

Legal Experts React to *Cockrum v. Trump Campaign*

"These plaintiffs allege direct harm caused by having their hacked private data published to the world. They make plausible allegations of conspiracy and are entitled to prove these claims. In my experience most conspiracy cases begin with circumstantial evidence just like this case. Investigation and discovery often proves it is true."

John McKay, Former Bush-appointed U.S. Attorney, now Partner at Davis Wright Tremaine (7/13/17)

"This powerful new lawsuit offers an excellent prospect of holding the Trump campaign accountable for the severe damage it did to many people's lives by colluding with the Kremlin to invade and compromise their privacy. The complaints factual allegations are deeply researched and impressively current and the legal theories underlying it are ironclad."

Laurence Tribe, Carl M. Loeb University Professor and Professor of Constitutional Law at Harvard Law School (7/13/17)

"A civil case only needs to present plausible allegations of harm and a violation of law. That entitles the plaintiffs to discovery to obtain the evidence to prove their claim. The Protect Democracy lawsuit clearly meets these requirements and indeed presents strong claims of wrongdoing."

Erwin Chemerinsky, Dean of Berkeley Law (7/13/17)

"[T]he case is clearly justiciable and is unlikely to be dismissed on standing grounds. Unlike plaintiffs in a number of other litigations facing Trump right now, there's no serious standing issue here. The plaintiffs clearly allege that they had their personal information stolen and released and that they suffered real consequences as a result. There's just no question that this complaint alleges injury in fact or that it seeks relief of a type courts normally grant. What's more, the case does not present in any sense a political question or a matter that courts are likely to duck."

Benjamin Wittes, editor in chief of Lawfare and a Senior Fellow in Governance Studies at the Brookings Institution, the author of several books, and co-chair of the Hoover Institution's Working Group on National Security, Technology, and Law (7/14/17)

"Federal civil rights laws have played a key role in protecting Americans' right to freely engage in our democracy for decades. This case is a perfect application of how they should also play a critical role as bulwarks against the kind of voter abuses we're now facing in the 21st Century. Kudos to Protect Democracy for bringing this important case."

Vanita Gupta, President and Chief Executive Officer of The Leadership Conference on Civil and Human Rights, former Acting Assistant Attorney General for Civil Rights (7/13/17)

“This lawsuit might succeed where others haven’t yet in exposing the Trump campaign’s alleged involvement in disseminating the emails hacked from the servers of the Democratic National Committee... If the lawsuit survives the inevitable motions to dismiss – and it seems to have presented more than enough circumstantial evidence to do so – we may have a window into whether, and if so, exactly how, Trump’s campaign and advisers worked with the government of Russia to sabotage the Clinton campaign, support the Russian government’s agenda, and cause harm to these individual plaintiffs.

John Nockleby, Professor of Law & Director of the Civil Justice Program at Loyola Law School (7/13/17)

“While there are many hurdles to be cleared, this litigation could eventually become a vehicle for discovery of documents and evidence in a judicial proceeding driven by private litigants. That means that a life-tenured federal judge will make determinations based on the Federal Rules of Civil Procedure and relevant substantive law without the potential political chokepoints presented by a partisan Congress and compromised Executive.”

<https://www.justsecurity.org/43077/dnc-hack-lawsuit/>

Andy Wright , Associate Professor at Savannah Law School (7/12/17)

“[[I]t’s a circumstantial case, but a compelling one, in light of (a) the numerous contacts between representatives of Russia and the Trump campaign; (b) the repeated falsehoods spread by the Trump campaign regarding those contacts; (c) the accounts (and now-public emails) describing offers of assistance by Russian actors to the Trump campaign; (d) the pro-Russia policy changes advocated by the Trump campaign; and (e) the established involvement by Russia in the hack itself. No plaintiff at the beginning of a lawsuit can point to a written document setting forth the conspirators’ agreement—but what plaintiffs have here is the next best thing.”

Jacob W. Buchdahl, Partner at Susman Godfrey L.L.P. and former federal prosecutor in the Southern District of New York’s public corruption unit (7/13/17)

“In *Cockrum et al. v. Donald Trump for President*, the plaintiffs have solid standing and a firm foundation in a statutory claim: long-standing civil rights law protecting voting rights and privacy from intimidation and harm... Each plaintiff has a compelling story of harm, because the hacking conspiracy released deeply private information or sensitive financial and contact information. The complaint sets out step-by-step the facts suggesting the coordination between Russian hackers and the Trump campaign, and it is actually a riveting weaving of many strands and events over the past year.”

Jed Shugerman, Professor at Fordham University School of Law (7/13/17)

“This important case seeks justice for ordinary people who were injured in concrete ways by the Russian attack on our democracy. I applaud the plaintiffs for stepping forward to litigate this matter, and their counsel for representing them. I believe the matter will easily survive a motion to dismiss and therefore allow discovery regarding these critically important matters, and I look forward to that.”

Norman Eisen, Chair and Co-Founder, Citizens for Responsibility and Ethics in Washington (CREW), former Ambassador the Czech Republic, and Special Counsel to President Obama for Ethics and Government Reform (7/14/17)