



LEGAL

Trump lawyer complains of harassing call from attorney at opposing firm

The Trump campaign lawyer said she received the one-minute-long voicemail from an associate based in Kirkland & Ellis' D.C. office.

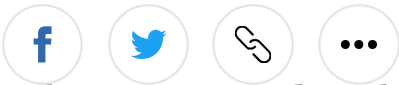


President Donald Trump. | Evan Vucci/AP Photo

By **JOSH GERSTEIN**

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A lawyer spearheading the efforts by President Donald Trump’s campaign to dispute the election results in Pennsylvania complained to a federal court Sunday that she received an abusive telephone message from an attorney at the elite law firm representing the state, Kirkland & Ellis.

The Trump campaign lawyer, Linda Kerns of Philadelphia, said she received the one-minute-long voicemail Saturday morning from an associate — a very junior attorney — based in Kirkland’s Washington, D.C. office.

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Kerns did not identify the Kirkland attorney by name or provide other details about the message, but said the communication “by any measure falls afoul of standards of professional conduct.”

Kerns’ filing said a Kirkland attorney working on the Pennsylvania suit told her that the lawyer who made the call was not involved in the case. Kerns said the attorney she contacted admitted the call was “discourteous” and apologized for wasting her time.

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In a response filed with the court Monday morning, Daniel Donovan, Kirkland's lead attorney on the Pennsylvania-focused election suit, confirmed that he viewed the call as "discourteous and not appropriate," but said he disagreed with Kerns' characterization of it.

"That associate was acting unilaterally, in his personal capacity, without the knowledge or authorization of undersigned counsel or the Firm," Donovan wrote.

"The associate provided a personal email and had a baby babbling in the background during the voicemail....The Firm expects that every lawyer will conduct themselves with the highest standards of professional conduct, including being respectful of and courteous to other members of the bar."

Donovan said the unnamed associate was not aware of the firm's role in the case and that no action by the judge was required.

Kerns' complaint came as law firms working on Trump's flurry of legal challenges in states across the country have faced public pressure from Trump's political opponents to drop the litigation, which many legal experts view as fruitless and based on little or no evidence of actual fraud.

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Some of the most prominent figures urging law firms to back out of Trump's legal defense are associated with the Lincoln Project, a group of current and former Republican political consultants and activists who ran ads against Trump during the campaign and promised a similar media fusillade against the firms.

The torrent of criticism appeared to have an effect, as two firms working on the Trump cases — Arizona-based Snell and Wilmer and Ohio-based Porter, Wright, Morris & Arthur — withdrew, leaving the work to small firms and solo practitioners. The Trump campaign turned on its lawyers as they exited last week, saying in a statement that the attorneys had “buckled” to “leftist mobs.”

Trump opponents have also put pressure on a prominent law firm with extensive ties to the Trump administration, Jones Day. But that firm has said it isn't involved in any suits initiated after the election, although it does represent the Pennsylvania Republican Party in litigation related to an extension of ballot-receipt deadlines in that state.

Kerns said in her filing submitted just before midnight Sunday that the call from the Kirkland associate was just one part of a stream of harassment and invective Trump attorneys have faced in recent weeks.

“Since this case was filed, undersigned counsel has been subjected to continuous harassment in the form of abusive e-mails, phone calls, physical and economic threats, and even accusations of treason — all for representing the President of the United States’ campaign in this litigation,” she wrote.

Kerns, who did not immediately respond to messages from POLITICO seeking more details, said some of the communications may have violated state or federal law.

However, she told U.S. District Court Judge Matthew Brann that the message from the Kirkland lawyer was troubling as a breach of professional norms.

Kerns said the voicemail message violated court and state bar rules, but added: “If there needs to be a rule saying that Kirkland & Ellis associates should not call opposing counsel and leave an abusive voicemail then all hope is lost.”

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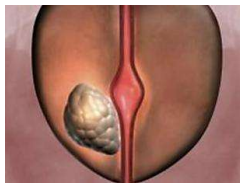
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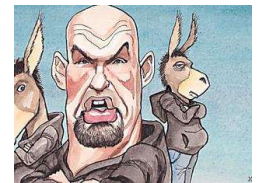
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