

Trump Taps Kasowitz Amid Times Tax Drama

By **Nell Gluckman**

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Kasowitz, Benson, Torres & Friedman is once again representing Donald Trump as the current Republican presidential nominee responds to a New York Times report that disclosed details from his 1995 tax returns.

The story, which was published Saturday and is based on documents anonymously mailed to a Times reporter, states that Trump declared a loss of about \$916 million on his tax returns two decades ago, something that tax experts told the newspaper could have allowed Trump to avoid paying federal income taxes for up to 18 years.

In its story, the Times noted that Kasowitz Benson name partner and veteran New York litigator Marc Kasowitz sent the news company a letter on Trump's behalf claiming that its publication of the documents without his authorization is illegal.

"Mr. Kasowitz threatened 'prompt initiation of appropriate legal action,'" the article said of his letter to the Times. Kasowitz declined a request for comment from The American Lawyer.

Kasowitz Benson has been a longtime legal adviser to Trump, advising him on numerous engagements, including a defamation case against former Times business reporter Timothy O'Brien, who published a 2005 book called "TrumpNation: The Art of Being the Donald" that claimed the real estate mogul-turned-reality television star was worth between \$150 million and \$250 million.

Trump, who has boasted publicly about building a business empire worth billions (thanks in part to the efforts of many lawyers), retained Kasowitz Benson in 2006 to sue O'Brien and his publisher Time Warner Book Group Inc. After years of litigation, a New Jersey appellate court ruled in O'Brien's favor in 2011.

Kasowitz Benson was also hired by Trump back in 2001 "in connection with the potential restructuring of \$1.3 billion in bondholder debt on its Atlantic City casinos," according to a firm statement at the time. David Friedman, head of the firm's bankruptcy and creditors' rights group, represented Trump in that restructuring.

"[Kasowitz Benson] are not good lawyers, they're phenomenal lawyers," Trump told The American Lawyer in a



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2004 feature story about the firm, specifically singling out Friedman for praise. "They're highly talented with great insight into the future."

Friedman was retained to represent Trump and his daughter Ivanka Trump in 2010 when activist investor and corporate raider Carl Icahn made an unsuccessful attempt to acquire Trump-branded Atlantic City casinos. Kasowitz Benson partners Daniel Benson, Mark Ressler and Kasowitz himself also advised on that matter.

More recently, Kasowitz represented Trump when the Times and fellow media giant Gannett Co. Inc. attempted to get the candidate's divorce papers from his 1990 split with ex-wife Ivana Trump unsealed. A Manhattan Supreme Court judge rejected that request last month.

Though federal law prohibits the publication of tax returns without authorization, the Times' executive editor Dean Baquet said at a recent panel discussion that it is in the public interest to release Trump's tax information because the candidate's "whole campaign is built on his success as a businessman and his wealth," according to the Boston Globe.

Kenneth Richieri, general counsel of the Times' parent company, did not immediately respond to a request for comment on the litigation threat by Kasowitz over the newspaper's decision to publish Trump's tax returns.