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U.S.

Cohen Would Turn Against President if Charged, Counselor Warned Trump

Former prosecutor Jay Goldberg says he cautioned president that his personal lawyer, Michael Cohen, could be compelled to cooperate with prosecutors



Michael Cohen, longtime personal lawyer and confidante for President Donald Trump, leaving the U.S. District Court for the Southern District of New York on Monday. PHOTO: DREW ANGERER/GETTY IMAGES

By Joe Palazzolo, Michael Rothfeld and Michael Siconolfi

April 18, 2018 7:12 p.m. ET

One of President Donald Trump’s longtime legal advisers said he warned the president in a phone call Friday that Michael Cohen, Mr. Trump’s personal lawyer and close friend, would turn against the president and cooperate with federal prosecutors if faced with criminal charges.

Mr. Trump made the call seeking advice from Jay Goldberg, who represented Mr. Trump in the 1990s and early 2000s. Mr. Goldberg said he cautioned the president not to trust Mr. Cohen. On a scale of 100 to 1, where 100 is fully protecting the president, Mr. Cohen “isn’t even a 1,” he said he told Mr. Trump.

Mr. Cohen is under criminal investigation for potential bank fraud and campaign-finance violations. FBI agents raided Mr. Cohen’s home, hotel and office last week, seeking documents about, among other things, a \$130,000 payment he made in October 2016 to a former adult-film actress to prevent her from publicly discussing an alleged sexual encounter with Mr. Trump in 2006, The Wall Street Journal previously reported, citing people familiar with the matter. Messrs. Trump and Cohen deny such an encounter occurred.

Investigators are examining whether Mr. Cohen committed bank fraud in using a home-equity line of credit to pay the former porn star for her silence, as well as potential campaign-finance violations related to the payment, the people said.

“Michael will never stand up [for you]” if charged by the government, Mr. Goldberg said he cautioned the president.

Neither Mr. Cohen, who hasn’t been charged, nor his lawyer responded to requests for comment. The White House confirmed the phone call of Messrs. Trump and Goldberg.

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The 15-minute discussion between the two men provides an inside peek at the president's efforts to seek guidance amid the rapidly escalating developments involving Mr. Cohen. Mr. Goldberg is one of several longtime advisers Mr. Trump has reached out to as he and his legal team try to assess the potential fallout from the criminal

investigation of Mr. Cohen and devise a response.

Mr. Goldberg said the volume of correspondence taken and the potential pressure the government can bring to bear on Mr. Cohen to testify put the president in more potential peril from the Cohen matter than from special counsel Robert Mueller's investigation. Mr. Mueller is examining whether members of Mr. Trump's campaign team colluded with Russians to affect the 2016 election. Russia officials have denied meddling in the election, and Mr. Trump has denied any collusion took place.

Messrs. Trump and Cohen have publicly supported each other. Mr. Goldberg said Mr. Trump told him on Friday that Mr. Cohen is "very strong." For his part, Mr. Cohen this month tweeted: "I will always protect our @POTUS."

In the call, Mr. Goldberg, a former prosecutor who represented Mr. Trump in divorce and real-estate matters, said he told the president Mr. Cohen could even agree to wear a wire and try to record conversations with Mr. Trump. "You have to be alert," Mr. Goldberg said he told the president. "I don't care what Michael says."

Mr. Goldberg recalled the conversation in a two-hour interview in his apartment on New York's Upper East Side Wednesday, emphasizing that he didn't believe Mr. Trump had broken the law.

Speaking from his experience as a prosecutor, he said even hardened organized-crime figures flip under pressure from the government. "The mob was broken by Sammy 'The Bull' Gravano caving in out of the prospect of a jail sentence," Mr. Goldberg said.

Mr. Goldberg provided fresh details about the search warrants executed against Mr. Cohen, which he said came from a conversation in recent days with Mr. Trump's lawyer, Ty Cobb. Mr. Cohen faces scrutiny over his payment to the former adult-movie star Stephanie Clifford for her silence, as well as his taxi business, according to people familiar with the matter.

On April 9, six agents showed up at Mr. Cohen's suite at the Loews Regency Hotel on Manhattan's Park Avenue, where he is staying temporarily while his home is renovated, with a warrant, Mr. Goldberg said Mr. Cobb told him. The agents "were perfect gentlemen," but their guns were visible, he said. They also went to Mr. Cohen's office at law firm Squire Patton Boggs in Rockefeller Center, where they gathered his files and placed them in cartons in a truck, Mr. Goldberg said.

Representatives for the FBI and Manhattan U.S. attorney's office declined to comment.

Mr. Goldberg's legal career has included stints as an acting U.S. attorney in Indiana, a special attorney to the Justice Department in Washington, and an assistant district attorney in New York.

Mr. Goldberg said he warned Mr. Trump in the Friday call against submitting to an interview with Mr. Mueller's team, telling him "talking is a certain trap," adding: "Don't ever do it."

Prompted by the president for his advice, he also said he recommended Mr. Trump fire Rod Rosenstein, the deputy attorney general who appointed Mr. Mueller.

Mr. Goldberg, who is 85 years old and has practiced law for more than five decades, said he suggested that Mr. Trump add a well-known New York lawyer to his legal team. Mr. Goldberg declined to name the lawyer, but a person familiar with the matter said it was Frederick Hafetz, a former chief of the criminal division of the Manhattan U.S. attorney's office.

Mr. Hafetz confirmed receiving a call on the matter from Mr. Goldberg but said he wasn't interested in joining Mr. Trump's legal team.

Mr. Trump's lawyer, Mr. Cobb, sent Mr. Goldberg an email Friday thanking him for "importuning Fred" and for providing a legal citation that Mr. Goldberg thought might be helpful to challenge the government's use of records collected with the search warrants executed against Mr. Cohen, according to a copy of the email reviewed by The Wall Street Journal.

A White House official said that following the call with Mr. Goldberg, the president was "complimentary" about his former lawyer and relayed the suggestions to his legal team on hiring Mr. Hafetz and other matters. The president asked Mr. Cobb to call Mr. Goldberg "as a courtesy," the official said. Neither Mr. Hafetz nor Mr. Goldberg are expected to join the legal team, the official said.

—*Rebecca Ballhaus and Erica Orden contributed to this article.*

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