

From: Carlson, Ann
Sent: Saturday, April 27, 2019 8:34 AM
To: alyssa@climateintegrity.org
Subject: Accepted: Invitation: UH Law event - prep call @ Mon Apr 29, 2019 2pm - 3pm (PDT)
(carlson@law.ucla.edu)

From: [Carlson, Ann](#)
To: [Melling, Daniel](#)
Subject: editorial
Date: Friday, May 29, 2020 12:41:58 PM
Attachments: [Ann Carlson op-ed CA.acedits.docx](#)

Hi Daniel,

I drafted this with some folks from the Center for Climate Integrity and would love to see if we can get it published in the LA Times or another California paper. Would you give it a try?

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: [Carlson, Ann](#)
To: demmett@douglasemmett.com
Subject: Center for Climate Integrity
Date: Sunday, June 23, 2019 7:19:03 AM

Hi Dan,

Hope all is well. I'm just back from a crazy couple of weeks traveling for work and finally settling into the summer.

I'm writing because folks from the Center for Climate Integrity, including Rick Reed (who I think is technically with the Rockefeller Family Fund) have said they've been in touch with you and are coming to LA and would love to meet with you. I just thought I'd let you know that I've been following their work, largely through an event I participated in in Honolulu about nuisance litigation against the oil industry, and think really highly of what they're doing. They helped organize the event and their chief lawyer, Alyssa Johl, spoke at it. What was most impressive to me about what they're doing is that they're focused on sophisticated communications efforts to make the public and public officials aware of the oil industry's campaign to deceive the public about climate change. The communications strategies are designed to support the litigation efforts and I was struck by their sophistication and persuasiveness.

If you're interested in more information or if you'd like to meet with them and want me to come along I'd be happy to. Apparently they're suggesting July 15 or 16? And if not, that's all good too! Just offering to help if you'd find it of assistance.

Give my best to Rae!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: [Carlson, Ann](#)
To: [Melling, Daniel](#)
Subject: op ed
Date: Monday, July 29, 2019 8:55:53 PM
Attachments: [RWAnn Carlson op-ed.final.docx](#)

Hi Daniel,

I've been working with the Center for Climate Integrity to get an op ed placed about the nuisance litigation. I've attached it here. Would you work to try to get it accepted, starting with the NY Times and Wash Post (in whatever order you prefer)? Once they reject us :). let's talk about where to try next.

Thanks!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
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State courts may provide taxpayers with climate accountability

The likelihood that oil and gas industry executives will have to testify in court about what they knew about climate change and when they knew it increased last week. A [federal judge for the District Court of Rhode Island joined colleagues](#) in Baltimore and Northern California in rejecting a plea by the industry to keep a state nuisance claim out of state court.

The decision to remand the case from federal to state court is a blow to oil companies, which are facing a growing wave of lawsuits that seek to recover costs for damages that internal documents reveal they knowingly caused. The oil companies believe that if they can get federal courts to “remove” cases from state courts, they have a better chance of getting the cases dismissed.

A number of high profile cases against other businesses that marketed and sold harmful or deadly products – especially when the businesses knew their products would cause health and monetary damages – have succeed in state courts. Federal courts, in contrast, rarely hear these kinds of cases.

State courts paved the way for the record \$273 billion settlement with Big Tobacco. They secured the first major victory in the fight to hold opioid manufacturers accountable. And lead paint manufacturers have had to pay damages to clean up lead paint they sold despite knowing that lead is poisonous.

Those lawsuits, and the explosive internal documents they uncovered during litigation, bear a strong resemblance to what we are beginning to learn about what oil companies knew about climate change, when they knew it, and how they funded a multi-million dollar campaign to convince the American public that climate change isn't happening.

We now know that at the same time oil companies were funding the disinformation campaign, they spent millions of dollars protecting their own assets -- like oil platforms – from more powerful storms and sea level rise expected as temperatures increase.

Climate liability litigation, filed by governments around the country, raises a fundamental question: who should pay for the damages climate change is already causing, and will continue to cause well into the future as the federal government fails to come to grips with accelerating sea level rise, more intense flooding, larger wildfires, growing droughts and stronger hurricanes: taxpayers or the companies who products caused them?

Discovery – a court process that allows government plaintiffs to get company documents and interview oil company executives - will play a large role in answering that question. Discovery will add to growing evidence about the knowledge that oil and gas company executives had of the role their products played in causing climate change, and their role in the campaign to convince the public that climate change is not a threat. It was discovery that changed the course of tobacco litigation. And damning documents are imperiling opioid manufacturers in court.

Oil companies are doing everything they can to stop discovery. Shell, Exxon and other oil companies do not want their executives testifying under oath about why companies were upgrading their own facilities

to prepare for climate change while publicly proclaiming climate change wasn't happening. If oil companies can get federal courts to keep cases away from state court and then dismiss the cases, they can avoid discovery. Last week's decision together with the two other federal court decisions refusing to keep the cases in federal court, throw a monkey wrench in the oil company strategy.

Not only is discovery at stake but, ultimately, so are billions of dollars. If local and state governments can get their cases to trial, they will seek the money necessary to fortify their communities against the ravages of climate change. Doing so carries a huge price tag. For example, a recent study by the [Center for Climate Integrity](#) found that coastal communities in the U.S. [must spend upwards of \\$400 billion at a minimum](#) in the next five to 10 years alone to protect property from sea level rise.

If governments get to the discovery phase and ultimately to trial, juries will be the ones to decide whether oil companies will have to pay for the climate change damages they have caused. Otherwise, taxpayers will be on the hook.

Last week's court decision and the shifting momentum in favor of the plaintiffs have now upped the ante for oil companies. Expect them to increase pressure on Congress to block state and local access to the courts to recover the costs of oil industry damages, while they continue to fight tooth and nail against any form of accountability in cases around the country.

Shapiro Professor Ann Carlson is faculty co-director of the UCLA Emmett Center on Climate Change and the Environment. [She provides pro bono consulting to some of the plaintiffs in climate nuisance litigation](#)

From: [Carlson, Ann](#)
To: demmett@douglasemmett.com
Subject: Center for Climate Integrity
Date: Sunday, June 23, 2019 7:19:03 AM

Hi Dan,

Hope all is well. I'm just back from a crazy couple of weeks traveling for work and finally settling into the summer.

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Date: Sunday, June 23, 2019 7:19:03 AM

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Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: [Dan Emmett](#)
To: [Carlson, Ann](#)
Subject: Re: Center for Climate Integrity
Date: Monday, June 24, 2019 3:27:53 PM

Welcome home.

I am aware of the group and Reed. I have not been an active supporter. **If you think their work is great and that we can or should be working with them let me know.** I am glad to meet with them and you when they are out here if you think appropriate.

Dan

Dan A. Emmett
c/o Douglas Emmett Management, LLC
1299 Ocean Avenue, Suite 1000
Santa Monica, CA 90401
(T) 310.255.7725
demmett@douglasemmett.com
www.douglasemmett.com

On Sun, Jun 23, 2019 at 7:19 AM Carlson, Ann <carlson@law.ucla.edu> wrote:

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Give my best to Rae!

From: [Carlson, Ann](#)
To: [Dan Emmett](#)
Subject: Re: Center for Climate Integrity
Date: Monday, June 24, 2019 3:59:01 PM

Great!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Dan Emmett <demmett@douglasemmett.com>
Sent: Monday, June 24, 2019 3:53:02 PM
To: Carlson, Ann
Subject: Re: Center for Climate Integrity

Sure. Link in my assistant, Nicholette, who largely runs my calendar.

Dan A. Emmett
c/o Douglas Emmett Management, LLC
1299 Ocean Avenue, Suite 1000
Santa Monica, CA 90401
(T) 310.255.7725
demmett@douglasemmett.com
www.douglasemmett.com

On Mon, Jun 24, 2019 at 3:51 PM Carlson, Ann <carlson@law.ucla.edu> wrote:

I think he's planning to be here and can meet and I'm sure would come your way. I've been working with them a bit -- we participated in a conference in Hawaii to try to encourage Hawaii to consider a nuisance lawsuit. I've also discussed them with Vic Sher and he thinks they're an important part of the broader effort on the lawsuits to engage the public. I think our involvement will continue. And as you may remember the clinic has been working on the nuisance cases.

Do you want me to communicate with them to try to set up a meeting?

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: Dan Emmett <demmett@douglasemmett.com>
Sent: Monday, June 24, 2019 3:45:35 PM

From: [Carlson, Ann](#)
To: jkaplan@douglasemmett.com
Cc: [Horowitz, Cara](#)
Subject: Following up
Date: Wednesday, July 10, 2019 2:24:51 PM

Hi Jordan,

Welcome back! I hope you had a great trip. We'd love to talk to you more about the possibility of hosting a 10th anniversary Emmett celebration. We could talk by phone tomorrow or Friday but it also turns out that I will be in your offices on Monday for a meeting with Dan and people from the Center for Climate Integrity. I could come early or stay a bit late if that would work better. We're also, of course, happy to talk by phone. Whatever works best for you. Thanks!

Best,

Ann

From: [Carlson, Ann](#)
To: demmett@douglasemmett.com
Subject: smog and flying
Date: Thursday, July 18, 2019 8:37:30 AM

Hi Dan,

Thanks again for meeting with the CCI/Rockefeller folks on Monday. I'm glad I got to see their presentation and am thinking about ways the Emmett Institute might collaborate with them.

[REDACTED]

Thanks!

Ann Carlson
Shirley Shapiro Professor of Environmental Law
Faculty Co-Director, Emmett Institute on Climate Change and the Environment
UCLA School of Law
(310) 206-9496

From: [Nicholette Fuhrman](#)
To: [Carlson, Ann](#); [Rick Reed](#)
Subject: Donation from Dan Emmett
Date: Monday, September 9, 2019 2:09:03 PM
Attachments: [1082_001.pdf](#)

Please see the attached letter from Dan Emmett regarding the Center for Climate Integrity.

Thank you,

Nicholette Fuhrman
Executive Assistant to the Chairman
Douglas Emmett Management, LLC
1299 Ocean Avenue, Suite 1000
Santa Monica, CA 90401
(T) 310.255.7725
nfuhrman@douglasemmett.com
www.douglasemmett.com

----- Forwarded message -----

From: <sharescan@douglasemmett.com>
Date: Mon, Sep 9, 2019 at 1:22 PM
Subject: Attached Image
To: Nicholette Fuhrman <nfuhrman@douglasemmett.com>

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EMMETT FOUNDATION

c/o Dan A. Emmett
1299 Ocean Ave Suite 1000
Santa Monica, CA 90401
310.255.7725

September 9, 2019

IGSD

ATTN: Melinda Soffer
2300 Wisconsin Ave, NW, Suite 300B
Washington DC 20007

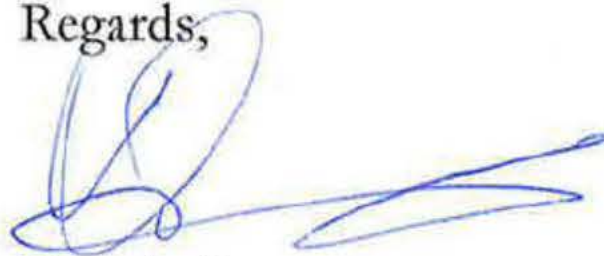
RE: Donation for Center for Climate Integrity

Dear Melinda:

Please find enclosed a contribution in the amount of \$25,000 from our family foundation to help support the Center for Climate Integrity

Keep up the great work.

Regards,



Dan A. Emmett
For the Emmett Foundation

CC: Ann Carlson
Rick Reed

Enclosure

DAE/nf

From: envlawprofessors-bounces@lists.uoregon.edu on behalf of envlawprofessors-request@lists.uoregon.edu
To: envlawprofessors@lists.uoregon.edu
Subject: Envlawprofessors Digest, Vol 97, Issue 1
Date: Wednesday, July 1, 2020 12:00:42 PM

Send Envlawprofessors mailing list submissions to
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You can reach the person managing the list at
envlawprofessors-owner@lists.uoregon.edu

When replying, please edit your Subject line so it is more specific
than "Re Contents of Envlawprofessors digest..."

Today's Topics

1. House Climate Report Opposes Polluter Liability Relief Under Any Carbon Tax Bill (Wil Burns)

Message 1

Date Tue, 30 Jun 2020 19:58:22 +0000

From Wil Burns <wil@feronia.org>

To "'Envlawprofs (envlawprofessors@lists.uoregon.edu)'"
<envlawprofessors@lists.uoregon.edu>

Subject [Envlawprofessors - UOregon] House Climate Report Opposes
Polluter Liability Relief Under Any Carbon Tax Bill

Message-ID

<BY5PR04MB6737E8FA05F8DE90A6878853A46F0@BY5PR04MB6737.namprd04.prod.outlook.com>

Content-Type text/plain; charset="utf-8"

FYI. wil

Message 1
Date Tue, 30 Jun 2020 19 58 22 +0000
From Wil Burns <wil@feronia.org>
To "'Envlawprofs (envlawprofessors@lists.uoregon.edu)'"
<envlawprofessors@lists.uoregon.edu>
Subject [Envlawprofessors - UOregon] House Climate Report Opposes
Polluter Liability Relief Under Any Carbon Tax Bill
Message-ID
<BY5PR04MB6737E8FA05F8DE90A6878853A46F0@BY5PR04MB6737.namprd04.prod.outlook.com>

Content-Type text/plain; charset="utf-8"

FYI. wil

[Institute for Carbon Removal Law & Policy]
Wil Burns, Co-Director & Professor of Research
Institute for Carbon Removal Law & Policy | American University
Phone 650.281.9126
Web www.american.edu/sis/centers/carbon-removal<<https://www.american.edu/sis/centers/carbon-removal/>>
Email wburns@american.edu<<mailto:wburns@american.edu>>
Skype [wil.burns](skype:wil.burns?chat)<skype:wil.burns?chat>
Address 917 Forest Ave., Evanston, IL 60202 USA
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<https://img.mysignature.io/s/v3/c/8/9/c897a27d-c2c0-5e72-b299-b784e320fe4d.png><<https://twitter.com/CarbonRemovalAU>>

FOR IMMEDIATE RELEASE
June 30, 2020

House Climate Report Opposes Liability Relief in Exchange for Carbon Tax

Recommendation Follows May Letter from 60 House Reps Urging Leadership to Oppose Immunity for Fossil Fuel Industry in COVID-19 Relief

Contact Mike Meno, Center for Climate Integrity, mike@climateintegrity.org<<mailto:mike@climateintegrity.org>> or 919-307-6637

WASHINGTON, D.C. - A newly released series of climate policy recommendations from the House Select Committee on the Climate Crisis embraces a key accountability principle that Congress must not grant legal immunity to polluters in exchange for a price on carbon.

In a section about carbon pricing, the report<http://link.mediaoutreach.meltwater.com/ls/click?upn=gIoWfh-2Bn5LP0cn0rygzp0floEdYI8XUXQ3uYGaI7ICLfcII1HVJwZqjrIvLEVI7akTn6MvpYyUO5aTMxAM71Wqhj-2BTSBmdloJOfaZfMq-2BJI4yHX9QANTpxSC8GCc8-2BVz39LF80EYYdpjGHiSfZahXg0hqO2OQboXmFPQoik-2Fy8Q-3Dmadv_WIOdgouD-2FEPvCiPJdRjd6U-2BKzE-2B1ryzhtS6F-2BoYFzXBR41-2BYmYq-2F-2Bqoqx-2BASX7S1mvfw9qTa9x7btw4Dvi-2Fj7RroTwz6BWrPtQSZH3fVkd1e5268DLqgQOn-2Bp0TE0iW5Fhn-2B11g2exMwN34veQ16YMkfbH2AIQ-2FgUqloEXZ4Cn0u-2Fy0Yo8SIA0Wnd9wORVv4Kv7EJ982SfNCBYphSGGh6cb7ao9unIioxO3Aqhce50E5-2F6OBdsWnHynel-2B5mJIoCXzIRwkNuFf-2F77U0ozMaZMEZevrGwEtt2XFVhRTGFVowZ8HNk7-2F-2BSt52nyrDHSseqraVxBTHtL9P1zHS7XqvLSCh0zx-2F6D6o4WXuCtoo7c1-2FwZvp3RKBKe7nCRzMhp8Y9iAMo0QTV061kzzVeQi-2Bdw-3D-3D> from the House Select Committee on the Climate Crisis states on page 287 that ? Congress should not offer liability relief ? in exchange for a carbon price.?

In May, 60 House members led by Rep. Jamie Raskin (Maryland), sent a letter<http://link.mediaoutreach.meltwater.com/ls/click?upn=gIoWfh-2Bn5LP0cn0rygzp0dRlegVJZWp7WwCtwXIa2dA1lcFoakOgj4xgS0poggpqISJvOfLCp4zpr0PhX312yv4ZcsrylorzosItDHPzyuzrdhbaCn3dfL6NXy2KrsJt-2FJFzYnEpgiY3TYXudVvMQs5mimbUeopgZ-2Flviyn-2BD0hCeI2yJ9h6eccoUtuRJ1cS9BxT_WIOdgouD-2FEPvCiPJdRjd6U-2BKzE-2B1ryzhtS6F-2BoYFzXBR41-2BYmYq-2F-2Bqoqx-2BASX7S1mvfw9qTa9x7btw4Dvi-2Fj7RroTwz6BWrPtQSZH3fVkd1e5268DLqgQOn-2Bp0TE0iW5Fhn-2B11g2exMwN34veQ16YMkfbH2AIQ-2FgUqloEXZ4Cn0u-2Fy0Yo8SIA0Wnd9wORVv4Kv7EJ982SfNCBYphSGGh6cb7ao9unIioxO3Aqhce50FCWEef4m9EYJhS-2FT6iqilX6RJfsHLGtx4Px8vYQLIZjq9ANJAV-2FIRShjxDWdbDz4MzmMm5UVVY43r2EPISM04H8fdahjk8X2p-2BF9ThRVZmHMLYTqOk0x70Xte4L-2FM-2FoVioDF8HXsROQfRe3luj7ZTMiWzUEOP47HTRR2p-2FVVKN3QA-3D-3D> to House leadership urging opposition to legal immunity for the fossil fuel industry during COVID-19 relief negotiations.

warning and to support efforts to make climate polluters pay their fair share.

For more information on what ExxonMobil and others in the industry knew about climate change and when, check out the Center for Climate Integrity's ?Smoking Guns<[###](http://link.mediaoutreach.meltwater.com/ls/click?upn=B-2Fhkwx0KVGyfhZFhLek4dPgZjZY11syGJIECaFKII0KbnzG597HyhnpvZbPY163PWa-2Fb7PTaM3bZfY7hppzVikE0tmts6cOMM-2B-2BBUgDM8eIVCTGmlCZ3E3Oue7y40y2NWzRtOOy6qWE-2FVki-2BPfTzfrkuqFomkCOZ7hez2pd9u7UmJkVxwWbjLUAL3s0loYjVW0pPUxJA-2BPRzMF2yFjEhPJKDjRthUDOVnArY0DXzt1nHV2IPVwVWIM-2FbE6iXCVPddWZfZ3NF-2FSoJv-2Bjj3k5c0DEFHN3ze600TGGAuMmQfGVApdwbhm3Voh24D7BDA9UxS5SXY3tCBNCAFRGK4uZP9AEornnrRH2EN6dPxxq7Yi-2FJDtyPovOUok9OAZfR0W9Z2JjRsQvcWE-2FZij1PSg-2FGJVA1BJRKWpNwHAF1gA745aL-2B6vS48GzpgcXw6LEd5HOVvvFvISOFzqIZ0kb6d-2FuPkUT7HHeQfs0u0SN7Cs-2BJr3LtuA8h0gwHV4nRTEpSuGOECnbRX2wp2pn0YLiGweFJbjqvXbwKL965jQd6QnshGOtQPqDSOiNUSngekOaS7AYQBOZNLmad-2BEKjUsHKDIqC4V37JfX36Z2wyOzB-2BSh56INgDVOp6DI8mrThlPdx0i-2F56NBP5mPA11i5Fx0y1WoeK95DaIIaJMPezS6aNfYE2MHGmNuvZrFjXGGhKJZJX3u0X5mdDo5EBGocq7OOzrikyNdp1bmxss!Z0HK2pg3XOMkh3XEmMEbJUR7iknycGA69ORUqf3Ra16obaXTvxOmTbCCAhd-2FeCatUTfKYtinU38apMo0W5FEjwJeWhr3EzQTNtbaAH8C9INkDJ47WX8YN8nAB0QOsXeySdGzImq-2FSyxLckhxjsIMCa4pbyygJTVG0Kti2VJvTDi3Pv6GkRjuNdmjsje-2F9EwuV89BKDQL0teg3-2B7TfyaTk4vK5-2FXhYieu8n8iCfhBwTfNk4fSB6oy8dkUfer7D7IDh-2FpejwO8S6GEk7AnwqeTOa36w2HmvCxzIMQlkq3eRHWqfKXMJuxX5x3TKcJ-2FxXkFLCVqQfsZOoLuvs2dtxaFSV9k1p9bCckLiLi7ytMc0QQ82XNt0O56MQ3X-2Fkr52833Qen5S4gjA-2FOjsrze0OJnl5Z5FrzrCpvUuooBPylvz1Z-2BUZetoQrA9-2Bl4S2PrcIdSvGbw8dfW-2BDsJ6qxcVY0ZJDmhl-2BECmXvmNPHs0-2FCfyaVV-2BCVDvZVq9Wd5KF8KqyF9qRbuw4vB2J6HE4nTckaLqA-2BvDTIFxTtRV278wyu3PGndGPMv3cQeYPK9JtUwRhsLUUfZ3QAUZY-2Bq6gYEcEn0OUMcBKeskqcFQfT-2BhlJkla2YberxMyCEV32A02ejup-2Bbny8pLAGR6I1OPSv61i5iIVMf-2Fah-2FLcDpmYDTbU2XIIztDa3D9O635n-2Fnt79QpBAV0gebvw5Rj0qptFzpqOm4ds-2F7tBsK5zCE-2BMrknE0vTQfsfaqshZMYwTVAiVPK6j0IM9XJ81deB-2FD1S-2BXwlbCZR7H7V3RaZnhICUvn9Ryjg3aPKyhgYdOS7uXtntpMukqMu5jTv-2BoWMM-2BMUSEyleFTz686f66wk-2BR-2FklkVBSPFeMtD5c92Ow5nfPNYwI7NifPWJtkWi6XHLjsaAhvAmEeZAUyuVqTUHw!Izt3YMIyhbfiEesXe8Z0i98H5OljPJSdoMU-2Fxt5kBN3F-2BYk7xodu3l85Ug7nWtxBxVcT19-2Fv-2FqrDOajRCGoeTF4O9MZqfePfwESjw1TyWJR2uEJratQ2CCKvFVJjtyZqVBu2qiCinyYHtLRFGEfi-2FyDGgrSfVW65BArmIcPtxbrQ4RJ9c7LGjloeuNRabmIa8IBckN86qXK7JE53gQfAuHCughSY5PrwSZrZmUuFhS9n6a02yeehTW1j9wKxHm43Nb8h>? document archive or visit PayUpClimatePolluters.org.</p></div>
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Mike Tidwell
Director, Chesapeake Climate Action Network
Director, CCAN Action Fund
240-460-5838

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----- next part -----

From: [Carlson, Ann](#)
To: rwiles@climateintegrity.org
Subject: question for you
Date: Wednesday, October 2, 2019 12:20:57 PM
Attachments: [deweyantitrust.pdf](#)

Hi Richard,

I'm writing to seek your advice and maybe even assistance for a book I'm writing, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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Trump attacks California auto