

THE MORE PUZZLING INACTION IN SDNY: NATIONAL ENQUIRER

As bmaz noted, SDNY released less redacted copies of warrants to search Michael Cohen's property today, revealing many more details about Cohen's negotiation of hush payments for Trump.

A lot of people are trying to figuring out how Trump and Hope Hicks avoided charges – the former for his very active involvement in campaign finance crimes, the latter for lying to the FBI. But an equally important question, I think, pertains to American Media Inc. AMI is a likely mention behind the first redaction in the redacted footnote where the government describes the disposition of the investigation.

¹ The Government has effectively concluded its investigations of (1) who, besides Michael Cohen, was involved in and may be criminally liable for the two campaign finance violations to which Cohen pled guilty, [REDACTED]; and (2) whether certain individuals, [REDACTED], made false statements, gave false testimony or otherwise obstructed justice in connection with this investigation [REDACTED]

After all, DOJ publicly announced in December that AMI – the parent company of the National Enquirer – had entered into a Non-Prosecution Agreement with DOJ in September 2018. And they were involved in both campaign finance crimes, the hush payments to both Karen McDougal and Stormy Daniels. So they should be mentioned in precisely that spot.

But that raises questions about why the mention should be redacted. While the AMI NPA is not readily available from a search on the main DOJ website (I believe it used to be), it still remains linked on SDNY's site. It's public.

And, frankly, the closure of this investigation is just as suspicious with respect to AMI as it is with Trump and Hicks. That's because Jeff Bezos published records in February showing AMI threatening to publish details that would embarrass him that raised real questions about

whether AMI was in violation of its NPA.

Several days ago, an AMI leader advised us that Mr. Pecker is “apoplectic” about our investigation. For reasons still to be better understood, the Saudi angle seems to hit a particularly sensitive nerve.

A few days after hearing about Mr. Pecker’s apoplexy, we were approached, verbally at first, with an offer. They said they had more of my text messages and photos that they would publish if we didn’t stop our investigation.

My lawyers argued that AMI has no right to publish photos since any person holds the copyright to their own photos, and since the photos in themselves don’t add anything newsworthy.

There were public reports at the time that SDNY was weighing whether these threats constituted a violation of AMI’s NPA. Those reports were all the more interesting as the National Enquirer exposure of Bezos’ affair seemed like a favor to Trump, who has long targeted Bezos.

If that references is to AMI, then it shouldn’t be redacted, as the fact of the NPA is public, even on SDNY’s own website. But if the entire investigation – including into AMI’s possible follow-up violations of its DPA – it would suggest DOJ was going easy on not just Trump and Hicks, but also Trump’s favorite rag.