

What Roman Mars Can Learn About Con Law Trump's Bet on Cannon

Roman Mars [00:00:00] So we're talking on Thursday, October 6th, at about 11:40 a.m. And what are we going to be covering today?

Elizabeth Joh [00:00:06] All right. Well, let's talk about something that happened in September. On September 8th, a federal district court judge dismissed a lawsuit for failure to state a claim for which legal relief can be granted. And that's just a legal way of saying, "There's nothing a court can do for you here, plaintiff. Your case just doesn't make any sense." But Donald Middlebrooks--that's the judge in the case--wasn't just content with dismissing the case. His order was blistering. Here's what the judge said: "Plaintiff's theory of this case is difficult to summarize in a concise and cohesive manner." And according to the judge, here was the problem: "Plaintiff is not just attempting to seek legal redress for any harm. Instead, he is seeking to flaunt a 200-page political manifesto outlining his grievances against those that have opposed him. And this court is not the appropriate forum." You can't blame the judge for being irritated. And that's because last April, the plaintiff had argued that Judge Middlebrooks should disqualify himself from the case. Do you know why?

Roman Mars [00:01:15] I have no idea why.

Elizabeth Joh [00:01:17] Because Middlebrooks was appointed by a Democrat, and that meant that there was no way Middlebrooks could fairly judge the lawsuit. The plaintiff in this case was Donald Trump. He was suing Hillary Clinton, former FBI Director James Comey, Democratic House member Adam Schiff, and a whole lot of other people. And the basis of the lawsuit that got thrown out--it's not that easy to summarize, but Trump's legal complaint said that the defendants, quote, "blinded by political ambition, orchestrated a malicious conspiracy to disseminate patently false and injurious information about Donald J. Trump and his campaign, all in the hopes of destroying his life, his political career, and rigging the 2016 election in favor of Hillary Clinton." In other words, Trump's lawsuit was arguing that all of these people somehow got together in a vast conspiracy to rig the 2016 election by tying Trump's campaign to Russia. And as you might imagine, Judge Middlebrooks did not have a lot of patience for the argument that he couldn't be fair to Trump just because Bill Clinton was married to the defendant. But there's something else very interesting buried in a footnote in his order, denying Trump's motion for disqualification. This is what the judge wrote: "I note that plaintiff filed this lawsuit in the Fort Pierce division of this district where only one federal judge sits, Judge Aileen Cannon, who plaintiff appointed in 2020. Despite the odds, this case landed with me instead." Middlebrooks was strongly hinting, of course, that Trump was trying to pick a judge who would help him out. And Trump struck out. But when the FBI executed a search warrant on Trump's home on August 8th, Trump made another bet that he'd try to get his complaints about the Mar-a-Lago warrant before Cannon and that she'd be sympathetic. How'd that bet turn out? Time to find out.

Roman Mars [00:03:26] Let's do it.

Roman Mars [00:03:46] This is What Roman Mars Can Learn About Con Law--an ongoing series of indeterminate length, where we take the alleged criminal activity and legal gambits of the 45th President of the United States and use them to examine our Constitution like we never have before. Our music is from Doomtreet Records. Our

professor and neighbor is Elizabeth Joh. And I'm your fellow student and host, Roman Mars.

Elizabeth Joh [00:04:17] So why don't we briefly remind everybody about what happened in the Mar-a-Lago search, okay?

Roman Mars [00:04:21] Okay.

Elizabeth Joh [00:04:22] All right. So, after Trump left office in January of 2021, the National Archives noticed that some records--official ones--appeared to be missing. And the Archives would have noticed because federal law gives them the responsibility to take charge of these records when a president's time in office is over. And then Trump did turn over some records in January of this year. But then archivists noticed that some of those records contained classified information--including top secret information--in some of the boxes that were returned. It was at that point that it became a criminal investigation because Trump is not supposed to have those documents. And on August 8th, federal agents conducted a search at Mar-a-Lago. They had secured a search warrant approved by Federal Magistrate Judge Bruce Reinhart. And we don't have access to everything about that search, including the details of the investigation, but here's what we do know. First, we know some of the crimes that are being investigated, and that includes illegal mishandling of government documents, obstruction of justice, and the unauthorized possession of national defense information. And then second, FBI agents found about 100 classified documents and about 11,000 non-classified documents. And these amount to hundreds and thousands of pages in all.

Roman Mars [00:05:40] So how did Trump respond to all this?

Elizabeth Joh [00:05:42] Well, in a way that's really familiar. He did what he does best. He complained loudly on social media, right? He's on Truth Social, so he complained that the FBI invaded his beautiful home. He also suggested that the FBI planted evidence. And he's also hinted several times that actually he declassified all of the classified documents that the FBI found. But legally speaking, Trump asked for a special master--and that had just happened, actually, when you and I last talked. We were talking about the search warrant, right? So, think of a special master like a special helper appointed by a judge in a case where there are a lot of complex issues involving a lot of documents or where there has to be a complex schedule that somebody needs to be in charge of. Now, a special master doesn't have to be a lawyer, but they are often lawyers and sometimes judges. Now, special masters are used a lot in complex, non-criminal cases. Think of a case where a giant company sues another giant company--you have thousands of documents. But their use is less common in criminal cases. And when you do see them, it's most common when prosecutors are investigating lawyers. And that's because when lawyers provide legal advice to their clients, that advice is protected by what's called "attorney-client privilege." And, of course, lawyers typically have more than one client. And what happens in these cases sometimes is that the Justice Department will use what's called a "filter" or a "taint team." And the taint team is a group of prosecutors and agents, who are different from the investigation team. The taint team looks at the seized documents, sets aside the privileged materials, and then passes the rest to the investigation team. But that might not be enough because maybe you'd want a neutral third party to sort through those materials as well--because prosecutors make mistakes, they can be overly aggressive. And that's where a special master might be appointed. But Trump faced two hurdles here. First, asking about the special master. Remember I just said it's most common for lawyers, right? You remember Michael Cohen, Trump's personal lawyer?

Roman Mars [00:07:45] Yeah. Oh, yeah. Sure.

Elizabeth Joh [00:07:46] Yeah, yeah, sure. When federal agents searched his office and apartment, Cohen asked for a special master, and the judge appointed one in his case. He's a lawyer with a bunch of clients--although he really just had one giant client. And then Rudy Giuliani--that's Trump's other personal lawyer--had his cell phone and computers seized by federal agents last year. And prosecutors were investigating whether Giuliani broke federal criminal laws about lobbying on behalf of foreign agents without registering. And in Giuliani's case, the government itself asked for a special master to review the seized information for attorney-client privilege. But Trump's not really in the same position, right? He's not a lawyer with clients. And just because you have a couple of communications with your lawyers, sitting around in your home or your office, that doesn't mean you're entitled to a special master.

Roman Mars [00:08:35] Yeah.

Elizabeth Joh [00:08:36] And then there's the much bigger problem. Trump certainly wanted to complain somehow about the Mar-a-Lago search warrant, but he didn't have the usual route to do that at the moment. And that's because he hasn't been charged with a crime. It's very common for people who have been formally charged with a crime to raise challenges about how the government conducted its investigation. So, you might say, "Well, there wasn't enough probable cause to support the warrant," or "The warrant was overly broad." There are many different kinds of claims, and they're extremely common. But in our legal system, these claims have to be dealt with after formal charges have been filed. In other words, after you are formally a criminal defendant.

Roman Mars [00:09:16] So you mentioned Cannon at the top. And I know that she's the judge involved in all this. How does she get involved?

Elizabeth Joh [00:09:21] Okay. So, here's where we get to that gamble or that bet that Trump took. Aileen Cannon is a Trump appointee. And of course, there are a lot of Trump appointees--and Cannon is like a lot of them. She's young and very conservative. She's a longtime member of the Federalist Society. And she was just 39 when Trump appointed her. But Cannon was confirmed after Trump had lost the election--on November 12th--during the lame duck period of Trump's presidency. That's a notable thing about her appointment.

Roman Mars [00:09:50] And as you've taught me, it isn't a matter of, like, Trump gets to choose what judge his case is seen before. It's just by chance, right?

Elizabeth Joh [00:09:59] Yeah, it is by chance. Trump didn't choose Cannon because you can't decide that you want a particular judge for your case. But here's what Trump did do. His lawyers did not go back to the judge who authorized the search warrant--that's Magistrate Judge Bruce Reinhart--which he could have done. Instead, Trump filed his request as a civil case in the federal court's Palm Beach County division. And in theory, the next step would have been a random assignment for a judge. He made a bet, and he got lucky. Trump was assigned to Cannon. That was the judge he wanted in his case against Clinton but didn't get. So that particular bet paid off. And this is also when things started to get out of control.

Roman Mars [00:10:41] Okay.

Elizabeth Joh [00:10:41] So first, Trump's request was unusual. On August 22nd, Trump's lawyers filed a motion for judicial oversight and additional relief. What is that? Is it a civil case? Well, if it is, where's the legal complaint? That's usually the first filing that starts a civil case off. So, it's all very highly irregular. And this is what Trump asked for. He says to Cannon, "I'd like you to appoint a special master to review the seized documents, and I want some of those documents back. And you should oversee all of this because there are executive privilege issues at stake here." I'll get to that in a second. And there's a few highly technical things here, but it's really important to focus on this for a moment. Trump says he is kind of, sort of, but not really asking for relief under Rule 41(g) of the Federal Rules of Criminal Procedure. So, a 41(g) motion really means that the target of a search is asking for the return of their property taken because of an unlawful search. It's like an "I want my stuff back" claim. It's not terribly common--it's not a common motion. And remember, Trump can't raise arguments about the search directly because he's not a defendant--at least not yet. But when someone is relying on this particular rule before there are any formal charges, a court is only supposed to hear such a claim when there are extraordinary circumstances. So, a court would be exercising what's called its "equitable jurisdiction"--that's the power of a court to intervene and right a wrong. That's the best way to think about it. But if Trump's case is just like any other criminal case in how the investigative procedures were followed, then--no--a court is not supposed to intervene like this. So, on September 5th, Cannon issued her order. Now, the least controversial part of this order was Cannon's decision to appoint a special master to review those records taken from Mar-a-Lago. Still pretty odd, but it's not the wildest part of the order. Here's what was bizarre. First, the special master was supposed to review the documents seized by the FBI not just for attorney client privilege, which sounds pretty normal, but also for executive privilege. That's not normal. Second, Cannon told the Justice Department that it could review the seized documents for intelligence purposes but not review them for the ongoing criminal investigation. And then third, Cannon concluded that Trump met the standard of being so extraordinary a case that she had the power to exercise her judicial authority here. So, I thought we'd talk a little bit about each of these three points of the order--why they're so bizarre.

Roman Mars [00:13:21] So let's go through each one of these. The first one is the special master for executive privilege.

Elizabeth Joh [00:13:27] Yeah, that's pretty bizarre. So, remember that executive privilege--we've talked about this before--is a constitutionally based principle--that the president can keep some communications secret from the courts and from Congress, right? How Trump could use this constitutional principle to shield the documents seized on Mar-a-Lago doesn't make a whole lot of sense. And that's because executive privilege is about preventing people outside of the executive branch from having access to information within the executive branch. Executive privilege is not a way for the executive branch to prevent itself from accessing its own records. It's just a little nonsensical. Then there's the other problem. We think of the sitting president as the one who decides whether or not to invoke executive privilege over specific communications. So that would be President Biden. But here, President Biden has already said, "Nope, I'm not going to assert executive privilege." But even more bizarrely, Cannon got this fact wrong. Her order said that, well, Biden hasn't said anything about this, even though the Justice Department pointed out Biden's position in their briefs.

Roman Mars [00:14:38] Huh.

Elizabeth Joh [00:14:39] Strange. The second unprecedented part of the order are Cannon's instructions to the Justice Department. Remember that the documents found at Mar-a-Lago are not just government documents but classified documents, including some top-secret information. So, there's a real concern that there are intelligence operations and people associated with those operations that are now very vulnerable. So, the Justice Department needs to make an intelligence assessment. But those same documents are the basis for the criminal investigation into whether someone--let's call him "individual one"--has violated federal criminal law for unauthorized retention of national defense information. So, Cannon's order tells the Justice Department, "Okay, you can use the documents for the intelligence review, but you have to stop reviewing and using the seized documents for the criminal investigation until the special master gets to review everything." This is the part that is totally unheard of--that a judge tells prosecutors to stop an ongoing criminal investigation. For sure, it raises a separation of powers question. You know, why is the judiciary interfering with the executive branch like this? And then just practically things like this just don't happen in any other kind of criminal case, no matter how high profile the person targeted by the search is. So, then there's the third part. The third part of the order that is bizarre is about Cannon's justification for why she can hear the case at all. Remember, Trump was kind of, short of, but not really filing a motion to get his property back. And let's assume that he is. Courts are supposed to exercise their authority over these requests only if the case meets a really high bar--legally-speaking. So, Roman, I don't expect you to know the legal standard, but you know that Trump really wanted his case to be heard by Cannon. So, what do you think? Do you think that Cannon found Trump's case--that he really met that high legal standard?

Roman Mars [00:16:34] I mean, considering that she was kind of handpicked and hoped for, it seems like maybe, yeah. According to her, she has the right to intervene.

Elizabeth Joh [00:16:43] Yes. "Trump is a very, very special case," says Cannon. And so, of course, that legal standard's been met. And, of course, she can intervene. So, I just want to focus on one aspect of that test--and that's whether there's a risk of what's called "irreparable injury" to Trump. Now, Trump's filing before Cannon was sloppy. It was weird. Its legal arguments were pretty shaky. But Cannon, in all of her actions, bends over backwards to see things in the most favorable way to Trump here. Trump hinted at executive privilege. Cannon took it seriously but didn't press him on it. Trump hinted that maybe he declassified the documents without any proof. Cannon took that seriously but didn't press him on that either. And maybe you think that she is treating him specially because she is committed to protecting individual rights when it comes to criminal investigations. But that's not quite it because the way she talks about the harm is really special for Trump. Cannon calls it "the indelible stigma that comes from the threat of future prosecution." And she says that "Any future indictment of Trump would result in a reputational harm of a decidedly different order of magnitude." So, do you have the sense, Roman, that Trump was being treated by the feds in a way that is somehow far worse than it is for other people?

Roman Mars [00:18:09] I would say not at all. The one thing about this that is true--he's a former president that is being, you know, investigated. That's a rare thing, and that is true and extraordinary in its own way. But I feel like the whole time he's been treated with great deference, considering those things, not as if he's been a special target, considering those things.

Elizabeth Joh [00:18:28] Yeah, that's right. And if anything, the government's been pretty solicitous. They waited until August to execute the search warrant. And frankly, people

have their stuff taken all the time because of search warrants. And the government can be very, very intrusive. If they have a warrant based upon probable cause, law enforcement agents can search your house, your computer, your cell phones--and the government can take your stuff away, and you might not get it back for a long, long, long time, if ever. And does that mean that you get a special master? No. Does worrying about your reputation mean that you can convince a judge to press the pause button on an investigation? No--at least not for the rest of us. But Cannon doesn't treat Trump like an ordinary person. But that's why, as a result of Cannon's order, Trump gets a special master, and the criminal investigation was ordered to be stopped. Each of these consequences took on a life of their own. One interesting thing about this is that judges--if they don't want to hear your case--have a lot of ways to say, "Please go away." So, if you look at the initial motion that Trump's lawyers filed, there are so many things wrong with it. So, a different judge might have said, "What exactly is this? Go away. Number two, you didn't meet this high hurdle. Go away. Number three, go back to the original judge who approved the search warrant. Why are you here with me?" So many different bases that Cannon could have said, "I don't want to hear this." But she did everything possible to say, "Okay. I know this is a bad claim and, you know, a claim that most lawyers thought was pretty weak for a variety of reasons." But she took it anyway. And that was clearly a choice on her part.

Roman Mars [00:20:23] So each of these three unusual things--they were granted, you know, by the judge, and that includes the special master. So, what ended up happening with the special master?

Elizabeth Joh [00:20:33] Well, both the Justice Department and Trump proposed candidates to be a special master. As they did that, some random people--who had nothing to do with the case--also decided to offer their services as special master, which the court clerk dutifully logged into the record. Here's one. One person wrote and said he was a retired businessman but promises he would perform the task of special master "to the best of my abilities. But please don't pay me. That would mess with my social security."

Roman Mars [00:21:04] Okay.

Elizabeth Joh [00:21:06] He didn't get the job. On September 15th, Judge Cannon appointed Raymond Dearie, who was one of Trump's choices.

Roman Mars [00:21:13] Okay. So, he was one of the ones that was proposed by Trump. What's his reputation? Is he just a toady for Trump and the, you know, rightwing Republicans?

Elizabeth Joh [00:21:24] No, far from it. Dearie is a 78-year-old federal district judge in Brooklyn, appointed by Reagan in 1986. He's a senior judge, which means he's semi-retired, but he's still a federal judge. So essentially, he's a peer of Cannon's. And Dearie is widely regarded as a serious, no nonsense, by the books judge, who has presided over dozens and dozens of cases. And he was formerly a top prosecutor. Dearie has also served on the Foreign Intelligence Surveillance Court for five years. And that means he has a lot of experience with classified proceedings. And the big problem for Trump is that it turned out that Dearie made it clear--very quickly--that he was not going to do any favors for Trump. So, first of all, Dearie challenged Trump's lawyers. Basically, where is the proof that Trump declassified anything or that the FBI planted any evidence? He told them in court, "Well, you can't have your cake and eat it." And Trump's lawyers' response was to resist having to provide any evidence of this. Dearie also wanted to conclude the special master review very quickly, right? He's an experienced judge. He

knows that doesn't necessarily have to take a lot of time. Now, while all of this was going on, the Justice Department also had filed an appeal to the federal appeals court on September 16th. That's just a day after Judge Dearie was appointed as special master. And here, the Justice Department also made their own bet--their own strategic choice. They only wanted to raise an appeal about the 100 or so classified documents that were found in the Mar-a-Lago search. They asked the appeals court to stay or stop just those portions of Cannon's order that related to the smaller group of classified documents. Remember, Cannon had agreed with Trump that the special master should look through everything--including the classified documents--and put the government's criminal investigation on hold. And on September 21st, the federal appeals court issued its decision. And it was an enormous, unanimous, just plain smack down of Cannon's order.

Roman Mars [00:23:36] Okay, what did they say?

Elizabeth Joh [00:23:37] So, remember, Trump is a person targeted by a search warrant, but he hasn't been criminally charged. And if he has problems with how the government conducted its investigation, in general, he's supposed to wait--like the rest of us--until he's criminally charged if he ever is. Now, if a search target still wants their stuff back, a federal court can hear that kind of claim. But again, they have to meet a really high hurdle that we've already talked about. So, the 11th Circuit's response to Cannon--does Trump's case come close to that standard? Not a chance. No way. So, I won't go into all of their reasoning, but one part is pretty interesting. Remember, Cannon focused on Trump as a special person--very, very special. So, his potential injury would be the stigma from a possible future prosecution. Here's what the 11th Circuit said: Nope, not at all. "Bearing the discomfiture and cost of a prosecution for a crime, even by an innocent person, is one of the painful obligations of citizenship"--citing *Cobbledick* versus the United States.

Roman Mars [00:24:47] *Cobbledick*! Are you gonna tell me what *Cobbledick* was about?

Elizabeth Joh [00:24:51] It's a pretty dry procedural case about whether or not you can appeal a denial to quash a subpoena. So, I'm sorry about that. But it does have an interesting background, and that is that *Cobbledick* Company was founded in Oakland in 1891. By the time that this becomes a case, it was a glass company that was being investigated by the Roosevelt administration for price fixing. But for the 13-year-old in all of us, that will forever provoke that.

Roman Mars [00:25:22] And so the result of that ruling is that "it hurts too much to be investigated" is not a real, proper defense.

Elizabeth Joh [00:25:32] Well, I mean, it doesn't meet the standard for Cannon to have taken on the case in the first place.

Roman Mars [00:25:38] I see. I see.

Elizabeth Joh [00:25:38] And so the effect of the appeals court decision means that the Justice Department did not have to hand over the classified records to the special master, and it could continue to review those classified documents in its ongoing criminal investigation.

Roman Mars [00:25:53] So in the end, given that the 11th Circuit smacked down all the things that Judge Cannon had ruled, was it actually a good bet that she was chosen?

Elizabeth Joh [00:26:05] It still was a pretty good bet, I think, for two reasons. The special master review is still going on, and it's under Canon's control. Now, remember, Dearie made it clear that he wasn't going to follow Trump's directions--he wasn't going to be Trump's lackey. And Dearie had created a plan that was going to be very quick and very thorough. So, for example, the Justice Department had created a list of everything it seized from Mar-a-Lago. So, Dearie then ordered Trump to submit a declaration of any items that were listed by the government as "seized, but plaintiff asserts were not seized, from the premises." So, in plain English, what does that mean? Dearie is saying, "Okay, which documents are you claiming were planted by the FBI?"

Roman Mars [00:26:48] Oh. I see. Yeah.

Elizabeth Joh [00:26:49] And they also wanted this whole process to be over pretty quickly. But what does Trump do? He complained to Cannon about having to do that and about how quickly the whole thing had to be done. And how did Cannon respond? She stepped in and made those obligations go away. She told Dearie that Trump didn't have to comply with those instructions, and she gave Trump an extension until December 16th. That's now going to be more than four months after the Mar-a-Lago search took place. And I think the second reason that Trump's bet still paid off is that he got a federal judge to entertain his claims. That, of course, gives him the advantage of delay, which is a big theme of his lawsuits. The special master process is not going to wrap up until 2023 at the earliest. But something else that's just as important--and I think that Trump understands pretty well--is that getting a judge to just entertain your claim, even temporarily, also creates the perception that, "Well, maybe Trump has a legitimate issue here. Maybe his claims have some merit." And that's when even nearly every lawyer--including his own former attorney general, Bill Barr--have called Trump's claims nonsense. So, there's some merit to just filing anything you can and seeing if any judge, including Judge Cannon, will take a look at it and take it seriously.

Roman Mars [00:28:17] Wow.

Elizabeth Joh [00:28:17] And in the meantime, the Justice Department went back to the appeals court, now trying to challenge the entire order originally handed down by Cannon. Their main argument is that the special master's review--which is, of course, now only focused on the non-classified documents--is slowing down their criminal investigation because they want to have access to those, too. And on October 5th, the 11th Circuit agreed to fast track the appeal. And no surprise, Trump himself has also filed an emergency application to the United States Supreme Court. But it's on a pretty narrow technical claim about the first appeals court decision. And all you need to really understand is it's not likely to change the direction of the case. And outside of the courtroom, Trump himself continues to play to his audience, no matter what's happening in the court. And so, on September 15th, Trump spoke to conservative radio host Hugh Hewitt, and he warned that if he were criminally indicted, "there would be problems in this country, the likes of which perhaps we've never seen. And I don't think the people of the United States would stand for it."

Roman Mars [00:29:22] Yeah. So, the Justice Department won on having access to the classified documents, and now they're trying to get access to the unclassified documents. Why do the unclassified documents matter?

Elizabeth Joh [00:29:33] Well, there's a couple of reasons, right? If you look at the crimes that the Justice Department says--from the warrant--that they're investigating, they're not

only looking at the retention of national defense information, which would be a reference to those classified materials. But there's also the destruction of government records--that's maybe less important--and then there's obstruction. So first, you could find evidence of obstruction in the unclassified documents, or ripped up things, or references to destroyed things. And also, you could find things--such as handwritten materials on the unclassified documents--that might refer to the classified documents, like "make sure that this person sees, according to Trump's direction, the top-secret nuclear codes." And it's written in Sharpie on a piece of letterhead. That would be unclassified, but it would certainly be in reference to the more serious Espionage Act crime. So, there's a lot in there. As well as, you know, improper storage would be "This menu was right next to the nuclear codes." And that's certainly about the mishandling of the documents as well. So, there's a lot that could be within those 11,000+ unclassified documents that could be extremely relevant in the criminal investigation.

Roman Mars [00:30:45] Yeah. And as we talked about last time, it doesn't even matter if they're top secret, or classified, or whatever if they're government documents. He doesn't necessarily have the right to them.

Elizabeth Joh [00:30:54] Yeah, Trump doesn't have the right to them. And actually, that's an interesting part of the 11th Circuit's ruling that came with respect to that first Justice Department appeal. The 11th Circuit's order is notable for a couple of things. Like we said, it was a smackdown in terms of just eviscerating Cannon's reasoning in her opinion. Now, the 11th Circuit only needed one basis to agree with the Justice Department--like, "Here's why you, the Justice Department, are correct and Cannon was wrong." But the 11th Circuit took pains to say, "But we have other reasons to disagree with Cannon, so let's keep going." One of the things they pointed out was exactly your point: Well, Trump doesn't own any of these things. They're not his to begin with. So how could he even claim that he wants his stuff back? It's not his to claim.

Roman Mars [00:31:43] Huh. That seems right. What's so fascinating-- I just can't believe just the levels of nonsense going on about this--that because Trump has a sympathetic ear in Judge Cannon, he gets entertained this far. That's just the way it is, I suppose.

Elizabeth Joh [00:32:03] It is. And, you know, we're really going to see the limits of what the rest of the judiciary, as an institution, can do to try and limit the fallout from what Cannon has done in being a pretty solicitous ear to former President Trump.

Roman Mars [00:32:18] Yeah. Well, cool. This was fascinating stuff. I'm sure we'll keep following it. Thank you.

Elizabeth Joh [00:32:22] Thanks, Roman.

Roman Mars [00:32:32] This show is produced by Elizabeth Joh, Jeyca Maldonado-Medina, and me, Roman Mars. You can find us online at learnconlaw.com. All the music in What Roman Mars Can Learn About Con Law is provided by Doomtree Records, the Midwest Hip Hop Collective. You can find out more about Doomtree Records, get merch, and learn about their monthly membership exclusives at doomtree.net. We are part of the Stitcher and SiriusXM podcast family.