UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

CASE NO. 23-80101-CR-CANNON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WALTINE NAUTA, **and**
CARLOS DE OLIVEIRA,

Defendants.
_____/

ORDER FOLLOWING JOINT STATUS REPORT
AND ADDRESSING JANUARY 21, 2025 ORDER

THIS CAUSE comes before the Court upon the Joint Status Report Regarding Release of Volume II, filed by the parties on March 14, 2025, pursuant to the Court's January 21, 2025, Order [ECF No. 738]. The Court's January 21, 2025, Order granted Defendants' Emergency Request to Preclude Dissemination of Volume II and enjoined release of Volume II outside the Department of Justice in light of the then-pending ongoing criminal proceedings against Nauta and De Oliveira [ECF No. 714 p. 13]. The Court's January 21, 2025, Order also directed the parties to file a Joint Status Report within thirty days of the conclusion of all appellate proceedings and/or any continued proceedings in this Court [ECF No. 714 pp. 13–14]. The criminal appeal as to Nauta and De Oliveira has since been dismissed on motion of the United States, and hence the immediate basis underlying the Court's January 21, 2025, appears to no longer apply. Nevertheless, Nauta and De Oliveira (and President Trump as amicus in his individual capacity) maintain the view—unaddressed in the January 21, 2025, Order due to a then-pending appeal of

this Court's Dismissal Order—that Volume II should not be released because it constitutes the *ultra vires* investigatory work product of a Special Counsel appointed in violation of the Appointments and Appropriations Clauses of the United States Constitution and contains other privileged and protected information [ECF Nos. 679, 681, 700, 711, 712, 738, 755]. They also jointly oppose an order releasing Volume II and request, at a minimum, a period of sixty days to allow defendants to seek appropriate relief from this Court [ECF No. 738].

In light of these developments and requests, it is **ORDERED AND ADJUDGED** as follows:

1. The restriction on release of Volume II outside the Department of Justice as set forth in the Court's January 21, 2025, Order [ECF No. 714] will hereby automatically expire, without further order of this Court, on **February 24**, **2026**.
2. Nothing in this Order prohibits any former or current party to this action from moving for leave to intervene, if warranted, and/or from timely seeking appropriate relief before that deadline.

ORDERED in Chambers in Fort Pierce, Florida this 22nd day of December 2025.

AILEEN M. CANNON
UNITED STATES DISTRICT JUDGE

cc: counsel of record