

Rosenstein, Rod (ODAG)

From: Rosenstein, Rod (ODAG)
Sent: Monday, May 22, 2017 7:28 AM
To: Flores, Sarah Isgur (OPA)
Subject: Re: NY Times story

No need. I am not saving any of these stories!

On May 21, 2017, at 10:26 PM, Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov> wrote:

It'll be in the print edition tomorrow-(b)(5)

On May 21, 2017, at 10:22 PM, Rosenstein, Rod (ODAG) <rosenstein@jmd.usdoj.gov> wrote:

Thanks. This was supposed to be a low-profile job.

On May 21, 2017, at 10:17 PM, Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov> wrote:

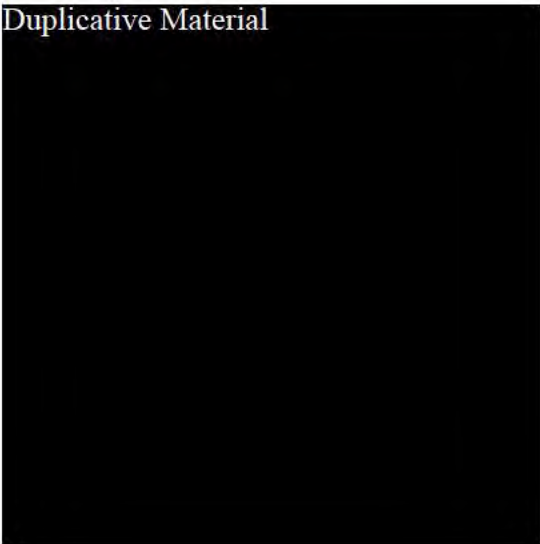
Here's the story they just posted: <https://mobile.nytimes.com/2017/05/21/us/politics/rod-rosenstein-justice-comey.html?referer=>

On May 21, 2017, at 10:11 PM, Rosenstein, Rod (ODAG) <rosenstein@jmd.usdoj.gov> wrote:

OK. I appreciate your support. I am not accustomed to have a 24/7 press spokesperson.

On May 21, 2017, at 9:27 PM, Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov> wrote:

Duplicative Material



Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Sunday, May 21, 2017 9:28 PM
To: Rosenstein, Rod (ODAG)
Cc: Crowell, James (ODAG); Terwilliger, Zachary (ODAG)
Subject: Re: NY Times story

I understand you replied directly to the reporter. (b)(5)

On May 21, 2017, at 7:54 PM, Rosenstein, Rod (ODAG) <rrosenstein@jmd.usdoj.gov> wrote:

Thanks. (b)(5)

[Redacted]

[Redacted]

On May 21, 2017, at 7:24 PM, Flores, Sarah Isgur (OPA) <siflores@jmd.usdoj.gov> wrote:

(b)(5)

Begin forwarded message:

From: "Ruiz, Rebecca" <rebecca.ruiz@nytimes.com>
Date: May 21, 2017 at 6:27:18 PM EDT
To: "Flores, Sarah Isgur (OPA)" <Sarah.Isgur.Flores@usdoj.gov>
Subject: Fwd: NY Times story

FYI

Rebecca R. Ruiz
The New York Times
(b)(6)

(b)(6) (cell)
202-862-0384 (office)

----- Forwarded message -----

From: **Ruiz, Rebecca** <rebecca.ruiz@nytimes.com>
Date: Sun, May 21, 2017 at 6:26 PM
Subject: NY Times story
To: rod.rosenstein@usdoj.gov

Mr. Rosenstein,

I do not expect you to reply. I simply wanted to inform you further of our story about you, likely to publish tomorrow.

We have spoken to friends and colleagues of yours (including, to be quoted: Andrew White, James Trusty, Gregg Bernstein, Doug Gansler).

I want to give you a sense of what to expect and an opportunity to respond to our reporting before we publish.

People have described you as an apolitical prosecutor in your 27 years at the Justice Department; they have said you are skilled at staying focused on the law and tuning out political noise. One example of that: the Black Guerrilla Family case in Maryland, which had political overtones but in which, per Mr. Gansler, you simply followed the facts.

Some Obama administration officials we talked to criticized your handling of the Cartwright case, suggesting that your team took a remarkably aggressive approach and seemed to prejudge the matter. Others said that you seemed resistant to the Holder charging and sentencing policy regarding nonviolent drug crimes, newly reversed.

Friends said you were likely surprised by how the memo you wrote about Mr. Comey was used as an initial rationale for the firing, but that the way the situation had been evolved was symbolic: That you likely corrected the record with people in the administration, quietly and without taking the spotlight.

Should you or a spokesperson have anything to say in response to any of this, we would gladly incorporate it in our story.

I am available on my cell below at any time.

Thank you for reading.

Rebecca Ruiz

Rebecca R. Ruiz
The New York Times
(b)(6) (cell)
202-862-0384 (office)

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Sunday, May 21, 2017 10:27 PM
To: Rosenstein, Rod (USAMD)
Subject: Re: NY Times story

I appreciate it. (b)(5)

On May 21, 2017, at 10:19 PM, Rosenstein, Rod (USAMD) <Rod.Rosenstein@usdoj.gov> wrote:

(b)(5)

[Redacted]

Begin forwarded message:

From: "Ruiz, Rebecca" <rebecca.ruiz@nytimes.com>
Date: May 21, 2017 at 9:01:46 PM EDT
To: "Rosenstein, Rod (USAMD)" <Rod.Rosenstein@usdoj.gov>
Subject: Re: NY Times story

Noted, off the record.

Thank you for clarifying our understanding. That will be reflected in the story. We will not mention the charging and sentencing policy, and we will make clear that the criticisms Obama administration officials had regarding the Cartwright matter were stylistic criticisms (not that it's unusual for a prosecutor to take an aggressive approach), and not legal or ethical ones.

I appreciate your help in making sure we weren't inaccurate. The story is due to be in tomorrow's paper, meaning it would go online late tonight.

Rebecca

Rebecca R. Ruiz
The New York Times
(b)(6) (cell)
202-862-0384 (office)

On Sun, May 21, 2017 at 7:25 PM, Rosenstein, Rod (USAMD) <Rod.Rosenstein@usdoj.gov> wrote:

Off the record:

Thank you very much for the opportunity. I regret that I do not plan to make any

Thank you very much for the opportunity. I regret that I do not plan to make any statements. Everybody is entitled to their own opinion. I do want to make two suggestions about my tenure as U.S. Attorney, but only off the record. You are free to validate them or not, on your own.

First, off the record, I have no idea what you mean about the Cartwright case. A prosecutor cannot prejudge a leak case. You need to find out who was the leaker, which is a factual issue, and then decide whether to prosecute. The Attorney General (and the President) publicly stated that we should catch the leaker and hold him accountable, and the Attorney General committed to the Senate that we would do so expeditiously. Review the publicity in June 2012. I do not think we were "remarkably aggressive" in a negative way. I think we approached the case with an appropriate sense of urgency.

Second, off the record, I faithfully implemented the Holder policies. As a matter of fact, I developed a form to document in USAO files that people were following the policies – alleging drug quantities and pursuing mandatory penalties only in appropriate cases meeting the Holder guidelines – and then I distributed the form to other U.S. Attorneys. I also spoke at one of the U.S. Attorneys' Conferences about how to implement the policies effectively.

From: Ruiz, Rebecca [mailto:rebecca.ruiz@nytimes.com]
Sent: Sunday, May 21, 2017 6:27 PM
To: Rosenstein, Rod (USAMD) <RRosenstein@usa.doj.gov>
Subject: NY Times story

Mr. Rosenstein,

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Thank you for reading.

Rebecca Ruiz

Rebecca R. Ruiz

The New York Times

(b)(6) (cell)

[202-862-0384](tel:202-862-0384) (office)

Flores, Sarah Isgur (OPA)

From: Flores, Sarah Isgur (OPA)
Sent: Sunday, May 21, 2017 9:17 PM
To: Rosenstein, Rod (ODAG)
Cc: Crowell, James (ODAG); Terwilliger, Zachary (ODAG)
Subject: Re: NY Times story

This is helpful: (b)(5)

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Duplicative Material

