



TRUMP LAWYERS SAY STORMY DANIELS REFUSED SUBPOENA OUTSIDE A BROOKLYN BAR, PAPERS LEFT 'AT HER FEET' - ASSOCIATED PRESS

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Press



Photo: Former President Donald Trump approaches to speak to reporters as he leaves a Manhattan courtroom after the second day of his criminal trial

Donald Trump's legal team says it tried serving Stormy Daniels a subpoena as she arrived for an event at a bar in Brooklyn last month, but the porn actor, who is expected to be a witness at the former president's criminal trial, refused to take it and walked away.

A process server working for Trump's lawyers said he approached Daniels with papers demanding information related to a documentary recently released about her life and involvement with Trump, but was forced to "leave them at her feet," according to a court filing made public Wednesday.

"I stated she was served as I identified her and explained to her what the documents were," process server Dominic DellaPorte wrote. "She did not acknowledge me and kept walking inside the venue, and she had no expression on her face."

The encounter, prior to a screening of the "Stormy" film at the 3 Dollar Bill nightclub, has touched off a monthlong battle between Trump's lawyers and Daniels' attorney that continued this week as the presumptive Republican nominee's criminal trial began in Manhattan.

Trump's lawyers are asking Judge Juan M. Merchan to force Daniels to comply with the subpoena. In their filing, they included a photo they said DellaPorte took of Daniels as she strode away.

Daniels' lawyer Clark Brewster claims they never received the paperwork. He described the requests as an "unwarranted fishing expedition" with no relevance to Trump's criminal trial.

"The process — instituted on the eve of trial — appears calculated to cause harassment and/or intimidation of a lay witness," Brewster wrote in an April 9 letter to Merchan. Brewster didn't immediately reply to a message from The Associated Press seeking comment.

The hush money case is the first of Trump's four criminal cases to **go** to trial. Seven jurors have been seated so far. Jury selection is set to resume Thursday.

Daniels is expected to testify about a \$130,000 payment she got in 2016 from one of Trump's lawyers at the time, Michael Cohen, in order to stop her from speaking publicly about a sexual encounter she said she had with Trump years earlier.

Cohen was later reimbursed by Trump's company for that payment. Trump is accused of falsifying his company's records to hide the nature of that payment, and other work he did to bury negative stories during the 2016 campaign.

Trump pleaded not guilty last year to 34 felony counts of falsifying business records. He denies having a sexual encounter with Daniels. His lawyers argue the payments to Cohen were legitimate legal expenses, and were recorded correctly.

In a separate filing made public Wednesday, the Manhattan district attorney's office said that if Trump chooses to testify at the trial, prosecutors plan to challenge his credibility by questioning him about his recent legal setbacks. The filing was made last month under seal.

Trump was recently ordered to pay a \$454 million civil penalty following a trial in which a judge ruled he had lied about his wealth on financial statements. In another trial, a jury said he was liable for \$83.3 million for defaming writer E. Jean Carroll after she accused him of sexual assault.

Merchan said he plans to hold a hearing Friday to decide whether that will be allowed.

Under New York law, prosecutors can question witnesses about past legal matters in certain circumstances. Trump's lawyers are opposed. Trump has said he wants to testify, but he is not required to and can always change his mind.

As for the subpoena dispute, it marks the latest attempt by Trump's lawyers to knock loose potentially damaging information about Daniels, a key prosecution witness.

They are demanding an array of documents related to the promotion and editing of the documentary, "Stormy," which explores Daniels' career in the adult film industry and rise to celebrity since her alleged involvement with Trump became publicly known.

They are also requesting Daniels reveal how much, if anything, she was compensated for the film.

Trump's lawyers contend the film's premiere last month on NBC's Peacock streaming service — a week before the trial was originally scheduled to start — stoked negative publicity about Trump, muddying his ability to get a fair trial.

In the filings made public Wednesday, Trump's attorneys accuse Daniels of "plainly seeking to promote her brand and make money based on her status as a witness."

The subpoena also demands communications between Daniels and other likely witnesses in the trial, including Cohen and Karen McDougal, a former Playboy model who alleges she had an affair with Trump. It also requests any communications between Daniels and Carroll.

Earlier this month, Merchan blocked an attempt by Trump to subpoena NBC Universal for information related to the documentary. He wrote that subpoena and the demands therein "are the very definition of a fishing expedition."