



To:

Mr. Jeff Zucker  
Chief Operating Officer  
CNN Broadcasting, Inc.  
One CNN Center  
Atlanta, GA 30303

cc:

Mr. David Vigilante  
EVP and General Counsel  
CNN Broadcasting, Inc.  
One CNN Center  
Atlanta, GA 30303

From:

Donald J. Trump for President, Inc.

June 9, 2020

Dear Mr. Zucker:

The upcoming November 3, 2020 election is a ripe target for peddlers of misinformation and false, manipulated content, including media polls. The June 8, 2020 CNN poll is designed to mislead American voters through a biased questionnaire and skewed sampling.

According to our independent assessment via the highly respected McLaughlin & Associates, "The CNN poll out today is another skewed anti-Trump poll of only 25% Republican. It's a poll of 1,259 adults - not even registered voters, let alone likely voters. Also, it was done between June 2nd and 5th, before the great economic news from last Friday." Further, the questions and topics selected likely biased the poll further.

Media polls such as these are designed to manufacture an anti-Trump narrative and misinform and mislead actual voters. It's a stunt and a phony poll to cause voter suppression, stifle momentum and enthusiasm for the President, and present a false view generally of the actual support across America for the President.

Instances such as this will not be the last time that CNN pollsters manipulate polling data to manufacture the outcome and air misinformation to the American people. If CNN is genuinely committed to protecting free and fair elections, reporting accurately and truthfully, and polling the genuine pulse of American voters, rather than seeking to harm the Donald J. Trump for President, Inc. campaign, we urge CNN to immediately correct its inaccurate and skewed poll.

**Therefore, Donald J. Trump for President, Inc. is formally requesting that CNN retract its skewed poll by publishing a full, fair, and conspicuous retraction, apology, and clarification to correct its misleading conclusions.**

The poll is intentionally false, defamatory, and misleading, and designed to harm the Donald J. Trump for President, Inc. campaign.

You are officially on notice of this dispute and therefore you are required to undertake steps to affirmatively preserve, and not delete, any and all physical and electronic documents, materials, information, and data that pertain in any way to the June 8, 2020 poll, including without limitation all emails, text messages, instant messages (IMs/DMs), letters and memoranda, articles, and social media postings (including all drafts as well as final versions of all written communications), as well as all other types of written, physical and digital materials, including handwritten notes, typewritten notes, summaries, charts, receipts, audio recordings, video recordings, photographs, telephone call logs, calendar entries of all types, financial data and information, etc. that pertain in any way or might otherwise be relevant or related to the foregoing matters. All sources of documents, materials, information, and data should be preserved, including without limitation, physical files, electronic files, computer servers, email servers, backup tapes, cloud storage, personal computers, hard drives, smart phones, tablets, and other types of storage devices including external drives, thumb drives, zip drives, disks and DVDs. Failure to affirmatively preserve such documents and materials could result in severe sanctions imposed by a court which could include, among other remedies, monetary sanctions, evidentiary sanctions, issue sanctions and/or the striking of answer and entry of default judgment.

This letter is not intended as a full or complete statement of all relevant facts, application law, causes of actions or legal remedies, and nothing herein is intended as, nor should it be deemed to constitute, a waiver or relinquishment of any rights, remedies, claims or causes of action on behalf of the Donald J. Trump for President, Inc. campaign, all of which are hereby expressly reserved.

Regards,



Jenna Ellis, Esq.  
Senior Legal Adviser  
Donald J. Trump for President, Inc.



Michael Glassner  
Chief Operating Officer  
Donald J. Trump for President, Inc.



CNN  
Worldwide

David C. Vigilante  
Executive Vice President & General Counsel  
Cable News Network

1 CNN Center | Atlanta, GA 30313

June 10, 2020

*Sent Via Electronic Mail*

Jenna Ellis, Esq.  
Senior Legal Adviser  
Donald J. Trump for President, Inc.

Re: CNN POLL

Dear Ms. Ellis,

This responds to your letter dated June 9, 2020.

To my knowledge, this is the first time in its 40 year history that CNN had been threatened with legal action because an American politician or campaign did not like CNN's polling results.

To the extent we have received legal threats from political leaders in the past, they have typically come from countries like Venezuela or other regimes where there is little or no respect for a free and independent media.

CNN is well aware of the reputation John McLaughlin and McLaughlin & Associates. In 2014 his firm famously reported that Eric Cantor was leading his primary challenger Dave Brat by 34 points only to lose by 11 points - a 45 point swing. The firm currently has a C/D rating from FiveThirtyEight.

In any event, McLaughlin was able to evaluate and criticize CNN's most recent poll because CNN is transparent and publishes its methodology along with its polling results. Because of this, McLaughlin was free to publish his own critique of CNN's analysis and share his criticisms across the U.S. media landscape. That's how free speech works. It's the American way.



Your letter is factually and legally baseless. It is yet another bad faith attempt by the campaign to threaten litigation to muzzle speech it does not want voters to read or hear. Your allegations and demands are rejected in their entirety.

Very Truly Yours,

*David C. Vigilante*

David C. Vigilante

