



Nov 3

Will Trump Fire Mueller?

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UNLIKELY, BUT HERE ARE THREE SCENARIOS THAT INCREASE THE CHANCES

On Monday, Special Counsel Robert Mueller officially announced the indictments of former campaign chairman Paul Manafort and his business partner Rick Gates, with the charges largely focusing on Manafort's foreign business deals, as well as his role as an "unregistered foreign agent". Mueller also revealed the guilty plea offered by former Trump campaign official George Papadopoulos to the charge of making false statements to the F.B.I., as covered by U.S.C. 18 § 1001.

The indictments of Manafort and Gates came as no surprise following the F.B.I.'s July 26 raid of Manafort's house. Papadopoulos, however, was much less of a known quantity before the news broke on Monday that not only had he plead guilty to making false statements to the F.B.I., he has also been working as a "proactive cooperator" with Bureau for some weeks before the news was released. As CNN reports, Trump was apparently "seething" as he watched the news in his residence, presumably in light of the unexpected news of Papadopoulos' guilty plea.

Jay Sekulow, a lawyer representing Trump, said on Tuesday that there was "no basis" at the time for Trump firing Robert Mueller, indicating that President Trump would at least temporarily be safe from the "holy hell to pay" that Sen. Lindsey Graham said would accompany his firing of Special Counsel Robert Mueller. However, as the torrent of pieces (I suppose mine included) regarding the potential



The important question here is not a particular legal justification for the President firing the Special Counsel, such as some type of true misconduct on Mueller's part, as all indications show that Mueller has colored within every line he has ever come across, a point further reinforced by the administration's own failure to find significant dirt in his past. Rather, the real "basis" for a Mueller head-rolling is likely to arise from an impulsive reaction on behalf of President Trump.

This being said, the political ramifications of such action and the strong voices within the White House urging against such action likely make the Special Counsel's job reasonably secure. Nonetheless, as the investigation proceeds, there are at least three situations that increase the marginal chance that President Donald Trump, via a bloodletting of U.S. Attorneys, fires Special Counsel Robert Mueller.

1. A Personal Slight against President Trump

LIKELIHOOD OF OCCURRING: LOW

LIKELIHOOD OF RESULTING IN A FIRING: MEDIUM

The first situation likely to result in Trump firing the Special Counsel is a personal malign, or perceived malign, on the behalf of Robert Mueller on the action or person of the President, two entities which President Trump is not prone to separating. Such a slight is unlikely to spring from the mouth of Mueller, who is known to remain out of the spotlight and above the politics, making the likelihood of such an event occurring. However, the political cover that it would lend to the President, who would inevitably lambaste both the Special Counsel and his investigation as a personally motivated vendetta in the wake of such a comment, makes the likelihood of this situation resulting in a firing substantial. This scenario is highly consistent with the events of Donald Trump's firing of James Comey, which inside reporting showed resulted, at least in part, from Trump being miffed at Comey's "mildly nauseous" comment on the Senate floor.

2. An Indictment of Someone Close to Trump

LIKELIHOOD OF OCCURRING: LOW-MEDIUM

LIKELIHOOD OF RESULTING IN A FIRING: MEDIUM

Monday's indictments indicate that Mueller is attempting to work his way up the chain of the Trump campaign, piling myriad charges on Manafort, likely in an attempt to squeeze him for information. This means that more indictments are likely to be handed down, with Michael Flynn as the front-runner for the next to face charges. In the face of a quickly progressing investigation, the likelihood of a close associate or family member rises, with Donald Trump Jr.'s June 2016 meeting with a Russian lawyer making him the most likely of this group to be in Mueller's crosshairs. In conjunction with Donald Jr.,

Ivanka Trump and Jared Kushner were closely involved with the Trump campaign, placing them within the scope of Mueller's probe. However, this scenario would not offer the President strong political cover, making it difficult to imagine this being something that Republicans on the Hill could stomach. Nevertheless, Trump's unpredictability and ability to disregard norms that would potentially restrict his ability to exercise his power makes it conceivable that this scenario would increase Trump's likelihood of firing Robert Mueller.

3. Conservative Media Support for the Firing of Robert Mueller.

LIKELIHOOD OF OCCURRING: MID-HIGH

LIKELIHOOD OF RESULTING IN A FIRING: LOW

Recent pieces indicate that conservative voices in the media are rallying behind the President, and more importantly against Robert Mueller. This, in conjunction with the story offered by the recent news of the Democrat commissioned Steele Dossier, is likely to create an environment wherein Trump is not confronted with the drastic penalties of firing Mueller.

However, this scenario does not provide the same kinds of emotional triggers that have been known to drive the President to decisive action in the past, and is unlikely to directly spur him to action. If conservative media voices, particularly those of the more moderate Republican stripe, to support the President firing Robert Mueller, the likelihood of some other trigger spurring him to action becomes more significant.

U.S.

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