

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

<b>U.S. DEPARTMENT OF TREASURY,</b>	)	
	)	
<b>et al.,</b>	)	MC Action
	)	No. 12-100
<b>Petitioner,</b>	)	
	)	May 16, 2017
<b>v.</b>	)	1:00 p.m.
	)	
<b>DENNIS BLACK,</b>	)	Washington, D.C.
	)	
<b>Respondent.</b>	)	

**TRANSCRIPT OF MOTION HEARING PROCEEDINGS  
BEFORE THE HONORABLE EMMET G. SULLIVAN,  
UNITED STATES DISTRICT COURT JUDGE**

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**AFTERNOON SESSION, MAY 16, 2017**

(1:05 p.m.)

THE COURTROOM CLERK: Your Honor, this is Miscellaneous Case 12-100, U.S. Department of Treasury versus Dennis Black, et al.

Will all parties please come forward to this lectern and introduce yourselves for the record.

MR. GLASS: Good afternoon, Your Honor. I'm David Glass from the civil division of the Justice Department, and with me at counsel table is Jacqueline Snead, who is an Assistant Branch Director in our branch, and Alexander Haas, who is the Chief of Staff to the Acting Assistant Attorney General for civil and the Acting Deputy Assistant Attorney General.

THE COURT: All right. Good afternoon to everyone. Welcome.

MR. KHALIL: Good afternoon, Your Honor. Michael Khalil with respondent, and with me is Michael Shelley and Tim O'Toole.

THE COURT: All right. Good afternoon, Counsel. Let me say this. I think in my haste to what I thought would finally conclude this matter after three substantive opinions, I probably overreacted when I said produce the documents forthwith.

I think in fairness, the government should have its -- I think any party should have the full allotment of time to consider any -- to consider seeking any appellate review, so -- and I can't think of a compelling reason to deprive the

1 government of that 60 days. I mean, I know that the respondent,  
2 Mr. Black, has said, well, they haven't really said they want to  
3 appeal, but so what. Why shouldn't a litigant have the full  
4 complement of 60 days in which to determine whether or not they  
5 want to file an appeal or not? Let me just pose that question to  
6 counsel.

7 MR. KHALIL: Thank you, Your Honor. We are --

8 THE COURT: I would like to bring some finality to this  
9 case. This case has drained this Court's time and resources, and  
10 the Court has had some very serious concerns about whether the  
11 government's proceeding in good faith or not, and I've  
12 articulated those concerns, actually warned the government to be  
13 very careful, but in fairness, even though they wasted the  
14 Court's time on three prior occasions, why shouldn't they be  
15 entitled to their 60-day allotment of time under the rules? Why  
16 should I treat them unfairly?

17 MR. KHALIL: Well, Your Honor, respectfully, we don't  
18 think that the immediate production of the documents would be  
19 unfair. There are protective orders that can be issued. There's  
20 already a protective order in this case in place that could be  
21 modified very easily to allow the petitioner a chance to protect  
22 whatever confidentiality concerns either the Treasury has or the  
23 Office of the President has in these documents. *Mohawk*, we  
24 think, made pretty clear that those sorts of protective orders  
25 are appropriate and sufficient to eliminate any confidentiality

1 concerns referred to the Court, referred to as spillover  
2 concerns.

3 THE COURT: Wouldn't the government have to consent to  
4 that order?

5 MR. KHALIL: I don't know that it would. I don't see why  
6 it would have to consent to the order at all.

7 It seems to me this Court has full authority to govern the  
8 production of the documents and respondent's use of those  
9 documents. The protective order that's in place currently with  
10 the other documents that the Treasury has produced allow only for  
11 counsel to view the documents and one of the respondents, who has  
12 also been given permission in the underlying litigation to view  
13 documents under the protective order. He's completely  
14 trustworthy.

15 THE COURT: You know what, I just don't recall whether the  
16 government consented to the other protective order or not. I  
17 just don't recall. Did they?

18 MR. KHALIL: They did.

19 THE COURT: The government indicated in this case they  
20 have no interest in consenting to the protective order, which I  
21 don't really understand, but --

22 MR. KHALIL: To be -- and I'll let Mr. Glass speak --

23 THE COURT: Can I throw out a suggestion? The reason  
24 why -- you're probably wondering, why did the Court say "people  
25 with decision-making authority." I have a suggestion, and I

1 don't know whether it's going to be persuasive to anyone right  
2 now, but I want to raise it right now, a time out for a second.  
3 Here's my suggestion. Would the government consent to, either  
4 today or some other day, in this court showing the documents to  
5 opposing counsel; not giving them, just showing the documents to  
6 them? It's not a trick question. I'm just trying -- you know  
7 what, once they see the documents, arguments may change. I don't  
8 know.

9 MR. GLASS: Well, we have represented to the Court, and  
10 I'll repeat that representation today, that there is nothing in  
11 these documents.

12 THE COURT: All right. Let me stop you. I know that, and  
13 I haven't lost sight of that, but here's the problem the Court  
14 has, and I may be wrong, and maybe, you know, maybe counsel --  
15 maybe opposing counsel will tell me I'm wrong in thinking about  
16 this, but I have a limited view about issues in this case. I  
17 don't know what other information they have. I query whether --  
18 and what concerns me is -- I query whether the other information  
19 that opposing counsel may have, coupled with these documents, may  
20 shine a different light on relevance. Do you follow me?

21 MR. GLASS: I do follow you.

22 THE COURT: And that's what's troubling to the Court,  
23 because I don't know the full universe because this case has gone  
24 on before two courts for years, and it has required a lot of time  
25 and attention, and that's fine. You know, that's what we're here

1 for, but three opinions in one case. And I was trying to think,  
2 is there some way I can bring about finality in this case,  
3 because the other thing that concerns me is this: The government  
4 says, well, we can file for expedited appeal. That happened in  
5 the *Cheney* case that was before me some years ago. On October  
6 21st, 2002, the defendants moved for a stay pending appeal of my  
7 October 17th, 2002 order, and the case -- the issue was decided  
8 July 8th, 2003, and that case took on a life of its own and ended  
9 up before the Supreme Court, and to this day I still don't  
10 recognize what the issues were that brought it before the Supreme  
11 Court, but the case took on a life of its own. And it was  
12 expedited consideration. So, with all due respect to the  
13 circuit, I'm not taking a shot at the circuit, but, you know, I  
14 was on the D.C. Court of Appeals for a couple of years, and it  
15 used to drive me nuts when we would grant expedited consideration  
16 in cases that warranted it, like termination of parental rights  
17 and other cases, and essentially just dropped the ball.

18 So, I said, what can I do -- I said, maybe, maybe, maybe  
19 everyone would just be curious about what the documents say.  
20 They could conceivably look at the documents and say. You know  
21 what, we want to move on to Michigan, Judge. That's the other  
22 thing, because they can't move on to Michigan until there's a  
23 final decision with respect to discovery here, which may be in  
24 another year or so, which is so unfair.

25 MR. GLASS: They could, Your Honor.

1 THE COURT: They could?

2 MR. GLASS: Sure.

3 THE COURT: I thought the judge there said you have to  
4 exhaust discovery here.

5 MR. GLASS: Oh, they could go back to Judge Turnaugh in  
6 Detroit at any time. They have a million --

7 THE COURT: Oh really?

8 MR. GLASS: They have a million pages of documents from  
9 the Pension Benefit Guaranty Corporation.

10 THE COURT: So, in other words, there's no harm in asking  
11 the Court to proceed, but I think the judge made pretty clear,  
12 finish what you're doing in D.C. here first before we start that  
13 million mile journey?

14 MR. GLASS: Yeah. I'm not going to cast aspersions on any  
15 federal district judge.

16 THE COURT: I'm not casting aspersions. I want to be  
17 clear. I'm not casting aspersions. I thought it was clear that  
18 he said we have to finish here. If I'm wrong, then I'm wrong.

19 MR. GLASS: That's a way of not addressing the underlying  
20 case, frankly.

21 THE COURT: Okay.

22 MR. GLASS: The position that we're in here is that this  
23 is a --

24 THE COURT: I want to be clear. I wasn't taking a whack  
25 at the judge there at all.



1 MR. GLASS: No, I would not think that.

2 THE COURT: Okay.

3 MR. GLASS: No. The position we're in here is that this  
4 is a special privilege. This is a Constitutional privilege. And  
5 as I told Mr. Khalil back before we submitted our last  
6 submission, you know, it is my experience with different  
7 administrations, republicans and democrats, that they all take  
8 the presidential communications privilege very seriously, and  
9 that's why we couldn't show these documents to plaintiffs and --

10 THE COURT: But essentially your position here is under no  
11 circumstances should these documents ever see the light of day to  
12 opposing counsel. That --

13 MR. GLASS: We disagree that they have established a  
14 showing of need that justified -- it's a qualified privilege, but  
15 our position is that they haven't --

16 THE COURT: Is there something else the Court should have  
17 addressed in its opinion to demonstrate need? The judge said  
18 it's a privilege here, but under, I think it was *Dellums* {sp},  
19 I'm, you know, persuaded that you can't get these documents, this  
20 information from any other source. And basically you're saying,  
21 well, the information they get, Judge, doesn't really shed any  
22 light on the issue. And I guess the bottom line is, if it  
23 doesn't shed any light, then what's the harm?

24 MR. GLASS: Well, there's that. I mean, it's our position  
25 that there wouldn't be any need anyway because if the -- even if

1 there had been all kinds of pressure put on the Pension Benefit  
2 Guaranty Corporation to terminate this pension plan, that would  
3 not invalidate the termination. But putting that all to one  
4 side, nothing goes out -- nothing is supposed to go out under the  
5 presidential communications privilege anyway unless it's  
6 determined to be relevant to that particular case, and so,  
7 frankly, what we should have asked for was reconsideration so  
8 Your Honor could have gone through the documents.

9 THE COURT: I was wondering the same thing. Do you want  
10 to file a motion? I'll give you time to do that?

11 MR. GLASS: Sure. We could do that.

12 THE COURT: Because I think, in fairness, you're entitled.  
13 I'm not going to squeeze you out of 60 days. I think, in  
14 fairness, I think it was my exuberance seeing a light at the end  
15 of the tunnel, give up those documents, and I probably shouldn't  
16 have done that. In fairness, I probably shouldn't have. In all  
17 these other cases there are interlocutory -- I don't know if you  
18 made a final decision, and I'm not going to inquire about that.  
19 That's within the, you know -- that's your prerogative. I  
20 understand it has to go up the ladder, if you're seeking that  
21 consideration, and I can't really quarrel with that. Sure, I  
22 want finality, but it doesn't seem like I'm going to get finality  
23 here. I think it's fair. I want to hear from the other side,  
24 but I think it's fair on a quick basis to give you a chance to  
25 persuade me to reconsider. I mean, if there's something else I

1 should have done -- they can't argue, they can't argue, so it's  
2 me and you here.

3 MR. GLASS: Sure. Exactly.

4 THE COURT: I think my analysis is correct. I think my  
5 conclusion is correct, but if I'm missing something there, then I  
6 want you to tell me what I'm missing.

7 MR. GLASS: Okay. Well, the only thing that's missing is  
8 the fact that there isn't anything in these documents that shows  
9 any kind of improper pressure, putting aside the fact that we  
10 don't think it makes any difference if there is, but there simply  
11 isn't anything in there.

12 THE COURT: In those documents, but what about in those  
13 documents viewed in connection with whatever other discoverable  
14 material they have, which -- and that leaves me at a disadvantage  
15 because I don't know what else is out there in the universe.

16 MR. GLASS: Sure, but they've got the universe and they  
17 have never come in with a single piece of paper -- In view of the  
18 fact that they have a million pages from the Pension Benefit  
19 Guaranty Corporation dealing with the Delphi Corporation, they  
20 have never come in with a single piece of paper indicating that  
21 there was any kind of improper pressure put on PBGC.

22 I mean, there was an earlier claim in the underlying  
23 lawsuit against the Treasury --

24 THE COURT: -- right --

25 MR. GLASS: -- and that claim was that, for political

1 reasons, certain decisions were made. Those were dismissed for  
2 failure to state a claim because they couldn't make the IQBAL  
3 threshold. They were simply saying, Well, you know, there has to  
4 have been all kinds of pressure. They have no evidence of any  
5 kind that they've shown us that there was any kind of pressure,  
6 and, as I say, they have a million pages from PBGC. They have  
7 documents from us. There have been no fewer than seven  
8 congressional hearings on the termination of this pension plan.  
9 They've got the transcripts of those.

10 One of the fellows who was on the group at Treasury that  
11 worked on the restructuring of GM wrote a book about it. There's  
12 nothing in there. There's nothing that they have cited that  
13 there was any kind of improper pressure, and if Your Honor looks  
14 at these 63 documents --

15 THE COURT: Wait a minute. He worked at Treasury and he  
16 wrote a book on it?

17 MR. GLASS: His name was Rafner {sp}. What happened was  
18 when the decision was made to rescue General Motors in 2009,  
19 Treasury put together a team of about 14 or 15 people who  
20 basically over a 60-day period came up with the restructuring.  
21 What happened in the restructuring was that the assets of what  
22 was then GM was sold to a new company called GM. Delphi, the  
23 pension -- the pension sponsor here, started out as a division of  
24 the old GM. It was called Delco. Your Honor may remember  
25 genuine Delco parts.

1 THE COURT: Absolutely. Sure.

2 MR. GLASS: It was spun off as a separate company in  
3 2009 -- I'm sorry, 1999. The new GM thought that it would need  
4 Delphi parts, so the resolution of the Delphi bankruptcy in the  
5 minds of General Motors was necessary to its continued success.  
6 It was not Treasury's view.

7 Treasury didn't think that the new GM would need Delphi  
8 parts.

9 As part of the Delphi bankruptcy, the new GM bought four  
10 Delphi factories -- I think they made axles -- and shortly  
11 thereafter sold them, so they didn't need them. So, this is kind  
12 of marginally tied in with the General Motors bankruptcy, but the  
13 fact of the matter is, -- and, you know, the million pages that  
14 have been produced will show that, that the team at Treasury that  
15 worked on the restructuring were aware of the Delphi pensioners.  
16 They talked to lots and lots of people, but they were, you know,  
17 just a very minor player when it came to the considerations of  
18 restructuring General Motors so that it could be a functioning  
19 company. But we would be happy to move for reconsideration and  
20 asking for Your Honor to take a look at the documents and confirm  
21 that there is no --

22 THE COURT: No, I have the documents, and I've gone back  
23 and looked at them again, and I'm just troubled. Thank you,  
24 Counsel. Let me hear from opposing counsel. I think it was  
25 probably -- I misspoke when I said "forthwith." They're entitled

1 to their 60 days. And actually, I'm not sure what merit there  
2 would be for a motion for reconsideration, but after all this  
3 time, effort and work, I'm not going to shortchange myself  
4 either. So, I think I'll probably give them an opportunity to  
5 persuade me that -- within a very short period of time -- that  
6 there's a basis for reconsideration.

7 But what about the Michigan litigation? I thought it was  
8 clear that you couldn't do anything with respect to further  
9 discovery until you had concluded discovery here. Am I wrong in  
10 that regard?

11 MR. KHALIL: You're not wrong, Your Honor. That's the way  
12 the current discovery order --

13 THE COURT: Right, and I'm very sensitive to that, and I  
14 understand what the government said about seeking an expedited  
15 appeal. But I know what happened in *Cheney*, and I know what  
16 happens to these big cases, with all due respect to the circuit.  
17 They have a lot on their plate, too. So, you know, another year?  
18 That doesn't have a lot of appeal to me.

19 I don't know. I guess that was a no to my question, can  
20 you just see the documents in the courtroom, I guess, and that's  
21 fine. Is that a no, a resounding no? One, two, three.

22 MR. GLASS: Yes.

23 THE COURT: Okay. That's fine. I understand. There's no  
24 harm in asking, as my mom used to tell me. That's fine. I'm  
25 sorry. Go ahead. It is frustrating, because I would like to get

1 done with this case and get on to some other FOIA cases.

2 MR. KHALIL: Your Honor, I would just like to address a  
3 couple of points.

4 THE COURT: Sure.

5 MR. KHALIL: And I should express, on behalf of  
6 respondents, we appreciate that you have invested -- this Court  
7 has invested a great deal of time and issued three opinions. The  
8 respondents do not believe or understand -- my clients are  
9 retirees. They're not sophisticated business people. They have  
10 a little bit of trouble understanding how a subpoena could take  
11 this long to negotiate.

12 THE COURT: Well, they should understand that it's unusual  
13 for three substantive opinions to be issued in one case, too. I  
14 know that's difficult for litigants to understand. They think we  
15 don't do anything, and I understand that. It's difficult -- good  
16 luck there. It's difficult.

17 MR. KHALIL: I don't think their frustration is with the  
18 Court, Your Honor, I think the frustration is with the -- we  
19 cited in our brief that there have been -- you know, it would be  
20 asserting deliberative process privilege over nearly 900  
21 documents, and then when calling for an in-camera review,  
22 withdrawing those assertions at the last minute for 75 percent of  
23 them.

24 THE COURT: That didn't please me either when I saw that.  
25 No explanation given.

1 MR. KHALIL: None. None, Your Honor. So, behavior like  
2 that, we think, my clients think has extended these proceedings.  
3 And, you know, again, sure, every litigant should have an  
4 opportunity to pursue it's appeal rights, and we're not saying  
5 that -- we're not suggesting that denying a stay would deny the  
6 Treasury those appeal rights. We think that that's exactly what  
7 the Supreme Court made clear in *Mohawk*, that post-appeal review  
8 would be more than sufficient to validate those.

9 And, of course, if you feel like you want to -- if this  
10 Court feels like it wants to reconsider and give the Treasury an  
11 opportunity to present reconsideration arguments --

12 THE COURT: I was actually surprised they didn't file a  
13 motion, but they -- I'm not going to reach out and tell people to  
14 file a motion, why don't you file a motion for reconsideration?  
15 They didn't raise it. But I think it was an error, probably, for  
16 me to say "forthwith."

17 You know, again, it was probably my exuberance because I  
18 could see the light at the end of the tunnel, but --

19 MR. KHALIL: I would note that it sounds to me like the  
20 basis of that reconsideration motion is a relevance  
21 determination, and that relevance determination basically is the  
22 one that this Court made in 2014.

23 THE COURT: Right, in the first opinion.

24 MR. KHALIL: So we're going to ask -- it just seems odd  
25 that we would in 2017 be litigating a reconsideration motion of a



1 determination made in 2014, but with that said --

2 THE COURT: That was before the Court had an opportunity  
3 to review the documents in question.

4 MR. KHALIL: That is true.

5 THE COURT: So the relevance determination would be, Here  
6 it is, Judge? How do I -- is it farfetched for the Court to be  
7 concerned about reviewing these documents on the one hand and  
8 just wondering how they fit in with everything else with the  
9 universe with everything else? Is that farfetched for the Court  
10 to be -- because it's very difficult sometimes. So how does the  
11 Court do that?

12 MR. KHALIL: I don't think the case law requires the Court  
13 to do that. I think that the case law says that it's the Court's  
14 determination -- responsibility in the initial decision when  
15 determining whether to have an in-camera review to undertake a  
16 stringent relevance determination like the one this Court  
17 undertook. Then the in-camera review is just supposed to weed  
18 out purely irrelevant documents that might embarrass the  
19 executive or are plainly irrelevant, but it's not the stringent  
20 determination -- that's supposed to occur before the in-camera  
21 review occurs. And once you determine that, well, okay, I've  
22 done the in-camera review and now I can go forth and award or  
23 disclose documents that are on the basis of need. That is purely  
24 within the Court's discretion and I do not believe is subject to  
25 a heightened review.

1 THE COURT: Right.

2 MR. KHALIL: Any other questions?

3 THE COURT: But then you're at a loss, though, too.

4 Because they filed a motion for reconsideration, there's not a  
5 lot you can say, really, is there, other than what you just very  
6 eloquently just told me?

7 MR. KHALIL: That is true.

8 THE COURT: Through no fault of yours. That's the way the  
9 system is. So thank you, Counsel.

10 Let me do this. Let me take a five-minute recess. Do you  
11 want to say anything else, Mr. Glass?

12 MR. GLASS: No, Your Honor. What we are here for is  
13 simply to get a stay of this order so that we can -- pending any  
14 appeal that we may take.

15 THE COURT: No, I understand. I think you're entitled to  
16 that. You're entitled to the 60 days. Believe me, it was not  
17 the Court's -- I wasn't focused on that aspect. Again, I could  
18 see the light and I was focusing on this case being over, and I  
19 wasn't trying to deprive the government of a meaningful  
20 opportunity to consider an appeal. I wasn't trying to do that.  
21 Look, after all these years, I recognize how arduous that process  
22 is for the government to get approval to appeal. So, at the very  
23 least, you walk out of here with that. I'll grant you that. And  
24 I think there may be some merit to a motion for reconsideration  
25 on a fast track, I think, although that's the reason why I'm

1 going to take a very short recess, about a ten-minute recess. No  
2 need to stand. Thank you.

3 (Thereupon, a recess in the proceedings occurred from  
4 1:29 p.m. until 1:47 p.m.)

5 THE COURT: All right, Counsel. I'm going to let you file  
6 a motion for reconsideration. I'm not going to talk about the  
7 parameters and what I need in that motion now, and we'll issue it  
8 today or tomorrow. I don't want to put it on the fast track. I  
9 don't want to get into -- I don't want to have to resolve another  
10 issue about when the notices of appeal divest the Court. I don't  
11 want to do that.

12 So I recognize that the filing of a motion will probably  
13 impact the date, the drop dead date for the filing of a notice of  
14 appeal, but I don't even want to get into that. But I'm going to  
15 put things on a fast track. Today is the -- what is today, the  
16 18th?

17 MR. GLASS: 16th, Your Honor.

18 THE COURT: 16th. So, a week from today will be the 23rd.  
19 The week of the 22nd. Memorial Day is the following Monday. I  
20 don't want to interfere with that. Is that the following Monday,  
21 the 29th? So, the 22nd for the filing of any motion for  
22 reconsideration. The 31st is two days after the Memorial Day for  
23 the filing of a response. I'm not going to rule out the  
24 possibility of bringing in counsel for the government ex parte in  
25 the event I have other questions. I haven't finally concluded

1 just what I'm going to put in the order providing for the filing  
2 of a motion for reconsideration, but I need more information that  
3 addresses the issue of need and relevance. And believe me, I'm  
4 going to decide these issues as soon as I possibly can. I may  
5 not write another opinion, but at least I want to be in a  
6 position to say I've reconsidered what I did, the reasons why I  
7 did it, and then finally conclude, whatever the decision is.

8 But I just want to be clear, though. Again, and I think  
9 you've said this earlier, Mr. Glass, but essentially, even if the  
10 documents showed themselves an independent basis for need by the  
11 movant, by opposing counsel, your argument would be that in view  
12 of the presidential privilege, they still should not be produced,  
13 right?

14 MR. GLASS: Right. That's correct, Your Honor.

15 THE COURT: So, under no circumstances should they ever be  
16 produced because it's the presidential privilege?

17 MR. GLASS: Well, what the cases hold is that the  
18 privilege can be overcome by a showing of need, and Your Honor  
19 has held that they have made a showing of need. Once that is  
20 made, what the cases say is that the District Court should go  
21 through the documents and excise anything that is not pertinent  
22 to that showing of need, and so that's what we would be moving to  
23 reconsider.

24 THE COURT: Fair enough. Fair enough. And I think, in  
25 fairness -- I don't think this -- I don't think I'm precluded

1 from saying this, but indeed I doubt if we're even talking about  
2 63 documents. There's some duplication, so I think that's a fair  
3 statement.

4 MR. GLASS: I'm starting to forget. I think there is. I  
5 think there is.

6 THE COURT: There's some duplication.

7 MR. GLASS: Copies.

8 THE COURT: Sure. So we'll post a minute order later  
9 today or tomorrow. Tell me what's in store -- once these issues  
10 are resolved here, you receive documents pursuant to the other  
11 court orders, correct, Counsel?

12 MR. KHALIL: (Nodded head affirmatively.)

13 THE COURT: What awaits you in Michigan?

14 MR. KHALIL: Me?

15 THE COURT: Yes, please. What's the next journey?

16 MR. KHALIL: Once we get the documents from the Treasury  
17 or the Court of Appeals tells us we are not entitled to any  
18 documents or you tell us we're not entitled to anymore documents,  
19 we have a 30 day clock with the PBGC in which we need to resolve  
20 expert discovery. Then we have a 60-day clock subject to  
21 everyone's best efforts to try to depose the two Treasury --  
22 former Treasury officials, Mr. Feldman and Mr. Wilson. And then  
23 a 90-day clock to resolve summary judgment, and those are the  
24 highlights.

25 THE COURT: So if this case goes to trial, how long a

1 trial are you looking at?

2 MR. KHALIL: A week.

3 THE COURT: Is that all? Okay. All right. Thank you.  
4 Good to see everyone. Thank you.

5 (Proceedings adjourned at 1:53 p.m.)

6  
7 **C E R T I F I C A T E**

8 I, Scott L. Wallace, RDR-CRR, certify that  
9 the foregoing is a correct transcript from the record of  
10 proceedings in the above-entitled matter.

11 /s/ Scott L. Wallace  
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5/24/17  
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12 **Scott L. Wallace, RDR, CRR**  
13 **Official Court Reporter**

**Date**