

**From:** [Swartz, Christopher J. EOP/WHO](#)  
**To:** [David J. Apol](#)  
**Cc:** [Vincent Salamone](#); [Schultz, James D. EOP/WHO](#)  
**Subject:** Cohn CD  
**Date:** Thursday, March 02, 2017 5:53:40 PM

---

Dave-

As we just discussed, we have been informed that Mr. Cohn does not anticipate capital gains on the sale of his interests which are under the heading (b)(6) [REDACTED]. He will divest those assets without seeking a CD.

He continues to seek a CD for the stock and partnership interests in the CD request we sent to your office late last month.

Please do not hesitate to call me if there are any additional questions in this regard.

Christopher J. Swartz  
Ethics Counsel  
Office of the White House Counsel

(b)(6) [REDACTED]

**From:** [Swartz, Christopher J. EOP/WHO](#)  
**To:** [Vincent Salamone](#)  
**Date:** Thursday, March 02, 2017 5:09:20 PM

---

Description of (b)(6)

Christopher J. Swartz  
Ethics Counsel  
Office of the White House Counsel  
(b)(6)

**From:** [Elaine Newton](#)  
**To:** [Vincent Salamone](#)  
**Subject:** FW: COHN COD REQUEST  
**Date:** Monday, February 27, 2017 9:35:59 AM  
**Attachments:** [COHN FINAL COD PACKAGE.PDF](#) 6 pages of CD application withheld in full - (b)(5), (b)(6)  
[JDS DESIGNATION.PDF](#)

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Vince,

On February 6, 2017, OGE received a CD request for Gary Cohn. I assigned the CD request to Jack. When Jack reached out to the White House, he was told that the White House was updating the 278 so they asked that OGE delay reviewing the CD request. On Friday, February 24, OGE received a revised CD request for Mr. Cohn. The revised request, which is attached, does not include an updated 278. Using the initial draft 278, please review the attached CD request to determine (b) (5)

Please let me know if you would like to see the initial draft CD request that OGE received on February 6, 2017.

Thanks, Elaine

-----Original Message-----

**From:** David J. Apol  
**Sent:** Friday, February 24, 2017 3:36 PM  
**To:** Elaine Newton  
**Subject:** FW: COHN COD REQUEST

-----Original Message-----

**From:** Schultz, James D. EOP/WHO [[mailto:\(b\)\(6\)](#)]  
**Sent:** Friday, February 24, 2017 2:21 PM  
**To:** David J. Apol  
**Cc:** Mullis, Dianna  
**Subject:** COHN COD REQUEST

Dave - attached you will find the Cohn COD Package. Thank you for your assistance. J

JAMES D. SCHULTZ

Senior Associate Counsel and Special Assistant to the President Office of the White House Counsel

(b)(6)

**From:** [Mullis, Dianna](#)  
**To:** [Swartz, Christopher J. EOP/WHO](#); [Vincent Salamone](#)  
**Cc:** [Rizzi, Robert](#)  
**Subject:** RE: First Review Comments - Gary Cohn 278e report  
**Date:** Monday, February 06, 2017 6:52:05 PM

---

Perfect. Talk with you tomorrow.

**From:** Swartz, Christopher J. EOP/WHO [mailto:(b)(6)]  
**Sent:** Monday, February 06, 2017 6:36 PM  
**To:** Mullis, Dianna; Vincent Salamone  
**Cc:** Rizzi, Robert  
**Subject:** RE: First Review Comments - Gary Cohn 278e report

10:30 would be fine. I am reviewing the other report now, and will be prepared to discuss that one as well at that time.

**From:** Mullis, Dianna [mailto:(b)(6)]  
**Sent:** Monday, February 6, 2017 6:35 PM  
**To:** Swartz, Christopher J. EOP/WHO <(b)(6)>; Vincent Salamone <[yjsalamo@oge.gov](mailto:yjsalamo@oge.gov)>  
**Cc:** Rizzi, Robert <(b)(6)>  
**Subject:** RE: First Review Comments - Gary Cohn 278e report

Chris,

Are you available tomorrow morning to discuss? Would 10:30 work?

Best,

Dianna

**Dianna M. Mullis**

Associate

(b)(6)

Step toe

(b)(6)

Step toe & Johnson LLP

1330 Connecticut Avenue, NW

Washington, DC 20036

[www.step toe.com](http://www.step toe.com)

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**From:** Swartz, Christopher J. EOP/WHO [[mailto:\(b\)\(6\)](mailto:(b)(6)@step toe.com)]  
**Sent:** Monday, February 06, 2017 5:13 PM  
**To:** Mullis, Dianna; Vincent Salamone  
**Cc:** Rizzi, Robert  
**Subject:** RE: First Review Comments - Gary Cohn 278e report

Dianna-

I am reviewing the documents for Cohn right now. Can you send us the (b)(6) letters? Also, I am trying to think through what Cohn will retain after his divestitures under the CD so I have a fairly good view into what other steps we need to take for him. In particular, I am interested in the (b)(6). (b)(6)

I wasn't sure if he was (b)(6), so it would be helpful to know that.

Chris

**From:** Mullis, Dianna [mailto:(b)(6)]  
**Sent:** Monday, February 6, 2017 10:21 AM  
**To:** Vincent Salamone <vjsalamo@oge.gov>  
**Cc:** Swartz, Christopher J. EOP/WHO <(b)(6)>; Rizzi, Robert (b)(6) >  
**Subject:** RE: First Review Comments - Gary Cohn 278e report

7-page exhibit and 4-page entity chart withheld in full - (b)(4), (b)(6)

My apologies. Attached are the exhibits referenced in the responses, as well as an entity chart.

Dianna

**From:** Mullis, Dianna  
**Sent:** Monday, February 06, 2017 10:19 AM  
**To:** 'Vincent Salamone'  
**Cc:** Swartz, Christopher J. EOP/WHO <(b)(6)>; Rizzi, Robert  
**Subject:** RE: First Review Comments - Gary Cohn 278e report

Vince,

13 pages withheld in full - (b)(4), (b)(6)

Attached please find responses to your first review comments. I have copied Chris Swartz, who is working on the report at WHCO.

Once we are able to edit the report, we will do so. Please let me know if you have any questions.

Best,

Dianna

**Dianna M. Mullis**

Associate

(b)(6)

Steptoe

(b)(6)

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Washington, DC 20036

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**From:** Vincent Salamone [<mailto:vjsalamo@oge.gov>]

**Sent:** Tuesday, January 31, 2017 4:30 PM

**To:** Mullis, Dianna

**Subject:** First Review Comments - Gary Cohn 278e report

Attachment 7 pages withheld under (b)(6)

Dianna – As we discussed today, I have attached comments on the first review of Gary Cohn’s report. Should you have any questions about any comment, please feel free to contact me at the telephone number provided below or by email.

Best,

Vincent Salamone

U.S. Office of Government Ethics

(202) 482-9274

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Follow OGE on Twitter: @OfficeGovEthics

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**From:** [David J. Apol](#)  
**To:** "Mullis, Dianna"  
**Cc:** [Rizzi, Robert](#); [Vincent Salamone](#)  
**Subject:** RE: Cohn  
**Date:** Thursday, January 19, 2017 7:54:00 PM

---

This looks good. I will forward it to Stefan for his action.

Dave

---

**From:** Mullis, Dianna [mailto:(b)(6)]  
**Sent:** Thursday, January 19, 2017 7:13 PM  
**To:** David J. Apol  
**Cc:** Rizzi, Robert  
**Subject:** RE: Cohn

Attachment not located in search

Dave,

Attached please find our proposed edits to the letter.

Let us know if you have any questions.

Dianna

**From:** David J. Apol [<mailto:djapol@oge.gov>]  
**Sent:** Thursday, January 19, 2017 5:27 PM  
**To:** Mullis, Dianna  
**Subject:** RE: Cohn

Attachment not located in search

Will this memorandum meet your needs?

Dave

**From:** Mullis, Dianna [mailto:(b)(6)]  
**Sent:** Thursday, January 19, 2017 1:03 PM  
**To:** Vincent Salamone; David J. Apol  
**Subject:** RE: Cohn

Following up on our phone conversation, please see the attached letter from (b)(6) with the 208 language. I have redacted out the client's name and former employer for privacy.

Let me know if you have any questions.

Best,

Dianna

**From:** Mullis, Dianna  
**Sent:** Wednesday, January 18, 2017 8:15 PM  
**To:** 'vjsalamo@oge.gov'; 'djapol@oge.gov'  
**Cc:** Rizzi, Robert  
**Subject:** Cohn

Attachment: non-responsive record

David and Vince,

Following up on our call this morning, below please find the steps to be taken tomorrow/Friday. I have highlighted some pressing matters where we would like some guidance from you in red. As you know, (b)(6)

Could we plan to discuss at your earliest convenience tomorrow?

**Steps to be taken Tomorrow/Friday**

1. (b)(6)

(b)(6)

[Redacted text block]

(b)(6)

**Dianna M. Mullis**

Associate

(b)(6)

Step toe

(b)(6)

(b)(6)

+1 202 429 3902 fax

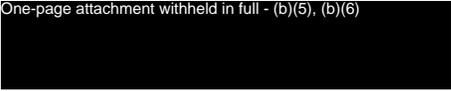
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**From:** [David J. Apol](#)  
**To:** [Vincent Salamone](#)  
**Subject:** RE: Cohn Memo #2 -- Revision added.  
**Date:** Friday, January 27, 2017 11:39:31 AM

One-page attachment withheld in full - (b)(5), (b)(6)



---

**From:** Vincent Salamone  
**Sent:** Thursday, January 19, 2017 4:03 PM  
**To:** David J. Apol  
**Subject:** Cohn Memo #2 -- Revision added.

As requested.

Vince

**From:** [David J. Apol](#)  
**To:** [Vincent Salamone](#)  
**Subject:** RE: Cohn memorandum  
**Date:** Friday, January 27, 2017 11:29:22 AM  
**Attachments:** [Cohn.letter.docx](#)

---

One-page attachment withheld in full - (b)(5),  
(b)(6)

Here it is

---

**From:** Vincent Salamone  
**Sent:** Thursday, January 19, 2017 3:36 PM  
**To:** David J. Apol  
**Subject:** Cohn memorandum

As requested.

Vince

From: [Mullis, Dianna](#)  
To: [David J. Apol](#)  
Cc: [Vincent Salamone](#); [Rizzi, Robert](#)  
Subject: RE: Cohn  
Date: Thursday, January 19, 2017 6:28:17 PM

---

Dave,

We want to confirm with you that the (b)(6) [redacted]  
[redacted]

a. (b)(6) [redacted]  
[redacted]  
[redacted]  
[redacted]  
[redacted]

[redacted]  
[redacted]  
[redacted]  
[redacted]  
[redacted]

[redacted] (b)(6) [redacted]  
[redacted]

Thanks again,

Dianna

**From:** Mullis, Dianna  
**Sent:** Thursday, January 19, 2017 5:39 PM  
**To:** 'David J. Apol'  
**Cc:** 'vjsalamo@oge.gov'; Rizzi, Robert  
**Subject:** RE: Cohn

Dave,

Thanks for turning this around so quickly. We will review with the group and get back to you.

Are you comfortable with the timing issues and other elements outlined in the email last night? For example, (b)(6)

[REDACTED] We want to be sure all elements of the plan are satisfactory.

Dianna

**From:** David J. Apol [<mailto:djapol@oge.gov>]  
**Sent:** Thursday, January 19, 2017 5:27 PM  
**To:** Mullis, Dianna  
**Subject:** RE: Cohn

Attachment not located in search

Will this memorandum meet your needs?

Dave

**From:** Mullis, Dianna [[mailto:\(b\)\(6\)@oge.gov](mailto:(b)(6)@oge.gov)]  
**Sent:** Thursday, January 19, 2017 1:03 PM  
**To:** Vincent Salamone; David J. Apol  
**Subject:** RE: Cohn

Following up on our phone conversation, please see the attached letter from (b) (6) with the 208 language. I have redacted out the client's name and former employer for privacy.

Let me know if you have any questions.

Best,

Dianna

**From:** Mullis, Dianna  
**Sent:** Wednesday, January 18, 2017 8:15 PM  
**To:** 'vjsalamo@oge.gov'; 'djapol@oge.gov'  
**Cc:** Rizzi, Robert  
**Subject:** Cohn

David and Vince,

Following up on our call this morning, below please find the steps to be taken tomorrow/Friday. I have highlighted some pressing matters where we would like some guidance from you in red. As you know, timing is a major issue on this as the (b) (6)

Could we plan to discuss at your earliest convenience tomorrow?

**Steps to be taken Tomorrow/Friday**

-

1. (b)(6), (b)(4)

c. [Redacted]

[Redacted]

[Redacted]

**Other Steps**

-

3. (b) (4), (b) (6) [Redacted]

-

4. (b) (4), (b) (6) [Redacted]

(b) (4), (b) (6) [Redacted]

[Redacted]

[Redacted]

[Redacted]

ii (b) (4), (b) (6) [Redacted]

[Redacted]

[Redacted]

(b) (4), (b) (6)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

i (b) (4), (b) (6)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

(b) (4), (b) (6)

[Redacted]

**Dianna M. Mullis**

Associate

(b)(6)

[Redacted]

Steptoe

(b)(6)

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**From:** [Rizzi, Robert](#)  
**To:** "[Stefan Passantino](#)"; [David J. Apol](#); [Mullis, Dianna](#)  
**Subject:** RE: Cohn (b)(6)  
**Date:** Thursday, January 19, 2017 8:25:02 PM

---

The change in "address" helps, but does not change (b)(6)

We are trying to figure out all the timing issues and should know more by tomorrow morning.

Bob

**From:** Stefan Passantino [mailto:(b)(6)]  
**Sent:** Thursday, January 19, 2017 8:12 PM  
**To:** David J. Apol; Mullis, Dianna  
**Cc:** Rizzi, Robert  
**Subject:** Re: Cohn (b)(6)

Understood. The letter is not as important as the fact that the (b)(6)  
(b)(6). Does that change things?

On Thu, Jan 19, 2017 at 8:08 PM Mullis, Dianna <(b)(6)> wrote:

Stefan,

If you could actually wait and issue the letter from the WH, rather than PTT, that would be better for our purposes.

We will also confirm the appointment date with you tomorrow, if that's OK.

Thanks very much.

Dianna

On Jan 19, 2017, at 7:57 PM, David J. Apol <[djapol@oge.gov](mailto:djapol@oge.gov)> wrote:

Attachment not located in search

Stefan,

Here is the letter that Gary Cohn's representatives need to <sup>(b)(6)</sup> [REDACTED]  
[REDACTED] Getting this  
done before he joins the administration eliminates any potential issues under

18 USC 209, which is always a good thing. If you could initial and forward this to them, it would be extremely helpful.

Thanks.

I can be reached tomorrow at <sup>(b)(6)</sup> [REDACTED].

Hope you have a chance to enjoy tomorrow.

Dave

**From:** [David J. Apol](#)  
**To:** ["Schultz, James D. EOP/WHO"](#)  
**Subject:** RE: Cohn  
**Date:** Thursday, March 02, 2017 5:50:50 PM

---

We had to go back for more info, re the (b)(6). We understand the request is being amended tomorrow. We should get something out early next week.

-----Original Message-----

**From:** Schultz, James D. EOP/WHO [[mailto:\(b\)\(6\)](#)]  
**Sent:** Wednesday, March 01, 2017 7:19 PM  
**To:** David J. Apol  
**Subject:** Cohn

What is timing on COD?

James D. Schultz  
Senior Associate Counsel and Special Assistant to the President Office of White House Counsel  
(b)(6)

**From:** [David J. Apol](#)  
**To:** ["Passantino, Stefan C. EOP/WHO"](#)  
**Subject:** RE: Gary Cohn  
**Date:** Wednesday, March 08, 2017 3:46:26 PM

---

I have signed the CDs.

Dave

-----Original Message-----

From: Passantino, Stefan C. EOP/WHO (b)(6)  
Sent: Wednesday, March 08, 2017 12:36 PM  
To: David J. Apol  
Subject: Re: Gary Cohn

I received your message. Thank you.

Stefan C. Passantino  
Deputy Counsel to the President  
Office of the White House Counsel

> On Mar 8, 2017, at 12:21 PM, Passantino, Stefan C. EOP/WHO (b)(6) wrote:

>  
> Sorry I missed you. Try me back when you can. Thank you.  
>  
> STEFAN C. PASSANTINO  
> Deputy Counsel to the President, Compliance & Ethics Office of the  
> White House Counsel

> (b)(6)

>

> -----Original Message-----

> From: David J. Apol [<mailto:djapol@oge.gov>]  
> Sent: Wednesday, March 8, 2017 11:53 AM  
> To: Passantino, Stefan C. EOP/WHO (b)(6) >  
> Subject: RE: Gary Cohn

>

> Yes. Is now good? I can tell you that it has moved on for final review before it comes to me.

>

> -----Original Message-----

> From: Passantino, Stefan C. EOP/WHO  
> (b)(6)  
> Sent: Wednesday, March 08, 2017 10:44 AM  
> To: David J. Apol  
> Subject: Gary Cohn

>

> Are you available to discuss the status of Gary's CD?

>

> Stefan C. Passantino  
> Deputy Counsel to the President  
> Office of the White House Counsel

>

>

>

>

**From:** [Mullis, Dianna](#)  
**To:** [Vincent Salamone](#)  
**Cc:** [Swartz, Christopher J. EOP/WHO \(b\)\(6\)](#); [Rizzi, Robert](#)  
**Subject:** RE: First Review Comments - Gary Cohn 278e report  
**Date:** Monday, February 06, 2017 10:21:29 AM  
**Attachments:** [Cohn OGE Response Exhibits \(2-3-17\).pdf](#) [Untitled.pdf](#) Attachment withheld under (b)(6)

---

My apologies. Attached are the exhibits referenced in the responses, as well as an entity chart.

Dianna

**From:** Mullis, Dianna  
**Sent:** Monday, February 06, 2017 10:19 AM  
**To:** 'Vincent Salamone'  
**Cc:** Swartz, Christopher J. EOP/WHO (b)(6); Rizzi, Robert  
**Subject:** RE: First Review Comments - Gary Cohn 278e report

Vince,

Attached please find responses to your first review comments. I have copied Chris Swartz, who is working on the report at WHCO.

Once we are able to edit the report, we will do so. Please let me know if you have any questions.

Best,

Dianna

**Dianna M. Mullis**

Associate

(b)(6)

Step toe

(b)(6)

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**From:** Vincent Salamone [<mailto:vjsalamo@oge.gov>]  
**Sent:** Tuesday, January 31, 2017 4:30 PM  
**To:** Mullis, Dianna  
**Subject:** First Review Comments - Gary Cohn 278e report

Dianna – As we discussed today, I have attached comments on the first review of Gary Cohn’s report. Should you have any questions about any comment, please feel free to contact me at the telephone number provided below or by email.

Best,

Vincent Salamone

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**From:** [Elaine Newton](#)  
**To:** [Jack MacDonald](#)  
**Subject:** FW: COHN COD REQUEST  
**Date:** Friday, February 24, 2017 3:41:17 PM  
**Attachments:** [COHN FINAL COD PACKAGE.PDF](#)  
[JDS DESIGNATION.PDF](#)

Attachment 1: 6 pages withheld in full - (b) (5), (b)(6). Attachment 2 not responsive.

---

Good Afternoon,

I believe the attached material is the revised CD request for Mr. Cohn. Let's talk Monday morning about the status of the 278.

Thanks, Elaine

-----Original Message-----

**From:** David J. Apol  
**Sent:** Friday, February 24, 2017 3:36 PM  
**To:** Elaine Newton  
**Subject:** FW: COHN COD REQUEST

-----Original Message-----

**From:** Schultz, James D. EOP/WHO [[mailto:\(b\) \(6\)](#)]  
**Sent:** Friday, February 24, 2017 2:21 PM  
**To:** David J. Apol  
**Cc:** Mullis, Dianna  
**Subject:** COHN COD REQUEST

Dave - attached you will find the Cohn COD Package. Thank you for your assistance. J

JAMES D. SCHULTZ

Senior Associate Counsel and Special Assistant to the President Office of the White House Counsel

(b) (6)

**From:** [Elaine Newton](#)  
**To:** [Jack MacDonald](#)  
**Subject:** FW: COHN COD  
**Date:** Monday, February 06, 2017 3:56:45 PM  
**Attachments:** [SCHULTZ PRESIDENTIALDESIGNATION.PDF](#)  
[cohn.pdf](#)  
[2017\\_02\\_03\\_18-26-15.pdf](#)  
[2017\\_02\\_03\\_18-28-38.pdf](#)

Attachment 6 pages withheld in full - (b)(5), (b)(6)

-----Original Message-----

From: David J. Apol  
Sent: Monday, February 06, 2017 3:30 PM  
To: Elaine Newton  
Subject: FW: COHN COD

This is another big one. Deb says Jack it available to work on it if you want.

-----Original Message-----

From: Schultz, James D. EOP/WHO [[mailto:](#)(b) (6)]  
Sent: Monday, February 06, 2017 1:33 PM  
To: David J. Apol  
Subject: COHN COD

Dave

Please find the COD request for Mr. Cohn. Expedited review on this one is appreciated. J

JAMES D. SCHULTZ

Associate Counsel to the President, Ethics & Compliance Office of the White House Counsel

(b) (6)