

Twitter Thread by Josh Gerstein

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In Brooklyn for 1st appearance of Trump lawyers and prosecutors before special master in Trump Mar-a-Lago docs fight. Senior US District Court Judge Ray Dearie

Much of the press has been positioned in jury box facing Trusty, Halligan, Kise and Corcoran. Trusty jokes: We've already objected to this jury.

Courtroom isn't full yet....

Trump team initially took up spots on judge's right which appears to be defense table. A clerk asked them to move to plaintiff's table. Trump is the plaintiff, sort of, really just the movant since he never filed an actual complaint. Case was assigned as a suit though

It's related in a way to an issue in the dispute: Is it properly before Judge Cannon or should it have been brought first to Judge Reinhart, who issued the search warrant. Special Master Dearie has flagged this as a potential Q in the fight. That seemed to irk Trump's team.

FWIW: Cannon announced when she took the bench for her hearing about 3 weeks back that masks were not required.

DOJ team just arrived. Looks like Bratt and Edelstein and one or both of the privilege team lawyers from Florida I believe we have the SDFL US Attorney as well Gonzalez.

I've seen US Attorneys appear in an adjoining district but can't remember this kind of long distance.

And we are about full in the gallery

Hearing underway. Dearie leans a bit on the railing on the way up to the bench. Trusty introduces Trump team and Bratt the feds.

Judge: We have little time to complete the tasks assigned to the court.

Judge: I follow directions. I do what I'm told....We are going to proceed with what I call responsible dispatch.

Judge seems to brush back Trump team by saying that 'litigation strategy' isn't going to affect his resolution of recommendations to Cannon. That may refer to Trump unwillingness to detail his stance re whether he claims he declassified anything and how.

Judge asked if inventory is in dispute. Trusty says he's not sure but why don't they all see the documents first.

Judge says speakers are free to take masks off. Edelstein speaks for govt says DOJ ready to give docs to vendor by tomorrow. Trusty says they just got the lost of five. Asks for Friday to pick a vendor. Judge says: Let's do it tomorrow.

Judge asks Bratt about what to do with classified docs if 11th circuit doesn't step in. Defers to Edelstein, who say govt will 'most likely...consider other appellate options at that point.' I think only option is #SCOTUS.

Judge is asking what his role would be re marked classified docs. 'How am I going to verify the classification?....What business is it of the court?' Dearie says, assuming Trump side doesn't put forward evidence of declassificiaton.

Trusty stands by position that they don't want right now to detail what may have been declassified or when. 'We're not in a position nor should we be in a position at this juncture to fully disclose a substantive defense'

Trusty: 'We should not be in a position to have to disclose declarations, witness statements.' Dearie: 'My view us you can't have your cake and eat it too.'