UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KENNETH ROTH; DANIEL FROOMKIN; BEVERLY GAGE; PETER SCHMIDT-NOWARA; BENJAMIN WITTES; and ETHAN YOUNG,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as President of the United States; STEVEN CHEUNG, in his official capacity as Assistant to the President for Communications; SEAN M. CURRAN, in his official capacity as Director of the Secret Service; and SUSAN WILES, in her official capacity as White House Chief of Staff,

Defendants.

Civil Action No. 1:26-cv-09327

DECLARATION OF KATHERINE FALLOW

I, Katherine Fallow, declare and state as follows:

1. I am a licensed attorney in good standing in the state of New York. I appear on behalf of Plaintiffs in the above-captioned case.

2. I submit this declaration in support of Plaintiffs' motion for a preliminary injunction, pursuant to Federal Rule of Civil Procedure 65.

3. Attached hereto as **Exhibit 1** is a true and correct copy of an article titled "The White House and the Press Timeline," published by the White House Historical Association. This article is also available at https://perma.cc/RVC6-5ZJ2.

4. Attached hereto as **Exhibit 2** is a true and correct copy of an article titled "The President, the Press, and Proximity" by James A. Jacobs, published by the White House Historical Association. This article is also available at https://perma.cc/7TGB-6UNX.

5. Attached hereto as **Exhibit 3** is a true and correct copy of a document titled "Covering the White House," published by the White House Correspondents' Association and last updated in May 2025. This document is also available at https://perma.cc/W94Q-MN49.

6. Attached hereto as **Exhibit 4** is a true and correct copy of an article titled "The East Room," published by the White House Historical Association. This article is also available at https://perma.cc/H5VT-92B9.

7. Attached hereto as **Exhibit 5** is a true and correct copy of an article titled "The Intricacies of Press Credentials, at the White House and Beyond" by Harmeet Kaur, published by CNN on September 24, 2026. This article is also available at https://perma.cc/NXK4-RU58.

8. Attached hereto as **Exhibit 6** is a true and correct copy of an article titled "Why a Court Order Didn't Stop Trump from Keeping Reporters off Air Force One" by Erik Wemple, published by the New York Times on October 8, 2026. This article is also available at https://perma.cc/RFU7-J9JS.

9. Attached hereto as **Exhibit 7** is a true and correct copy of an article titled "What's the White House Press Pool?" by Megan Brand and Kelly O'Donnell, published by NBC News on October 12, 2026. This article is also available at https://perma.cc/3NWR-YJ7S.

10. Attached hereto as **Exhibit 8** is a true and correct copy of Second Declaration of Zeke Miller, and Exhibit A to that Declaration, dated March 3, 2025 and filed in *AP v. Budowich*, No. 25-CV-532-TNM (D.D.C.), ECF Nos. 27-5, 27-6.

11. Attached hereto as **Exhibit 9** is a true and correct copy of an excerpt of a transcript of the preliminary injunction hearing held on March 27, 2025 and filed in *AP v. Budowich*, No. 25-CV-532-TNM (D.D.C.), ECF No. 45.

12. Attached hereto as **Exhibit 10** is a true and correct copy of an article titled "When the President Travels, Who's Allowed to Join Him?" by Alexandria Symonds, published by the New York Times on July 17, 2017. This article is also available at https://perma.cc/Z2KB-3WWZ.

13. Attached hereto as **Exhibit 11** is a true and correct copy of an article titled "What Is the White House Pool? These Days, It's a Battleground Between Trump and Free Press Rights" by Laurie Kellman, published by the Associated Press on September 21, 2026. This article is also available at https://perma.cc/UV7D-H7BQ.

14. Attached hereto as **Exhibit 12** is a true and correct copy of President Trump's public schedule from September 1, 2026, to September 30, 2026, published by Roll Call. This schedule is also available at https://perma.cc/Q9SN-JFLU.

15. Attached hereto as **Exhibit 13** is a true and correct copy of an article titled "White House Seizes Control of Press Pool, Will Decide Which Outlets Cover Events with President" by Eli Stokols, published by POLITICO on February 25, 2025. This article is also available at https://perma.cc/6AHU-LPRX.

16. Attached hereto as **Exhibit 14** is a true and correct copy of an article titled "White House Bars AP Reporter from Oval Office Because of AP Style Policy on 'Gulf of America,'" published by the Associated Press on February 11, 2025. This article is also available at https://perma.cc/ZT5M-KZ4X.

17. Attached hereto as **Exhibit 15** is a true and correct copy of an article titled "Testing the Legal Limits of Press Access" by Jared Schroeder, published by Nieman Reports on October 15, 2026. This article is also available at https://perma.cc/YME2-XV4S.

18. Attached hereto as **Exhibit 16** is a true and correct copy of a post published on Truth Social by Defendant Trump at 6:59 p.m. on June 6, 2025. This post is also available at https://perma.cc/PEC2-UZGA.

19. Attached hereto as **Exhibit 17** is a true and correct copy of a post published on Truth Social by Defendant Trump at 3:04 p.m. on September 18, 2026. This post is also available at https://perma.cc/DHW6-YFA6.

20. Attached hereto as **Exhibit 18** is a true and correct copy of a transcript titled "Remarks: Donald Trump Makes a Healthcare Announcement in the Oval Office - September 18, 2026," published by Roll Call. This transcript is also available at https://perma.cc/UZ38-UQ6C.

21. Attached hereto as **Exhibit 19** is a true and correct copy of a post published on Truth Social by Defendant Trump at 7:53 a.m. on September 21, 2026. This post is also available at https://perma.cc/CP9T-FJ8B.

22. Attached hereto as **Exhibit 20** is a true and correct copy of a post published on Truth Social by Defendant Trump at 3:39 p.m. on September 21, 2026. This post is also available at https://perma.cc/WDW9-5APU.

23. Attached hereto as **Exhibit 21** is a true and correct copy of a post published on Truth Social by Defendant Trump at 6:51 a.m. on September 26, 2026. This post is also available at https://perma.cc/6CBT-BDMZ.

24. Attached hereto as **Exhibit 22** is a true and correct copy of a post published on Truth Social by Defendant Trump at 8:22 a.m. on September 26, 2026. This post is also available at https://perma.cc/N7LT-MDQ9.

25. Attached hereto as **Exhibit 23** is a true and correct copy of an article titled "Read the Full Transcript of Donald Trump's 2026 Interview with TIME," published by TIME on October 1, 2026. This transcript is also available at https://perma.cc/J79Y-ZVY3.

26. Attached hereto as **Exhibit 24** is a true and correct copy of a transcript titled "Mayor Mamdani Holds Press Availability at Gracie Mansion," published by the Office of the Mayor on September 21, 2026. This transcript is also available at https://perma.cc/TMM3-JFRL.

27. Attached hereto as **Exhibit 25** is a true and correct copy of a post published on Truth Social by Defendant Trump at 11:58 a.m. on September 26, 2026. This post is also available at https://perma.cc/EF2C-GY3B.

28. Attached hereto as **Exhibit 26** is a true and correct copy of letters to CNN, MS NOW, and POLITICO from the White House Press Office dated September 22, 2026 and filed in *CNN v. Trump*, No. 26-CV-3287-TJK (D.D.C.), ECF Nos. 16-1, 16-2, 16-3.

29. Attached hereto as **Exhibit 27** is a true and correct copy of an article titled "CNN Vows Further Legal Action if Air Force One Ban Continues" by Jenna Monnin, published by the Washington Sun on October 20, 2026. This article is also available at https://perma.cc/6FK3-S4QZ.

30. Attached hereto as **Exhibit 28** is a true and correct copy of an article titled "Networks to Resume Trump Coverage, Even as White House Excludes CNN" by Michael M. Grynbaum and Erik Wemple, published by the New York Times on September 26, 2026. This article is also available at https://perma.cc/8YWV-UNUX.

31. Attached hereto as **Exhibit 29** is a true and correct copy of an article titled "White House Bars CNN from Covering Trump on Behalf of Major TV Networks as He Travels to Tennessee" by Brian Stelter and Alayna Treene, published by CNN on September 25, 2026 and updated on September 26, 2026. This article is also available at https://perma.cc/NX7U-U9D4.

32. Attached hereto as **Exhibit 30** is a true and correct copy of an article titled "White House Blocks Politico from Air Force One Amid Press Access Lawsuit" by Brian Stelter, published by CNN on October 5, 2026. This article is also available at https://perma.cc/6FVH-T4GM.

33. Attached hereto as **Exhibit 31** is a true and correct copy of Reply in Support of Plaintiffs' Motion for a Preliminary Injunction dated October 5, 2026 and filed in *CNN v. Trump*, No. 26-CV-3287-TJK (D.D.C.), ECF No. 44.

34. Attached hereto as **Exhibit 32** is a true and correct copy of Memorandum of Points and Authorities in Support of Plaintiffs' Motion for a Preliminary Injunction dated September 28, 2026 and filed in *CNN v. Trump*, 26-CV-3287-TJK (D.D.C.), ECF No. 32-1.

35. Attached hereto as **Exhibit 33** is a true and correct copy of an article titled "Trump Kicks Reporter from the Independent Off Air Force One After Oval Office Meltdown" by Alex Woodward, published by the Independent on October 21, 2026. This article is also available at https://perma.cc/CH3E-9R9N.

36. Attached hereto as **Exhibit 34** is a true and correct copy of an article titled "Trump Lost Control and Ordered Me to be 'Quiet' in the Oval Office. Then It Got Personal" by Andrew Feinberg, published by the Independent on October 22, 2026. This article is also available at https://perma.cc/5V5H-PU33.

37. Attached hereto as **Exhibit 35** is a true and correct copy of Defendants' Opposition to Plaintiffs' Motion for a Preliminary Injunction dated October 2, 2026 and filed in *CNN v. Trump*, No. 26-CV-3287-TJK (D.D.C.), ECF No. 43.

38. Attached hereto as **Exhibit 36** is a true and correct copy of Defendants' Opposition to Plaintiffs' Motion for a Temporary Restraining Order dated September 22, 2026 and filed in *CNN v. Trump*, 26-CV-3287-TJK (D.D.C.), ECF No. 16.

39. Attached hereto as **Exhibit 37** is a true and correct copy of "Trump Pushes to Evict the Press from the White House" by Maggie Haberman and Jonathan Swan, published by the New York Times on October 20, 2026. This article is also available at https://perma.cc/ZS4L-8W3P.

40. In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the forgoing is true and correct to the best of my knowledge.

Executed on: October 26, 2026

/s/ *Katherine Fallow*
Katherine Fallow

Counsel for Plaintiffs