

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

UNITED STATES OF AMERICA,

vs.

WALTINE NAUTA, *et ano.*,

Defendants.

**Case No. 23-80101-CR  
CANNON/REINHART**

**JOINT STATUS REPORT**

The parties to this litigation, the United States and former Defendants Waltine Nauta and Carlos De Oliveira, submit this Joint Status Report with the Court.<sup>1</sup>

***Appellate Proceedings In The Eleventh Circuit Court Of Appeals***

On September 30, 2025, Petitioners American Oversight and the Knight First Amendment Institute at Columbia University petitioned the Eleventh Circuit Court of Appeals for writs of mandamus directing this Court to resolve their motions to intervene, ECF Nos. 717 & 721, and vacate the Court's January 21, 2025 Order, ECF No. 714. The petitions were docketed in the Eleventh Circuit as Case Numbers 25-13400 and 25-13403, respectively. On November 3, 2025, a panel of the Court of Appeals issued an order in each matter holding those petitions in abeyance for a period of 60 days to permit the Court to resolve the motions to intervene.<sup>2</sup>

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<sup>1</sup> The Court's January 21, 2025 Order barring the release of Volume II of the Special Counsel's Report, ECF No. 714, directed the parties to submit a joint status report no later than thirty days after the conclusion of "all appellate proceedings in this action and/or any continued proceedings in this Court," advising the Court of their positions on the January 21, 2025 Order.

<sup>2</sup> A copy of the November 3, 2025 Order is attached hereto as Exhibit A. Defendants further note that the Court of Appeals issued its November 3, 2025 Order holding Petitioners' mandamus requests in abeyance without ordering an answer from the Respondents pursuant to Fed. R. App. P. 21(b)(1).

***Positions Of The Parties Regarding The January 21, 2025 Order***

The United States, Mr. Nauta and Mr. De Oliveira respectfully submit that intervention is improper and this Court should deny the pending motions without reaching the merits of Petitioners' requests for vacatur. Further, the parties maintain and hereby incorporate the positions articulated in their Joint Status Report filed on March 14, 2025, ECF No. 738. For the reasons enumerated in the Joint Status Report, the United States understands and appreciates the arguments made by Mr. Nauta and Mr. De Oliveira regarding the extraordinary prejudice they would suffer if Volume II of the Special Counsel's Report ("Volume II") were to be released and does not object to their positions that the January 21, 2025 Order should remain in effect. The parties further agree that, should the Court lift its January 21, 2025 Order, the Court should require the Department of Justice to provide written notice to counsel for Mr. Nauta and Mr. De Oliveira sixty days prior to releasing a redacted version. This would allow the defendants to seek appropriate relief from this Court if the Attorney General expressed an intention to release Volume II outside the Department of Justice.

Respectfully submitted,

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# **EXHIBIT A**

In the  
United States Court of Appeals  
For the Eleventh Circuit

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No. 25-13400

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In re: AMERICAN OVERSIGHT,

*Petitioner.*

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On Petition for Writ of Mandamus to the  
United States District Court for the  
Southern District of Florida  
D.C. Docket No. 9:23-cr-80101-AMC-1

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No. 25-13403

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In re: KNIGHT FIRST AMENDMENT INSTITUTE  
AT COLUMBIA UNIVERSITY,

*Petitioner.*

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On Petition for Writ of Mandamus to the  
United States District Court for the  
Southern District of Florida  
D.C. Docket No. 9:23-cr-80101-AMC-1

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Before JILL PRYOR, GRANT, and ABUDU, Circuit Judges.

BY THE COURT:

Before the Court are related petitions for writs of mandamus, which request relief in relation to Petitioners' pending motions to intervene to seek vacatur of the district court's January 21, 2025, order barring release of Volume II of the Special Counsel's Final Report.

Petitioners filed their motions on February 14 and February 24, 2025, and filed notification on July 7 and July 10, 2025, informing the district court that their motions had been fully briefed for more than 90 days. To date, the district court has not ruled or conducted any other further proceedings on the pending motions.

Accordingly, Petitioners have established undue delay in resolution of their motions to intervene and the petitions for writs of mandamus are HELD IN ABEYANCE for a period of 60 days to allow the district court to fully resolve the motions.