents produced by the National Archives in response to President Trump's third-party subpoena (*See* Exhibit 48).

37. **Exhibit 34** is a true and correct copy of documents produced by the National Archives in response to President Trump's third-party subpoena (*See* Exhibit 48).

38. **Exhibit 35** is a true and correct copy of documents produced by the National Archives in response to President Trump's third-party subpoena (*See* Exhibit 48).

39. **Exhibit 36** is a true and correct copy of documents produced by the National Archives in response to President Trump's third-party subpoena (*See* Exhibit 48).

40. **Exhibit 37** is a true and correct copy of an image captured from a recording of President Trump's speech delivered at the Ellipse on January 6, 2021, which can be found at the following URL. <https://x.com/realDonaldTrump/status/1346891760174329859>

41. **Exhibit 38** is a true and correct copy of an image captured from a recording of President Trump's speech delivered at the Ellipse on January 6, 2021, which can be found at the following URL. <https://x.com/realDonaldTrump/status/1346891760174329859>

42. **Exhibit 39** is a true and correct copy of an image captured from Google Maps using the Ellipse as the starting point and the United States Capitol as the end point.

43. **Exhibit 40** is a true and correct copy of the decision from the United States Court of Appeals for the District of Columbia in *Blassingame v. Trump*, 87 F.4th 1 (D.C. Cir. 2023).

44. **Exhibit 41** is a true and correct copy of Article II, Section 3 of the United States Constitution as provided by Congress.gov.

<https://constitution.congress.gov/constitution/article-2/>

45. **Exhibit 42** is a true and correct copy of documents produced by the National Archives

in response to President Trump's third-party subpoena (*See* Exhibit 48).

46. **Exhibit 43** is a true and correct copy of the sworn declaration provided by Stephen Miller in the above-captioned matters.

47. **Exhibit 44** is a true and correct copy of an excerpt from the transcript of the sworn deposition of Stephen Miller provided in the above-captioned matters on November 22, 2024.

48. **Exhibit 44a** is a true and correct copy of Defense's Exhibit D0001 from the deposition of Stephen Miller on November 22, 2024.

49. **Exhibit 44b** is a true and correct copy of Defense's Exhibit D0002 from the deposition of Stephen Miller on November 22, 2024.

50. **Exhibit 44c** is a true and correct copy of Plaintiffs' Exhibit P0002 from the deposition of Stephen Miller on November 22, 2024.

51. **Exhibit 45** is a true and correct copy of documents produced by the National Archives in response to President Trump's third-party subpoena (*See* Exhibit 48). I personally searched all documents produced by NARA in response to the subpoena identified as Exhibit 48, hereto, for documents authored or sent by any member of the White House staff in response to the emails circulating drafts of the Save America Speech. Exhibit 45 is a complete set of all such emails.

52. **Exhibit 46** is a true and correct copy of documents produced by the National Archives in response to President Trump's third-party subpoena (*See* Exhibit 48).

53. **Exhibit 47** is a true and correct image captured from the following URL:

<https://x.com/realDonaldTrump/status/1346891760174329859>

54. **Exhibit 48** is a true and correct copy of President Trump's third-party subpoena to the National Archives.

55. **Exhibit 49** is a true and correct copy of President Trump's *Touhy* request to the United States Department of the Interior.

I, Gerald A. Urbanek, Jr., hereby declare under penalty of perjury under the laws of the United States that the foregoing is true and correct, so sworn this day, January 24, 2025:

/s/ Gerald A. Urbanek, Jr.
Gerald A. Urbanek, Jr.