

# Secret Mueller Discussions Uncovered. Judicial Watch

## Judicial Watch Uncovers Rosenstein Email to Mueller: 'The Boss' Doesn't Know We're Talking

By [Judicial Watch](#)

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***Rod Rosenstein**, who was once a deputy attorney general, is a key figure in enabling, at a minimum, the Deep State's seditious attacks on President Trump.*

More proof is in new documents uncovered by a Judicial Watch lawsuit. Specifically, we forced the release of [145 pages](#) of Rosenstein's communications that include a one-line [email](#) from Rosenstein to Mueller stating, "The boss and his staff do not know about our discussions." They also include "off the record" emails with major media outlets around the date of Mueller's appointment.

We filed a [lawsuit](#) to get these documents after the Department of Justice failed to respond to our September 21, 2018, Freedom of Information Act (FOIA) request ([Judicial Watch v. U.S. Department of Justice](#) (No. 1:19-cv-00481)). We were seeking:

Any and all e-mails, text messages, or other records of communication addressed to or received by Deputy Attorney General Rod Rosenstein between May 8, 2017, and May 22, 2017.

The time period referred to in this suit is critical. On May 9, 2017, Rosenstein wrote a [memo](#) to President Trump recommending that FBI Director James Comey be fired. That day, President Trump fired Comey. Just three days later, on May 12, Rosenstein sent an [email](#) assuring Robert Mueller that, "The boss and his staff do not know about our discussions." (It is not clear if the "boss" is then-AG Sessions or President Trump.)

In a May 16, 2017, [email](#), sent the day before Mueller's appointment, Rosenstein emailed former Bush administration Deputy Attorney General and current Kirkland & Ellis Partner Mark Filip stating, "I am with Mueller. He shares my views. Duty Calls. Sometimes the moment chooses us."

The next day, May 17, Rosenstein [appointed](#) former FBI **Director Robert Mueller** to investigate Russian meddling in the 2016 presidential election.

During the same period, between May 8 and May 17, Rosenstein [met with](#) then-acting FBI Director **Andrew McCabe** and other senior Justice Department FBI officials to discuss [wearing a wire](#) and invoking the 25<sup>th</sup> Amendment to remove President Trump.

The documents also show that, again during the same time period, Rod Rosenstein was in

direct communication with reporters from *60 Minutes*, *The New York Times* and *The Washington Post*. In [an email](#) exchange dated May 2017, Rosenstein communicated with *New York Times* reporter Rebecca Ruiz to provide background for [this article](#) about himself. Ruiz emailed Rosenstein a draft of the article, and he responded with off-the-record comments and clarifications.

- In [an email](#) exchange on May 17, 2017, the day of Mueller’s appointment, Rosenstein exchanged emails with *60 Minutes* producer Katherine Davis in which he answered off-the-record questions about Mueller’s scope of authority and chain of command:

Rosenstein: “Off the record: This special counsel is a DOJ employee. His status is similar to a US Attorney.”

Davis: “Good call on Mueller. Although I obviously thought you’d be great at leading the investigation too.”

- On May 17, 2017, in [an email](#) exchange with *Washington Post* journalist Sari Horwitz with the subject line “Special Counsel,” Rosenstein and Horwitz exchanged:

Rosenstein “At some point, I owe you a long story. But this is not the right time for me to talk to anybody.”

Horwitz: “Now, I see why you couldn’t talk today! Obviously, we’re writing a big story about this Is there any chance I could talk to you on background about your decision?”

These astonishing emails further confirm the corruption behind Rosenstein’s appointment of Robert Mueller. They also show a shockingly cozy relationship between Mr. Rosenstein and anti-Trump media reporters.

Here’s some more background on the incredible finds from this one Judicial Watch lawsuit.

On September 11, we released [14 pages](#) of records from the Department of Justice showing officials’ efforts in responding to media inquiries about DOJ/FBI talks allegedly invoking the 25th Amendment to “remove” President Donald Trump from office and former Deputy Attorney General Rod Rosenstein offering to wear a “wire” to record his conversations with the president.

On September 23, we released a [two-page memo](#), dated May 16, 2017, by then-Acting FBI Director Andrew McCabe detailing how then-Deputy Attorney General Rod Rosenstein proposed wearing a wire into the Oval Office “to collect additional evidence on the president’s true intentions.” McCabe writes that Rosenstein said he thought it was possible because “he was not searched when he entered the White House.”

As the “coup” targeting President Trump continues through the House impeachment abuse, it is important to remember that its origins are in the Deep State agencies - especially the FBI and DOJ.

### **Court Forces State Dept To Release Smoking Gun Clinton Email**

The Clinton email scandal is far from over. A federal court ordered discovery in a major

Judicial Watch lawsuit that will ultimately result in nearly 20 witnesses having to testify under oath to our attorneys. And, and thanks to the court's orders, we're also getting new documents proving the Clinton email cover-up. Specifically, the State Department released a previously hidden [email](#) showing that top State Department officials used and were aware of Hillary Clinton's email account.

On December 24, 2010, Daniel Baer, an Obama State Department deputy assistant secretary of state, writes to Michael Posner, a then-assistant secretary of state about Clinton's private email address:

Baer: "Be careful, you just gave the secretary's personal email address to a bunch of folks ..."

Posner answers: "Should I say don't forward? Did not notice"

Baer responds: "Yeah-I just know that she guards it pretty closely"

Posner had forwarded Clinton's email address, which was contained in an email sent to State Department senior leadership, about WikiLeaks.

It appears that the State Department produced this email in 2016 in [redacted form](#), blacking out Clinton's personal email address and the discussion about Clinton's wanting to keep her email address closely guarded.

We sought the email after a former top Freedom of Information Act (FOIA) State Department official [testified](#) to us about reviewing it between late 2013 and early 2014.

The testimony and the email production come in discovery granted to us on the Clinton email issue in a FOIA [lawsuit](#) (*Judicial Watch v. U.S. Department of State* (No. 1:14-cv-01242)). Clinton also faces potential questioning under oath in this lawsuit.

Despite a recent [court order](#) requiring production of the email, the DOJ and State Departments only produced it 10 days ago after we threatened to seek a court order to compel its production.

In other words, we just caught the State Department and DOJ red-handed in another email cover-up. They all knew about the Clinton email account but covered up the smoking-gun email showing this guilty knowledge for years.

The scope of court-ordered discovery that produced this email find includes: whether Secretary Clinton used private email in an effort to evade the Freedom of Information Act (FOIA); whether the State Department's attempt to settle this FOIA case in 2014 and 2015 amounted to bad faith; and whether the State Department has adequately searched for records responsive to our FOIA request.

During a recent [hearing](#), Judge Lamberth specifically raised concerns about a Clinton [email cache](#), carterheavyindustries@gmail.com, discussed in a letter to Senator Charles Grassley (R-IA) and wants Judicial Watch to "[shake this tree](#)" on this issue.

Judge Lamberth also [criticized](#) the State Department's handling and production of Clinton's emails in this case stating, "There is no FOIA [Freedom of Information Act] exemption for

political expedience, nor is there one for bureaucratic incompetence.”

The court rejected DOJ and State efforts to derail further Judicial Watch discovery. Judge Lamberth called their arguments “preposterous” and cited a prior Judicial Watch FOIA case in which he ordered U.S. Marshals to [seize records](#) from a Clinton administration official.

Judge Lamberth detailed how the State Department “spent three months from November 2014 trying to make this case disappear,” and that after discovering the State Department’s actions and omissions, “Now we know more, but we have even [more questions](#) than answers. So I won’t hold it against Judicial Watch for expanding their initial discovery request now.”

Judge Lamberth stated his goal was to [restore the public’s faith](#) in their government, which may have been damaged because of the Clinton email investigation.

The court [granted](#) us seven additional depositions, three interrogatories and four document requests related to former Secretary of State Hillary Clinton’s use of a private email server. Hillary Clinton and her former top aide and current lawyer Cheryl Mills were given 30 days to oppose our depositions of them.

On December 6, 2018, Judge Lamberth [ordered](#) Obama administration senior State Department officials, lawyers and Clinton aides to be deposed or answer written questions under oath. The court [ruled](#) that the Clinton email system was “one of the gravest modern offenses to government transparency.”

Our FOIA lawsuit [led directly](#) to the disclosure of the Clinton email system in 2015.

Our discovery over the last several months found many more details about the scope of the Clinton email scandal and cover-up:

- John Hackett, former Director of Information Programs and Services (IPS), [testified](#) under oath that he had raised concerns that former Secretary of State Hillary Clinton’s staff may have “culled out 30,000” of the secretary’s “personal” emails without following strict National Archives standards. He also revealed that he believed there was interference with the formal FOIA review process related to the classification of Clinton’s Benghazi-related emails.
- Heather Samuelson, Clinton’s White House liaison at the State Department, and later Clinton’s personal lawyer, [admitted](#) under oath that she was granted immunity by the Department of Justice in June 2016.
- Justin Cooper, former aide to President Bill Clinton and Clinton Foundation employee who registered the domain name of the insecure clintonemail.com server that Clinton used while serving as Secretary of State, [testified](#) he worked with Huma Abedin, Clinton’s deputy chief of staff, to create the non-government email system.
- In the [interrogatory responses](#) of E.W. (Bill) Priestap, assistant director of the FBI Counterintelligence Division, he stated that the agency found Clinton email records in the Obama White House, specifically the Executive Office of the President.
- Jacob “Jake” Sullivan, Clinton’s senior advisor and deputy chief of staff when she was secretary of state, [testified](#) that both he and Clinton used her insecure non-government email system to conduct official State Department business.

- Eric Boswell, former assistant secretary of state for diplomatic security during Clinton's tenure as secretary of state, [testified](#) that Clinton was warned twice against using unsecure BlackBerry's and personal emails to transmit classified material.

The court will next decide will whether Judicial Watch attorneys can question Mrs. Clinton directly under oath – so stay tuned....

## **A Judicial Watch Election Law Victory in California**

We thwarted Leftist Californians' efforts to keep President Trump off the 2020 ballot.

A federal judge enjoined a California law requiring presidential candidates to publicly disclose their tax returns. The injunction was requested by Judicial Watch, President Trump, and other challengers to the law.

California's Presidential Tax Transparency and Accountability Act ("SB 27") requires presidential candidates to disclose their tax returns for the past five years for public posting on the internet. Candidates who refuse to do so are barred from having their names printed on California's March 2020 primary ballot.

Judicial Watch's [lawsuit](#) challenged the law on behalf of four California voters, including two Republicans, a Democrat, and an Independent. The lawsuit alleged that SB 27 imposes candidate qualifications beyond those allowed by the U.S. Constitution's Presidential Qualifications Clause and that it violates voters' First and Fourteenth Amendment rights to associate with like-minded voters and to express their preferences by means of their votes ([Jerry Griffin et al. v. Alex Padilla](#) (No. 2:19-cv-01477)). President Trump, the Republican National Committee, and other candidates and private litigants also filed legal challenges.

In his [decision](#), Judge Morrison C. England of the U.S. District Court for the Eastern District of California observed that "there has never been a legal requirement that any candidate for federal office disclose their tax returns." While he noted that SB 27 "was primarily intended to force President Trump to disclose his tax returns," Judge England agreed with Judicial Watch that the law particularly harmed California voters by diminishing their ability "to cast an effective vote" and to select the "presidential candidate of their choice."

Judge England ruled that Judicial Watch was likely to succeed on every one of its claims. He stated that California's scheme "tramples the Framers' vision of having uniform standards" for candidate qualifications. He also found that the public had an "extraordinary" interest in "ensuring that individual voters may associate for the advancement of political beliefs and cast a vote for their preferred candidate for President." And he agreed with President Trump that SB 27 was preempted by the federal Ethics in Government Act.

As Judge England noted, nonpartisan counsel for the California legislature had issued a written opinion stating that a prior version of SB 27 was unconstitutional. Then-Governor Jerry Brown had vetoed that prior version, also citing constitutional concerns.

Leftist California politicians, in their zeal to attack President Trump, passed a law that also unconstitutionally victimizes California voters and the U.S. Constitution. The court found this anti-Trump scheme to game the 2020 elections to be obviously unconstitutional.

Outrageously, California's political leadership will continue to abuse and waste taxpayer money by trying to appeal this sensible decision. They should give up and stop trying to prevent voters from being able to vote for the presidential candidate of their choice next year.

Until next week ...

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