



U. S. Department of Justice

Civil Division

Assistant Attorney General

Washington, D.C. 20530

NOV 4 2019

Ms. Carol Ross
Hachette Book Group, Inc.
1290 Avenue of the Americas
New York, NY 10104

Mr. Matt Latimer
Mr. Keith Urbahn
Javelin
203 South Union Street
Alexandria, Virginia 22314

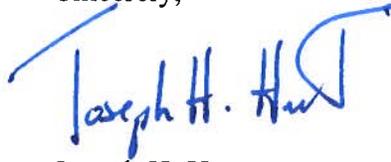
Dear Ms. Ross, Mr. Latimer, and Mr. Urbahn:

I write regarding Hachette Book Group's recent announcement that it plans to publish a book written by a person who claims to be a current or former "senior official" in the Trump Administration. I understand that Messrs. Latimer and Urbahn represent the author. Please provide a copy of this letter to the author, or if the author is represented by counsel, to the author's attorney.

If the author is, in fact, a current or former "senior official" in the Trump Administration, publication of the book may violate that official's legal obligations under one or more nondisclosure agreements, including nondisclosure agreements that are routinely required with respect to information obtained in the course of one's official responsibilities or as a condition for access to classified information. Such agreements typically require that any written work potentially containing protected information be submitted for pre-publication review. Courts have approved the imposition of a constructive trust to collect the proceeds of the breach generated by an unapproved publication. *See Snepp v. United States*, 444 U.S. 507, 509, 516 (1980). Such remedies, moreover, do "not depend upon whether [the employee's] book actually contained classified information." *Id.* at 511. The government has sought these remedies in recent cases. *See, e.g., United States v. Scherck*, No. 12-cv-754 (E.D. Va. 2013); *United States v. Jones*, No. 10-cv-765 (E.D. Va. 2012).

Consistent with these principles, we request that you immediately provide us with your representations that the author did not sign any nondisclosure agreement and that the author did not have access to any classified information in connection with government service. If you cannot make those representations, we ask that you immediately provide either the nondisclosure agreements the author signed or the dates of the author's service and the agencies where the author was employed, so that we may determine the terms of the author's nondisclosure agreements and ensure that they have been followed.

Sincerely,

A handwritten signature in blue ink that reads "Joseph H. Hunt". The signature is written in a cursive style with a large, sweeping initial "J" and "H".

Joseph H. Hunt
Assistant Attorney General