

Long, Randall

From: Christina Pearson <Christina.Pearson@microsoft.com>
Sent: Wednesday, February 29, 2012 5:52 PM
To: Long, Randall
Subject: RE: contact

Yes.

Sent from my Windows Phone

From: Long, Randall
Sent: 2/29/2012 5:50 PM
To: Christina Pearson
Subject: RE: contact

Is this a good time for you?

From: Christina Pearson [mailto:Christina.Pearson@microsoft.com]
Sent: Wednesday, February 29, 2012 5:49 PM
To: Long, Randall
Subject: RE: contact

(b)(6)

Sent from my Windows Phone

From: Long, Randall
Sent: 2/29/2012 5:46 PM
To: Christina Pearson
Subject: RE: contact

Hi, Christina. Can you shoot me your number, and I can give you a quick update on the situation.

From: Christina Pearson [mailto:Christina.Pearson@microsoft.com]
Sent: Wednesday, February 29, 2012 4:55 PM
To: Prewett, Cecelia; Long, Randall
Subject: RE: contact

Confirming that I sent the statement to Catan. He mentioned he was on deadline for this story so it might appear tomorrow.

From: Prewett, Cecelia [mailto:cprewett@ftc.gov]
Sent: Wednesday, February 29, 2012 3:56 PM
To: Long, Randall; Christina Pearson
Subject: RE: contact

Christina, here I am...

Cecelia J. Prewett

Director, Office of Public Affairs
Federal Trade Commission
desk 202.326.3220 cell 202.758.7598
Connect with the FTC
FTC.gov | [Facebook](#) | [@FTC](#)
[@laFTC](#) | [Newsroom](#)

From: Long, Randall
Sent: Wednesday, February 29, 2012 3:43 PM
To: Prewett, Cecelia
Subject: FW: contact

From: Randall Long [mailto:(b)(6)]
Sent: Wednesday, February 29, 2012 3:44 PM
To: Long, Randall
Subject: FW: contact

From: Christina.Pearson@microsoft.com
To: (b)(6)
Subject: RE: contact
Date: Wed, 29 Feb 2012 20:38:52 +0000

Apologies, corrected typos below:

We are delighted that Randy will be joining Microsoft's U.S. government affairs team as director of regulatory affairs. His deep legal experience will provide important perspective on a broad range of regulatory matters that affect both consumers and the broader technology industry.

From: Christina Pearson
Sent: Wednesday, February 29, 2012 3:38 PM
To: 'Randall Long'
Subject: RE: contact

Randy,
I've been exchanging calls with Cecelia but don't have your number. Please send...

Here is the statement attributable to Fred that we are working to finalize and send to Catan

We are delighted that Randy will be joining Microsoft's U.S. government affairs team as senior director of regulatory affairs, his deep legal experience will provide important perspective on a broad range of regulatory matters that affect both consumers and the broader technology industry.

From: Randall Long [mailto:(b)(6)]
Sent: Wednesday, February 29, 2012 3:21 PM

To: Christina Pearson
Subject: RE: contact

Thanks. Cecelia and I are available to talk.

From: Christina.Pearson@microsoft.com
To: (b)(6)
CC: Jack.Evans@microsoft.com
Subject: contact
Date: Wed, 29 Feb 2012 19:30:32 +0000

Randy,
Following up, here is my email as well as Jack's. We will be looping back to you shortly with the statement we're doing for Fred to give to Tom Catan...

Great to have you aboard!
Best, chp

Long, Randall

From: Christina Pearson <Christina.Pearson@microsoft.com>
Sent: Thursday, March 01, 2012 1:32 PM
To: Long, Randall
Subject: RE: contact

We just saw – thank you

From: Long, Randall [mailto:RLONG@ftc.gov]
Sent: Thursday, March 01, 2012 1:23 PM
To: Christina Pearson
Subject: RE: contact

Google public comment:

http://news.cnet.com/8301-13506_3-57388397-17/microsoft-hires-ftc-attorney-and-public-critic-of-google/

From: Christina Pearson [mailto:Christina.Pearson@microsoft.com]
Sent: Thursday, March 01, 2012 12:52 PM
To: Prewett, Cecelia; Long, Randall
Subject: RE: contact

Ok. No calls over here beyond Seattle Times and National Journal asking for our statement

From: Prewett, Cecelia [mailto:cprewett@ftc.gov]
Sent: Thursday, March 01, 2012 12:33 PM
To: Christina Pearson; Long, Randall
Subject: RE: contact

Cecilia Kang and Tony Romm have emailed now...

From: Christina Pearson [mailto:Christina.Pearson@microsoft.com]
Sent: Thursday, March 01, 2012 11:50 AM
To: Prewett, Cecelia; Long, Randall
Subject: RE: contact

Sorry, didn't meant to imply change – more wondering if you were getting those calls

From: Prewett, Cecelia [mailto:cprewett@ftc.gov]
Sent: Thursday, March 01, 2012 11:41 AM
To: Christina Pearson; Long, Randall
Subject: RE: contact

I don't plan on us changing anything...and I haven't gotten any calls.

From: Christina Pearson [mailto:Christina.Pearson@microsoft.com]
Sent: Thursday, March 01, 2012 11:40 AM

To: Prewett, Cecelia; Long, Randall
Subject: RE: contact

Hi there, it's a new morning and checking in with you to see if you have gotten any additional reporter calls this morning. Juliana Gruenwald of National Journal requested our statement and may be calling you as well.

Any further thoughts this morning? Is there a specific statement you are giving to questions about any conflict Randy may have? (ie- he has not been involved in conflicting investigations for awhile)

From: Prewett, Cecelia [<mailto:cprewett@ftc.gov>]
Sent: Wednesday, February 29, 2012 3:56 PM
To: Long, Randall; Christina Pearson
Subject: RE: contact

Christina, here I am...

Cecelia J. Prewett
Director, Office of Public Affairs
Federal Trade Commission
desk 202.326.3220 cell 202.758.7598
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To: Long, Randall
Subject: FW: contact

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To: (b)(6)
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Date: Wed, 29 Feb 2012 20:38:52 +0000

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Great to have you aboard!
Best, chp

Long, Randall

From: Long, Randall
Sent: Friday, March 02, 2012 12:12 PM
To: 'Christina Pearson (Christina.Pearson@microsoft.com)'
Subject: FW: Randall Long - Move to Microsoft

Any advice? Can't make up my mind. Instinct says no . . .

I'm at 202.326.2715 if you prefer to call.

From: Prewett, Cecelia
Sent: Friday, March 02, 2012 11:36 AM
To: Long, Randall
Subject: Re: Randall Long - Move to Microsoft

Up to you be careful...make sure you wait for her to say ok if you say off the record

From: Long, Randall
Sent: Friday, March 02, 2012 11:32 AM
To: Prewett, Cecelia
Subject: RE: Randall Long - Move to Microsoft

Any guidance?

From: Prewett, Cecelia
Sent: Friday, March 02, 2012 11:30 AM
To: Long, Randall
Subject: FW: Randall Long - Move to Microsoft

Call her if you want

From: Katy Oglethorpe [mailto:Katy.Oglethorpe@globalcompetitionreview.com]
Sent: Friday, March 02, 2012 11:30 AM
To: Prewett, Cecelia
Subject: RE: Randall Long - Move to Microsoft

I just thought - would it be possible to speak to Randy himself? I am trying to write a more balanced piece than what has been in the press previously.

Katy Oglethorpe
Reporter
Global Competition Review
telephone: +44 (0)20 7908 9206
e-mail: katy.oglethorpe@globalcompetitionreview.com

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From: Prewett, Cecelia [mailto:cprewett@ftc.gov]
Sent: 02 March 2012 15:27
To: Katy Oglethorpe
Subject: RE: Randall Long - Move to Microsoft

I gave your name to a few people so hopefully they'll be calling shortly. Deadline still (11.15 EST)?

From: Katy Oglethorpe [mailto:Katy.Oglethorpe@globalcompetitionreview.com]
Sent: Friday, March 02, 2012 10:26 AM
To: Prewett, Cecelia
Subject: RE: Randall Long - Move to Microsoft

Hi Cecelia,

Thanks for this information – it is very useful.

Please let me know if anybody would be available to provide a comment about Randy's time at the agency.

Warm regards,

Katy Oglethorpe
Reporter
Global Competition Review
telephone: +44 (0)20 7908 9206
e-mail: katy.oglethorpe@globalcompetitionreview.com

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From: Prewett, Cecelia [<mailto:cprewett@ftc.gov>]
Sent: 02 March 2012 14:21
To: Katy Oglethorpe
Subject: RE: Randall Long - Move to Microsoft

I am checking on folks to talk to you about Randy, I'm sure there is someone.

On background:

Randy is the Deputy Assistant Director in Mergers I. He is not working on the current Google conduct investigation but worked on the Google/Double Click and Google/AdMob mergers.

Randy Long was not a "senior employee," so he is not subject to the 1-year cooling-off period for communicating with the FTC.

As to what antitrust matters he *could* work on, two key statutory restrictions in 18 USC 207:

- 1) He can never work on any matter that he worked on "personally and substantially"
- 2) For one year after leaving, he cannot contact the FTC about any matter that was pending under his official responsibility – even if he never worked on it.

Also, before working [even behind the scenes] on any FTC matter that was pending while he was here, he must obtain clearance. Clearance would not be granted if (1) he worked on a matter, (2) was officially responsible for it, or (3) was likely to have received non-public information about the matter that would convey a present advantage. In the case of number 2, he could get cleared to work behind the scenes for the one-year cooling off period. That is what the post-employment statute contemplates.

So, DoJ or state antitrust matters would generally be OK, also new FTC proceedings arising after he leaves.

Also, he can provide antitrust counseling that does not relate to any FTC proceeding.

CONTINUING ON BACKGROUND:

The one-year bar on any communication with the former agency does not apply because Randy is not a "senior employee" i.e., an SESer. There would be a one-year issue only for any matters for which he was officially responsible but didn't work on. Otherwise, the restrictions in the message all apply.

From: Katy Oglethorpe [<mailto:Katy.Oglethorpe@globalcompetitionreview.com>]
Sent: Friday, March 02, 2012 8:19 AM
To: Prewett, Cecelia
Subject: Randall Long - Move to Microsoft

Dear Cecilia,

I hope you're well – I am writing a piece about Randall Long's move from the FTC to Microsoft.

I was wondering if any of Mr Long's former colleagues at the FTC would be able to comment on his move?

Of course, there is a deal of speculation going on in the press about politics behind his move, particularly bearing in mind his previous capacity of investigating Google. I recognise that the FTC may not be able to comment on this but a comment about working with Mr Long and what his contribution to the FTC has been, would be appreciated.

My deadline is 16.15 GMT (11.15 EST) today. Do you think it would be possible to get something to me by that time?

Thanks and regards,

Katy Oglethorpe
Reporter
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telephone: +44 (0)20 7908 9206
e-mail: katy.oglethorpe@globalcompetitionreview.com

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Long, Randall

From: Long, Randall
Sent: Friday, March 02, 2012 11:15 AM
To: 'Christina Pearson'
Subject: RE: Randall Long - Move to Microsoft

He has also chimed in, and so has the former Bureau Director, Jeff Schmidt.

From: Christina Pearson [mailto:Christina.Pearson@microsoft.com]
Sent: Friday, March 02, 2012 11:09 AM
To: Long, Randall
Subject: RE: Randall Long - Move to Microsoft

How about the gentleman who contributed that great wsj quote?

From: Long, Randall [mailto:RLONG@ftc.gov]
Sent: Friday, March 02, 2012 11:03 AM
To: Christina Pearson
Subject: FW: Randall Long - Move to Microsoft
Importance: High

Christina,

I've been busy this morning trying to use my personal network, but if you have any ideas, I'd welcome them. The deadline has been extended until 11:30.

Thanks.

From: Prewett, Cecelia
Sent: Friday, March 02, 2012 9:16 AM
To: Long, Randall
Subject: FW: Randall Long - Move to Microsoft
Importance: High

Anyone want to talk on your behalf here?

From: Katy Oglethorpe [mailto:Katy.Oglethorpe@globalcompetitionreview.com]
Sent: Friday, March 02, 2012 8:19 AM
To: Prewett, Cecelia
Subject: Randall Long - Move to Microsoft

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