

WHAT DOES THE 'DOOMSDAY INVESTOR' GET OUT OF TRUMP?

There's a particularly interesting long read in this week's New Yorker; if you're not into investment and Wall Street machinations, you might go to sleep on this one. But stay with this one all the way through – there's a payoff.

JOURNALIST RECORDS FROM THE "LAST FIVE YEARS"

When DOJ responded to Ron Wyden's questions about whether they've changed their approach to seizing journalists' records, the government may have been engaging in linguistic parsing.

IT'S CALLED A SPINE, NOT A CONSCIENCE

If burning sources that lie to you is not a cardinal rule of journalism, it damn well ought to be. I suspect that Marcy's honest sources will respect her more for this, and her dishonest ones will be very very nervous. Isn't that something that all journalists ought to strive for? Sullivan lauded Marcy for being a journalist with a conscience – which she is, but that's not the point here. The point is that Marcy is a journalist with a spine.

GOOGLE AT TEMPLE: DID DOJ FOLLOW ITS NEW GUIDELINES ON INSTITUTIONAL GAGS?

The seizure of Ali Watkins' email subscriber records from when she was at Temple marks the second time the university had a community member's records seized without launching a First Amendment challenge.

THE MOUSE THAT ROARED, THE BIGOTRY ROSEANNE PERPETRATED AND IGNORANT RACISM OF TRUMP

No, it is not enough that ABC and Disney canned the ignorant bigot Roseanne, the media needs to stop propagating the Salena Zito fraud that "Real America" supports ignorance and racism.

"JUST OBSTRUCTION" IS

THE NEW “RED LINE”

Before the press fact checks Trump’s claims that Robert Mueller’s questions don’t include any addressing “collusion,” they might consider how they’ve been complicit in setting up that narrative.

STORMY WEATHER AHEAD

As you may have heard, there is an interview on CBS 60 Minute



s tonight of former Trump paramour Stormy Daniels. In the last 48 hours, there have been a slew of Stormy biographies. From the New York Times, the Washington Post, and CNN. All worth a check if you are interested, but all paint a similar picture.

It is a picture of a modern empowered and self assured woman. She is no slouch, she is bright and ready. It was been all too casual for the press to early on slough her off and characterize her as a “porn star” like that automatically makes some throw away bimbo. Clearly, nothing is further from the case.

The picture that emerges on closer inspection is far different. She is an informed and savvy woman in full. She is a mother and businesswoman, and one who understands and worries about the conflicts between the two.

Karen McDougal, in her Thursday interview on CNN came off as genuine and honest, even if somewhat lost in why she is here with all of the public now. Daniels has none of that. And her story is, within the salacious category Trump brings us to consider, far more compelling.

The stories of Daniels and McDougall were literally concurrent, starting with a golf tournament tete a tete at the Tahoe Pro Am. But McDougall presents as a jilted woman once in love, Daniels is flat out a smarter woman who knew then, and knows now, what was up, then and now, and just isn't going to stand for the rank hypocrisy and lying by Trump and his goons like Michael Cohen.

The rushed out bios linked above largely track each other, but to my eye, the New York Times is the best:

Those who know her well have registered the moment differently. Ms. Clifford has subsisted amid the seamier elements of a business often rife with exploitation and unruly fare; more than a few of her film titles are unprintable. But for most of her professional life, Ms. Clifford has been a woman in control of her own narrative in a field where that can be uncommon. With an instinct for self-promotion, she evolved from “kindergarten circuit” stripper to star actress and director, and occasional mainstream success, by her late 20s. Why would a piece of paper and an executive legal team set her back?

...

“She was a very serious businesswoman and a filmmaker and had taken the reins of her career,” said Judd Apatow, who directed her cameos in the R-rated comedies “Knocked Up” and “The 40-Year-Old Virgin.” “She is not someone to be underestimated.”

...

She has a daughter, a third husband and

an expensive hobby: equestrian shows.
“She blends right in,” said Packy
McGaughan, a trainer on the competition
circuit.

....

“Just as these misguided arbiters of the
mainstream view an adult entertainment
star as an anathema to the political
process,” she said, when she eventually
decided against a bid, “so too do they
view the dishwasher, the cashier or the
bus driver.”

This woman is real. Please go read at least the
NY Times story, if not the others linked. She is
everything you think she is, and far, far, more.
And she has no fear. Not of her career, and not
of Trump. That has to terrify Trump.

Here is the other thing that is different:
Stormy Daniels has Michael Avenatti as her
lawyer. Never met or talked to Avenatti before,
but I have heard of him in cases (and from auto
racing things), and from friends, for several
years. He is good.

After three years at O’Melveny, he
joined Greene Broillet & Wheeler, a Los
Angeles boutique litigation firm. While
there, Michael spearheaded many high-
profile cases, including a \$10 million
defamation case against Paris Hilton; a
successful idea theft lawsuit involving
the reality show The Apprentice and its
producer, Mark Burnett, as well as
Donald Trump; and a large corporate
multi-national embezzlement case
involving in excess of \$42,000,000.

In 2007, Michael formed the law firm
Eagan Avenatti, LLP (fka Eagan O’Malley
& Avenatti, LLP), with offices in
Newport Beach, Los Angeles and San
Francisco. Since co-founding the firm,
Michael has been responsible for
securing a number of large verdicts and
settlements as lead counsel, including

an April 2017 \$454 Million verdict after a jury trial in Federal Court in Los Angeles in a fraud case against Kimberly-Clark (NYSE: KMB) and Halyard Health (NYSE: HYH) that was featured on 60 Minutes (won every jury question as to every defendant); a \$80.5 million class action settlement against Service Corporation International (NYSE: SCI) in another case featured on 60 Minutes and in the international press (settlement reached in the middle of trial); a \$41 million jury verdict after a nearly five-week trial in New Jersey; a \$39 million settlement in a case involving the alleged theft of trade secrets; and a \$13 million plus verdict after a six week jury trial in Palm Beach, Florida (won every jury question as to every defendant). In 2015, Michael prevailed against the National Football League after a two-week jury trial in Federal District Court in Dallas, Texas after obtaining a court order requiring Jerry Jones to attend trial and be cross-examined.

I had heard of him before, but really first watched Avenatti when he took on the National Football League and Jerry Jones. Because of some sports law friends, some of whom were closer to that story, I paid attention. Avenatti is seriously that good, and he has the extra bonus of knowing how to be a good trial lawyer AND play the PR game, personally, well. There are not many such lawyers, and ones tending to the PR more than the law are routinely panned mercilessly here at this blog. For good reason.

If you don't have a winning strategy with the press, don't talk to the press. Even if you think you do, think twice and thrice before doing so. Or, by my book, just don't do it. But Avenatti has a really special combination of savvy, and has proven it long before Stormy Daniels.

Nobody knows how it all ends up, and playing the press is a risky game even for those genuinely good at it. But, so far, Avenatti and Stormy have played Trump and the press like a Stradivarius.

And, if as Trump is reportedly contemplating, Trump decides to get personally aggressive, watch out. He may well have met his match with Ms. Daniels and Michael Avenatti. By my guess, they are almost making bank Trump will try that ill advised tact. Let it be. Please, let it be.

WHY I LEFT THE INTERCEPT: THE SURVEILLANCE STORY THEY LET GO UNTOLD FOR 15 MONTHS

The Intercept has the story of the surveillance stories the NYT didn't want to publish when James Risen reported them. I guess it's a good time to tell the story of the surveillance story the Intercept didn't want to publish when I reported it in 2014.

WHY CALL ALICE DONOVAN A TROLL?

Both WaPo and CounterPunch describe how a Russian persona published at CP and others. But why do they call the persona a troll?

TWO ADDENDUMS TO BEN WITTES' "HOW TO READ AN INVESTIGATION"

Ben Wittes has some helpful rules about how to read all the stories about the Mueller probe. I'd add just a few rules.