

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

CONCORD MANAGEMENT &  
CONSULTING LLC,

Defendant.

No. 09-cr-03-2 (DLF)

**MEMORANDUM OPINION & ORDER**

Below, the Court in defendant Concord Management and Consulting LLC's motion for an order to show cause why Special Counsel Robert S. Mueller, III and Attorney General William P. Barr should not be held in criminal contempt for violating this Court's local rules governing extrajudicial statements by prosecutors in criminal cases. See Local Crim. R. 17.7. For the reasons that follow, the Court will deny the motion. Although the Court agrees that the government violated Rule 17.7, it disagrees that contempt proceedings are an appropriate response to that violation. Instead, the Court has entered an order limiting public statements about this case moving forward and cautions the government that any future violations of that order will trigger a range of potential sanctions.

**I. BACKGROUND**

On February 16, 2018, the grand jury returned an indictment charging Concord and others with conspiring to defraud the United States by impairing the lawful functions of the Federal Election Commission, the Department of Justice, and the Department of State. Indictment ¶ 9, Ekt. 3. The indictment alleges, among other things, that the defendants and their