

# **IN DEFENDING HIS WHITAKER PICK, TRUMP ATTEMPTS TO PLACATE BOTH REPUBLICANS AND LAWYERS**

Trump's tweets trying to convince lawyers and Republicans to embrace the Whitaker appointment suggest a heavy-handed move he probably imagined would bring him salvation have just added to his headaches.

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## **THE KREMLINOLOGY (HA!) OF THE SESSIONS' HUDDLE**

I don't pretend to know what happened in that huddle or in the half day afterwards when Jeff Sessions uncontestedly retained his authority as Attorney General. But I'm not really bugged that Rod Rosenstein is doing what he needs to do to remain the person who, if Whitaker's appointment were illegal, would serve as the Acting Attorney General.

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## **DID EMMET FLOOD MEAN TO CREATE A LEGAL MORASS, OR IS**

## **HE OFF HIS GAME?**

I expect basic competence out of Emmet Flood. But this whole scheme could only be judged competent if the point was to totally discredit anything DOJ does, including but not limited to the Mueller probe.

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## **ARE MUELLER AND MATT WHITAKER ALREADY BATTLING OVER IMMUNITY OR A PLEA DEAL FOR JEROME CORSI?**

Jerome Corsi seems to suggest something is going down with Mueller today – whom he makes veiled allusions to as Pontius Pilate. That may force Matt Whitaker to deem such an activity totally inappropriate under DOJ practices.

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## **IN THURSDAY HEARING, MUELLER'S TEAM GETS SPECIFIC ABOUT WHAT THEY CAN DO WITHOUT WHITAKER'S PRE-**

# **APPROVAL**

In the argument over Andrew Miller's challenge of a Miller subpoena yesterday, Michael Dreeben seemed to be making the first argument about limits to how much Matt Whitaker can tamper in the Mueller investigation.

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## **JOHN KELLY'S LEGALLY FRAUGHT ROLE IN THE SESSIONS OUSTER**

On top of all the potential legal problems with picking Matt Whitaker to replace Jeff Sessions, there may be legal problems that John Kelly is the one who did so.

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## **TRUMP WON'T HAND IN HIS OPEN BOOK TEST UNTIL HE CHECKS HIS ANSWERS WITH MATT WHITAKER AND PUTIN**

Trump is still trying to decide whether an open book test of questions pertaining to the Russian investigation is too hard for him or not. Before he decides, he's may consult with both Matt Whitaker and Vladimir Putin.

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# **TRUMP RISKS THAT EVERY ACTION MATT WHITAKER TAKES AS ATTORNEY GENERAL CAN BE LEGALLY CHALLENGED**

Both the author of the statute governing Mueller's appointment, Neal Katyal, and the people who will oversee DOJ in a few months have real questions about the legality of Whitaker's appointment. That could mean every single action vested exclusively in the Attorney General (including those pertaining to Mueller) can be challenged in court.

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# **MATT WHITAKER HAS AUTHORITY TO SHARE PROCEEDINGS OF NATIONAL SECURITY GRAND JURY INVESTIGATIONS WITH TRUMP**

Under a 2002 OLC memo interpreting the PATRIOT Act, Acting Attorney General Matt Whitaker can share information about Mueller's grand jury with the President.

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# **HAS THIS BEEN THE PLAN SINCE AUGUST 2017?**

While it sounds like Sessions only resigned today, it's possible this has been in the works for far, far longer.