



AMERICAN COLLEGE OF TRIAL LAWYERS

FOR IMMEDIATE RELEASE

The American College of Trial Lawyers Expresses Grave Concern Regarding the Proposed Settlement of *Trump v. Internal Revenue Service*

NEWPORT BEACH, CALIFORNIA (May 27, 2026) – The Rule of Law requires that no person, regardless of office or station, receive preferential treatment from institutions charged with the fair and impartial administration of justice. This principle, the foundation of our democratic republic, compels the American College of Trial Lawyers to express its grave concern regarding the recently announced settlement of *Trump v. Internal Revenue Service*, No. 1:25-cv-20248 (S.D. Fla.), including the creation of a \$1.776 billion “Anti-Weaponization Fund” and an accompanying addendum that purports to “forever bar” the Internal Revenue Service from examining the tax returns previously filed by the President, members of his family (including spouses of family members), and over 400 related business entities.

The terms of this “settlement” raise serious institutional concerns. First, the procedural history of this matter calls into question whether there was even an actual “case or controversy” that could be adjudicated in the federal courts. Given the presence of President Trump as a plaintiff in the matter, and the role that he has asserted for himself as the ultimate arbiter of decisions by the Department of Justice, it is a matter of serious debate as to whether this action constituted an actual dispute between two adverse parties that could be settled. Fundamental to the resolution of disputes in the American system of justice is the requirement that there be true adversity between the parties. There is evidence that this was not present here.

Second, the addendum to the announced settlement confers what appears to be a sweeping benefit upon not only the plaintiffs in the underlying lawsuit, but upon other people and entities who were not parties to the lawsuit but are somehow related to the President. The conclusive termination of IRS audits related to people and entities not parties to the underlying lawsuit confers massive benefits upon these individual and entities, is untethered to the facts of the underlying litigation that the settlement purports to address and appears to be unprecedented in American judicial history.

Third, the amount of the fund underlying the settlement – \$1.776 billion – seems to bear no relation to any of the issues raised by the litigation or the parties to the underlying litigation. Normally, a settlement fund is based upon a reasoned calculation of the damages that



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occurred to the parties to a lawsuit. Here there appears to be no rational basis for, or even information about, the number, nature or criteria for the claims to be paid – rather, it is a case of a settlement fund being established in a vacuum without any sense of who can benefit for what. This too is unprecedented.

This is not a partisan issue. The American College of Trial Lawyers has previously condemned attacks on judicial independence and the Rule of Law by officials of both parties, and we do so here from the same conviction: the integrity of our legal institutions and governmental agencies must be defended without regard to partisan advantage. It is vital that all branches of our government respect the integrity of the judicial process and that no branch place itself or its officers beyond the reach of the law. Accordingly, the College calls upon Congress to undertake a thorough, independent, and transparent review of the propriety and legality of this settlement. The Rule of Law requires that our judicial system not be subverted to obtain advantages for individuals or entities that evade the regular judicial process. Our democracy depends on this principle and the College will continue to defend it.

About The American College of Trial Lawyers

The American College of Trial Lawyers comprises the best of the trial bar from the United States, Canada and Puerto Rico and is widely considered to be the premier professional trial organization in North America. Founded in 1950, the College is an invitation only fellowship. The College thoroughly investigates each nominee for admission and selects only those who have demonstrated the very highest standards of trial advocacy, ethical conduct, integrity, professionalism and collegiality. The College maintains and seeks to improve the standards of trial practice, professionalism, ethics, and the administration of justice through education and public statements on important legal issues relating to its mission. The College strongly supports the independence of the judiciary, trial by jury, respect for the rule of law, access to justice, and fair and just representation of all parties to legal proceedings.

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