

AILEEN CANNON ORDERS GOVERNMENT TO SHARE CLASSIFIED INFORMATION WITH TRUMP'S COUNSEL

I'll have a lot more to say about Judge Aileen Cannon's order blowing off National Security in favor of Trump's half-assed claims of being a victim. Her order is a radical assault on national security and rule of law.

But for the moment, I want to look at this part of her work flow order.

Make available for inspection by Plaintiff's counsel, with controlled access conditions (including necessary clearance requirements) and under the supervision of the Special Master, the documents marked as classified and the papers attached to such documents; and

It orders the government to make the classified documents stolen by Trump available to his attorneys, including Evan Corcoran, who is either a witness or a subject of this investigation. None are known to be cleared. Aside from Jim Trusty, it's not clear how quickly any of them can be cleared.

In her order, she claims this involves sharing only with the Special Master, Raymond Dearie.

The Government also presents the argument, in passing, that making the full scope of the seized materials available to the Special Master would itself create irreparable harm [ECF No. 69 p. 18]. Insofar as the Government argues that disclosure to a Special Master of documents marked as classified necessarily creates an irreparable

injury because the special master process in this case is unnecessary, the Court disagrees for the reasons previously stated. Separately, to the extent the Government appears to suggest that it would suffer independent irreparable harm from review of the documents by the Court's designee with appropriate clearances and controlled access, that argument is meritless

But these are completely contradictory. One document says the government must share classified information with Trump's people. The other document says, "it's only Raymond Dearie, don't worry your little heads."

And she just waves her hands and says the government must share this stuff, "including necessary clearance requirements," without acknowledging that *she doesn't get to decide that*. If the government says that none of Trump's lawyers can be cleared, they get to say that (again, I expect fewer concerns about Trusty, but major concerns about Corcoran).

That's par for the course of this order.

Go to emptywheel resource page on Trump Espionage Investigation.