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Amid Trump's legal troubles, two lawyers' names keep surfacing together

By Beth Reinhard, Emma Brown and Frances Stead Sellers, The Washington Post

The two lawyers' names keep surfacing in tandem, again and again, in the context of deals in which women were paid to keep quiet about their alleged affairs with powerful men.

Now, the relationship between Michael Cohen and Keith Davidson is drawing public scrutiny as federal authorities investigating Cohen examine payments made to women whose stories could have damaged Donald Trump's presidential campaign. Davidson is cooperating with the probe and has provided investigators with "certain limited electronic information," according to the lawyer's spokesman.

Cohen, Trump's longtime adviser, and Davidson, a Los Angeles lawyer, have crossed paths at least five times in the past two years. In the most recent instance, Cohen collected a fee said to be hundreds of thousands of dollars in a deal Davidson helped orchestrate.

New attorneys for Davidson's former clients, Stormy Daniels and Karen McDougal, both of whom allege they had affairs with Trump years ago, say the relationship between Cohen and Davidson has seemed too cozy.

"This is supposed to be an adversarial process," said Daniels' attorney, Michael Avenatti.

"These guys should not be in the same bedroom, let alone the same bed."

Cohen did not respond to requests for comment. Nor did his lawyers Brent Blakely and Stephen Ryan.

In a recent interview with The Washington Post, Davidson rejected the suggestion that his dealings with Cohen were in any way improper, saying they have a "purely professional" relationship and did not meet in person until early 2018.

"I have never even seen Michael Cohen outside of two or three times at his law office," Davidson said. "I've never shared a meal with him or even a cup of coffee. He's never met

anyone in my family, and I've never met his. We don't send holiday cards or call each other on birthdays."

In fact, he and Cohen hardly hit it off in 2011 when they spoke by phone for the first time, Davidson said.

Davidson was representing Daniels, an adult-film actress whose alleged sexual relationship with Trump had leaked to a gossip website. Davidson said Cohen lit into him, furious that the story was out. Davidson said Daniels wanted the post removed, as well, and he demanded that the website, TheDirty.com, delete it.

"My relationship with Michael Cohen started with him being very aggressive and threatening me and my client," Davidson said. "After that, we went years without speaking."

They connected again in August 2016, when Trump was the recently minted GOP nominee and Davidson was representing McDougal, a former Playboy playmate.

McDougal had just sold the rights to her story to American Media Inc., the parent company of the National Enquirer, for \$150,000. The tabloid publisher - led by Trump friend David Pecker - bought the story but did not publish it.

Cohen had no known role in the deal, but once the agreement was reached, Davidson contacted him to let him know what had happened. Davidson says the call was a "professional courtesy."

In a lawsuit against AMI, McDougal accused Cohen and Davidson, along with AMI, of "colluding" to bury her story. The lawsuit, filed in April, cites their phone call as evidence. McDougal was released from the contract under a settlement reached last week.

Several weeks after that call, in the homestretch of the presidential campaign, the two lawyers connected again. Cohen contacted Davidson about rumors that Daniels was talking to reporters about her alleged affair with Trump, Davidson has said. Shortly before the election, they hammered out an agreement in which Daniels was paid \$130,000 in exchange for her silence.

They continued interacting last year. In one instance, according to a person familiar with their contacts, Cohen referred television producer Chuck LaBella to Davidson for a potential defamation lawsuit. In another, Davidson took a case involving a Trump fan who clashed with protesters on the Hollywood Walk of Fame and whose cause Cohen publicly championed. And in their biggest known deal together, they worked out a \$1.6 million non-disclosure payment for another Playboy playmate Davidson represented, Shera Bechard, who had had an affair with Elliott Broidy, then a top Republican National Committee official.

Davidson set the deal in motion by calling Cohen and telling him about the alleged affair, Broidy has said in a statement. Cohen then approached Broidy, whom he knew from fundraising for Trump's 2016 campaign, Broidy wrote, adding that he decided to hire Cohen because of the attorney's "prior relationship" with Davidson.

Under the agreement, in exchange for payments over a two-year period, Bechard was prohibited from talking about the affair, according to a person familiar with the details.

Cohen received \$250,000 from Broidy for his work on the agreement, according to the Wall Street Journal. It's not clear what Davidson earned from the deal, and Davidson declined to discuss the case.

"As this story unfolds, we hope that its focus remains on the profoundly disturbing and repeated collusion between Donald Trump's fixer, Michael Cohen, and Ms. Bechard's former lawyer, Keith Davidson," Peter Stris, her lawyer, said on Twitter after the Broidy deal became public. Stris also represents McDougal.

Davidson's spokesman, Dave Wedge, said the attorney - who often represents people with damaging information about celebrities - has always acted in his clients' best interests.

"Due to the constraints of attorney-client privilege, as well as ongoing legal proceedings, attorney Davidson is prohibited from discussing these specific matters publicly," Wedge said in a statement. "He does, however, dispute many of the descriptions of these situations by media and others, and strenuously denies any insinuations of unethical or inappropriate behavior."

Davidson is cooperating with federal authorities regarding the Cohen investigation in the Southern District of New York. "Mr. Davidson was asked to provide certain limited electronic information," Wedge said. "He has done so and will continue to cooperate to fullest extent possible under the law."

Davidson has hired Miami attorney Michael Padula, who specializes in white-collar crime. Padula referred requests for comment to Wedge.

In a recent CNN interview, Davidson offered other details that suggest a certain rapport with the president's lawyer. He described an interaction with Cohen that occurred after Daniels and McDougal had filed suits to get out of their non-disclosure deals and were criticizing Davidson's representation.

Davidson said that as he considered whether he could publicly challenge his former clients without violating attorney-client privilege, Cohen - the lawyer for the opposing side - contacted him and urged him "to go out into the media and spill my guts."

FBI agents raided Cohen's Manhattan office April 8, as well as his home and a hotel room. According to people with knowledge of the case, he is under federal investigation for bank fraud, wire fraud and campaign finance violations.

Diane Karpman, a California legal-ethics expert, said there are too many unanswered questions to know whether the relationship might put Davidson in any jeopardy. But she said McDougal's lawsuit against AMI alleged a serious breach of a lawyer's fundamental duty to serve his client's best interests.

"You cannot serve two masters," Karpman said. "Every lawyer owes their client loyalty."

According to CNN, the records seized from Cohen included tapes that he recorded of conversations with Davidson. Wedge said Davidson never consented to any recordings of his conversations with Cohen and will "pursue all his legal rights" if there are such tapes.

"I think anybody that's had any dealings with Cohen on this thing should be a little nervous," said William Skepnek, a defense lawyer with expertise in white-collar crime and legal malpractice. "I would be, if it were me - especially with my former clients out there saying I didn't really represent them."

Davidson's legal work has drawn scrutiny before. The FBI in 2012 investigated his alleged role in attempting to secure payment from celebrity wrestler Hulk Hogan in exchange for a sex tape of Hogan and a woman who was not his wife, court records show. Davidson was never charged, and his spokesman has said he did nothing wrong.

He is named as a defendant and accused of extortion in a lawsuit filed by Hogan in Pinellas County Circuit Court, in Florida. In court documents, Davidson said he does not have the sex tape and would invoke his Fifth Amendment right against self-incrimination if called to testify.

He was suspended by the California bar in 2010 for two years, according to public records, on counts of misconduct that included failing to pursue a medical malpractice claim and other matters. That ruling was stayed and replaced by three years of probation with a 90-day suspension. The bar noted that Davidson had no prior discipline record, cooperated with the investigation and presented evidence of his good character.

One notable testimonial on Davidson's behalf came from Cohen early this year, as details of the agreements signed by Daniels and McDougal became public.

"Keith Davidson . . . is a tireless advocate for his clients," Cohen told New York magazine. "In each and every interaction I've ever had with him, he has always been professional, ethical and a true gentleman."

Miami attorney Yale Galanter represented Charlie Sheen in legal tussles with adult actress Capri Anderson, who was represented by Davidson.

"It's very commonplace for lawyers like him to represent people and try and get them compensation for what they are selling," Galanter said. "There is nothing unethical about that."

Publisher Nik Richie of TheDirty.com said he decided to take down the 2011 item about Daniels's alleged affair with Trump after getting the "cease and desist" letter from Davidson. But Richie refrained from criticizing Davidson.

"They are doing their jobs," he said. "People hire him to make deals with high-level people."

Last year, Cohen urged Davidson to help LaBella, a former producer of Trump's reality TV show, "The Apprentice," after he was repeatedly attacked on social media by comedian Tom Arnold, according to a person familiar with the arrangement who was not authorized to speak publicly.

Arnold had accused LaBella of having "dirt" on Trump.

Davidson contacted Arnold's attorney, Marty Singer, but he never filed a defamation lawsuit, according to that person, who spoke on the condition of anonymity.

Messages left for Singer went unanswered. LaBella did not respond to messages left at phone numbers and email addresses that appear to be associated with him.

In early January 2017, Davidson took another case with importance to Cohen, involving an avid Trump supporter, a homeless woman named Denise Scott.

Scott hunkered down on Trump's star on the Hollywood Walk of Fame in the final days of the 2016 campaign, saying she was guarding it against vandals. A viral YouTube video showed protesters cursing at her and ripping up her pro-Trump signs in an altercation that ended with her on the ground.

A military veteran who lives in Florida, Justin Best, launched an online fundraising campaign on her behalf. Best turned over nearly \$40,000 to a woman named Felisa McQuage who presented herself as a homeless advocate and said would safeguard the money for Scott, according to a lawsuit that accuses McQuage of absconding with the money.

Best's lawyer? Keith Davidson.

Efforts to reach McQuage, who has no lawyer listed in court records, were not successful. She denies Best's allegations in court documents. Best could not be reached.

It is unclear if Cohen referred Best to Davidson, but a flurry of social media posts shows the Trump lawyer's interest in Scott's predicament. Cohen repeatedly asked for help finding Scott - dubbed #starprotector on Twitter - and said Trump had a "gift" for her.

Cohen also vouched for Best's fundraising effort. "I have spoken to him and plan to work with him on the site soon," he said Nov. 5.

Less than three months later, Davidson filed the lawsuit - on Best's behalf.

The Washington Post's Alice Crites and Andrew Ba Tran contributed to this report.