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**Until March 25, 2020 10 AM**

## **GAO Files Suit against Maryland AG Frosh for Hiding Records *re* Coordination with Tort Bar, Bloomberg-funded “Special Prosecutor” Outfit**

*AG “involved in creation” of Bloomberg group took early meeting with tort bar pushing him to pursue energy companies for “climate” offenses, is using Bloomberg lawyers to help campaign*

Today, on behalf of the nonprofit group Energy Policy Advocates (EPA) the public interest law firm Government Accountability & Oversight, P.C. (GAO) filed suit against the Maryland Office of Attorney General (OAG) under that state’s Public Information Act. The suit seeks to compel OAG to release information shedding light on its participation in a litigation campaign which, recently released records confirm, is a governmental grab for a “sustainable funding stream” – targeting private parties to make up for financial mismanagement without paying the political price for tax increases, while seeking to intimidate political opposition into silence.

That litigation campaign has launched attorney general investigations of private parties, and targeted more than 100 research and advocacy groups, scientists and other private parties and entities. It also has led to numerous suits seeking billions of dollars for governments including by the City of Baltimore – whose suit AG Frosh is supporting with privately hired “Special Assistant Attorneys General” (SAAGs) supplied to him by a Michael Bloomberg-funded group.

One email among senior attorneys recently obtained from the Virginia OAG, referencing Bloomberg’s organization, stated “AG Frosh in MD has been involved in its creation.” In 2013 Bloomberg picked Frosh out of a crowded Democratic primary during Frosh’s first run for AG.

Information sought in today’s suit includes some unstated number of records withheld in full, and some heavily redacted emails and scheduling records relating to briefings AG Frosh received from plaintiffs’ tort attorneys promoting AG involvement in their cause. Politico first reported the meeting, if as “a meeting with one of his constituents — Friends of the Earth President Erich Pica”, “on ‘the potential consumer related complaints and other authorities re: ExxonMobil,’ according to an email to a Frosh aide that POLITICO uncovered through a public records request...” Politico declined to link to the documents it had obtained.

EPA proceeded to obtain that same record production from OAG, then pulled the threads the records contained about this collaboration between activists, the tort bar and attorneys general. This revealed that the briefing was by attorney Ben Krass of Massachusetts’ Pawa Law Group (now part of Hagens Berman Sobol Shapiro). (Like Michael Bloomberg, the plaintiffs’ bar targeted Frosh early on). That is, this constituent outreach was in fact another in a series of presentations of “climate nuisance” lawyer Matt Pawa’s “What Exxon Knew” recruiting pitch — asking AGs to launch “What Exxon Knew” investigations of the same company he’d been targeting for years for damages, but was getting nowhere against.

Pawa had famously called in 2012 for “a single sympathetic attorney general” to subpoena private records to help give his flagging climate litigation campaign a boost – in a document not intended for publication, **as EPA also has learned and reveals here for the first time.**

As the complaint notes, OAG’s often-absurd redactions include:

the To and From parties in one email thread (non-exempt, purely factual information); a reference to “California cases [‘climate’ tort lawyer Matt Pawa] mentioned” to OAG; the entirety of three-page and two-page e-mail “threads”, including even purely factual information such as parties, date and subject; nearly the entirety of two other threads discussing the above-cited New York briefing, including substantial purely factual information in the agenda already released by numerous other OAGs which contents prove the information is not properly exempt; in three records, the subject and attendees of the briefing of OAG by one of Pawa’s associates; other correspondence inviting OAG attorneys to this press conference and pre-briefing by the private activists and tort lawyer.

OAG is withholding this information as attorney work product or under attorney-client privilege.

GAO Executive Director Matthew Hardin, who filed the suit on behalf of EPA, says “GAO is glad to assist EPA’s efforts to obtain some measure of political and legal hygiene. These records are of great public interest. They reflect efforts to enlist law enforcement in their tort litigation and activist campaign, one seeking to obtain billions for distribution to political constituencies, and even expressly, ‘really to bring down the fossil fuel companies’.”

Hardin, who has litigated similar cases in New York and Vermont, continued, “‘Climate’ is the nominal basis for proposals to urgently redesign our economic and political/policymaking system, and for siccing law enforcement on political speech to silence it, in the name of planetary salvation. This is revolutionary, and the public has a right to know the details of how this Office of the Attorney General, and other state AG offices, are being used in service of this campaign.”

*Government Accountability & Oversight is a 501(c)3 non-profit organization dedicated to transparency in public officials’ dealings on matters of energy, environment and law enforcement*