



Meet Emmet Flood, Trump's Latest Legal Weapon Against The Mueller Probe

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Emmet Flood is the latest attorney who will try wrangling President Trump, a notoriously difficult client to work for. He is replacing Ty Cobb, who managed the White House's response to Special Counsel Robert Mueller's investigation.

Flood is the attorney you bring on when you anticipate being under siege.

"It is a hire that certainly suggests to me that they think this is going to get worse than it gets better," Stephen Vladeck, a University of Texas law professor, told TPM. "Emmet Flood is a wartime consigliere."

Flood is a top-tier, well-regarded Washington D.C. defense attorney who has represented presidents and corporate executives alike. A clerk for the late Justice Antonin Scalia and a graduate of Yale Law School, Flood is a partner at the firm Williams & Connolly.

He was in talks to serve in the White House counsel's office last summer, but reportedly balked at working with Marc Kasowitz, a Trump personal attorney who has since left Trump's legal team. He will be representing the office of the President, not Trump personally.

He was hired out of a desire for someone "more aggressive," former New York Mayor Rudy Giuliani, who is serving as a personal attorney for Trump, told the Washington Post.

Flood, a Republican, is perhaps best known for his tenure on President Clinton's legal team when Clinton was locked in an impeachment battle with Congress. In his work for Clinton, he also helped draft the President's response to the Starr report.

"His specialty was the Clinton impeachment, which kind of says to me that maybe Trump is planning to be impeached," Paul Rosenzweig, a former legal adviser to Whitewater independent counsel Kenneth Starr, told TPM, adding that his sense of that was "totally speculative."

Flood went on to serve in President Bush's White House. Flood was brought on in early 2007, just after Democrats captured control of Congress, and as the Bush administration prepared for an onslaught of congressional oversight.

However, the timing of his hiring also raised suspicion, given that he also had represented Vice President Dick Cheney in a civil lawsuit brought for the public disclosure of CIA agent Valerie Plame's identity. The leak led to a Justice Department investigation by Special Counsel Patrick Fitzgerald.

"Patrick Fitzgerald made it clear that Dick Cheney was the ultimate target of the CIA Leak Case," wrote national security journalist Marcy Wheeler in 2009. "And Dick Cheney did the obvious thing any bureaucratic master would do. He put his own personal defense lawyer on the payroll to help obstruct any efforts to expose his role in outing Valerie Plame."

In Bush's White House, Flood specialized in executive privilege issues. As Congress investigated the U.S. attorneys firing scandal, Flood requested that the Republican National Committee not turn over emails to the House Judiciary Committee until the White House had the opportunity to review them.

He also made the disclosure to Congress that on 473 separate days, at least one component White House office had failed to archive emails on its systems. The missing emails included some sent the week that Saddam Hussein was captured, as well as four days of Cheney emails as the DOJ probe into the Plame leak was launching.

Flood was brought on to defend Virginia Gov. Bob McDonnell (R) in the corruption investigation that ended with the Supreme Court overturning the convictions against him.

He also has represented the Koch brothers in a 2012 lawsuit against the Cato Institute, as well as Aubrey K. McClendon, a former oil and gas CEO who was indicted for conspiracy. (The case was dropped after McClendon died in a car accident shortly after the indictment.)