

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EDMOND GRANT p/k/a “EDDY GRANT”,
GREENHEART MUSIC LIMITED, a United
Kingdom Limited Company, and
GREENHEART MUSIC LIMITED, an
Antigua and Barbuda Limited Company,

Plaintiffs,

v.

DONALD J. TRUMP and DONALD J.
TRUMP FOR PRESIDENT, INC.,

Defendants.

Civil Case No. 1:20-cv-07103-JGK

**DECLARATION OF
KENNETH A. CARUSO
IN SUPPORT OF APPLICATION
TO WITHDRAW AS COUNSEL**

Kenneth A. Caruso declares, pursuant to 28 U.S.C. § 1746, as follows:

1. I am a member of the Bar of this Court and Special Counsel to the law firm of Mukasey Frenchman LLP (the “Firm”), counsel to Defendants in this action. I make this Declaration in support of the Firm’s motion for an order, under Local Civil Rule 1.4, relieving the Firm as counsel in this action.

2. This is an action for copyright infringement. Defendants are also represented by Darren Saunders of Peroff Saunders P.C (“Peroff Saunders”).

3. Mr. Saunders and his firm are experts in copyright law. Over the course of this action, my Firm and I have, among other things, assisted with brief-writing and editing on Defendants’ motion to dismiss, assisted in the preparation of Mr. Saunders’ oral argument on that motion, participated in a mediation before Magistrate Judge Cott and participated as co-counsel during discovery. In particular, with respect to discovery, I appeared at key depositions, including party depositions.

4. We respectfully submit that this case has reached a point at which the Peroff Saunders firm can continue as counsel without our assistance. Discovery is substantially complete, except for a Rule 30(b)(6) deposition of one of the Defendants. The Peroff Saunders firm has the substantive expertise and skills to conduct the next phases of the case, including, in particular, a motion for summary judgment raising the defense of fair use.

5. Per Local Civil Rule 1.4, I add the following: As to the posture of the case, discovery is substantially complete, except for a Rule 30(b)(6) deposition of one of the Defendants. The case is not on the Court's calendar. We are not asserting a retaining or a charging lien. I will serve this application to withdraw upon the clients and (by ECF) upon all other parties.

6. Accordingly, we respectfully request that the Court enter an order relieving this Firm as counsel to Defendants.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge, information and belief.

Dated: New York, New York
August 22, 2022

/s/ Kenneth A. Caruso
Kenneth A. Caruso