

EXHIBIT 58

Champion, Anne

From: Burnham, James M. (CIV) <James.M.Burnham@usdoj.gov>
Sent: Friday, November 16, 2018 9:13 PM
To: Champion, Anne; Boutrous Jr., Theodore J.; Lipshutz, Joshua S.
Cc: Womack, Eric (CIV); Baer, Michael H. (CIV); Borson, Joseph (CIV)
Subject: Acosta Letter_11.16.2018.pdf
Attachments: Acosta Letter_11.16.2018.pdf

[External Email]
Counsel:

Please see attached letter, which I understand was sent to Mr. Acosta this evening.

All the best,

James

James Burnham
(202) 353-5049

THE WHITE HOUSE

WASHINGTON

November 16, 2018

Dear Mr. Acosta:

We are writing to give you formal written notice that we have made a preliminary decision to suspend your hard pass due to your conduct at the President's November 7, 2018 press conference. The President is aware of this preliminary decision and concurs. The factual basis for this preliminary decision to suspend your pass is as follows:

As you know, President Trump has provided an extraordinary amount of access to journalists to ask questions, while operating an extremely open and transparent White House. The White House does not have a written code of conduct for journalists participating in presidential press conferences. We had not previously thought that a set of formal rules for journalists' behavior at press conferences was necessary. That is because it had previously been a widely shared understanding that: (1) a journalist called upon to ask a question will ask a single question and, having received a response, will yield the floor unless, at the discretion of the President or other White House official answering questions, a follow-up question or questions is permitted, after which follow-up(s), the journalist will then yield the floor; and (2) when a journalist has had his or her question(s) answered, the journalist is expected to yield the floor and, when applicable, physically surrender any microphone the journalist is using to White House staff for use by the next questioner. These basic, commonsense practices are necessary for orderly press conferences that are fair to all journalists in attendance. They have served the public, the press, and the President well.

On November 7, 2018, you failed to abide by these basic, widely understood practices. At a press conference that day in the East Room, the President called on you to ask a question. You asked a question, and the President answered it. You then shouted a second question at the President on a new topic, which the President answered at the same time that he asked you to yield the floor to a new questioner. At that point, you continued shouting at the President and refused to physically surrender the microphone to an intern who had come to collect it from you for use by another questioner. No other reporter at the press conference made physical contact with our intern in that fashion or refused to yield the floor as you did.

Your behavior at the November 7 press conference violated the basic standards governing such events, and is, in our preliminary judgment, sufficient factual basis to revoke your hard pass. While this is our preliminary decision, we would be pleased to consider any material you would like to submit in response to it.

Should you wish to contest this preliminary decision or the factual basis set forth in this letter, please submit a written response to us in writing via email by 5:00 p.m. on Sunday, November 18, 2018. Should you not submit a response by that time, this preliminary decision will

final. You may submit that response by emailing it to one or both of us. We are happy to consider that response and any other materials you would like to submit before a final decision is made in this matter. Should you choose to contest this preliminary decision and submit a written response to this formal notice, we will consider your written response and will issue you a final determination in writing by 3:00 p.m. on Monday, November 19, 2018. Of course, you will continue to maintain your hard pass while the Temporary Restraining Order issued on November 16, 2018, remains in effect.

Sincerely,

Bill Shine

Assistant to the President

Deputy Chief of Staff for Communications

Sarah Huckabee Sanders

Assistant to the President

White House Press Secretary