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Google is resisting efforts to surrender emails, text messages and other documents sought by state investigators probing possible anticompetitive practices, according to records and interviews. Google, a unit of Alphabet Inc., also hasn't agreed to a waiver that would give the coalition of state attorneys general access to documents obtained by the Justice Department for its own probe, according to a person familiar with the situation.

Texas Attorney General Ken Paxton, who is leading the investigation by 48 states, the District of Columbia, Puerto Rico and Guam, said the company's actions suggest it is withholding information that could be damaging. "Every indication right now is they don't believe that they're clean because they don't act in any way like they are," Mr. Paxton said in an interview.

A Google spokeswoman said the company has cooperated with the probe and that such discussions over access to information are common during investigations. She also raised concerns that the Texas-led investigation has been advised by outside business consultants who could potentially share confidential information from Google with rival companies. "To date, Texas has requested, and we have provided, over 100,000 pages of information," the spokeswoman said. "But we're also concerned with the irregular way this investigation is proceeding, including unusual arrangements with advisers who work with our competitors and vocal complainants."

The investigation by state attorneys general seeks to determine whether Google engaged in anticompetitive behavior in building up its ad business, among other issues. As part of their probe, state investigators have sought emails and other documents from high-level executives and directors at the company, as well as texts and instant messages of other Google employees who might have information on suspect practices, according to letters reviewed by The Wall Street Journal under a public-records-act request.

Google attorneys have raised concerns to Texas investigators about the scope of their requests. In a letter dated Dec. 26, for example,

lieutenant governor selection

Philadelphia Inquirer
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Pennlive
Pennsylvania is a big, important state. Why doesn't its primary date reflect that?

lawyers for Google in Texas said that in a recent phone call, Texas investigators had made "significant and new requests" beyond their September civil subpoena, including demands for chats and text messages from Google employees. Google lawyers asked for "a reasonable approach and timeframe for responding" to the demands.

In a Jan. 6 reply, the chief of the Texas Office of the Attorney General's antitrust division responded, "This is not true: the instructions accompanying our [civil subpoena] clearly indicate that these types of electronic materials are both covered and requested, and we have not agreed or implied that mere email searches could suffice to satisfy Google's [subpoena] obligations." The two sides have also clashed over how many Google employees must be included in the search for responsive information. During the first five months of the investigation, Texas proposed 96 while Google proposed 11, according to a Feb. 4 letter from Google lawyers. Google has since increased the number of employees it was willing to include in the search, according to the letter.

Google says that the company has moved quickly to produce relevant documents to the attorneys general, even as it battles the Texas state attorney general over other aspects of the probe. In a suit filed in Texas on Oct. 31, Google sought protections to prevent consultants hired for the Texas-led investigation from improperly using information obtained during the probe. The Google suit said that one of the consultants, Cristina Caffarra of Charles River Associates, "has worked directly for numerous Google adversaries on antitrust and competition matters," including Microsoft Corp. and News Corp, owner of The Wall Street Journal.

Texas filed a response opposing Google's suit. Texas officials believe Google's concerns about potentially improper disclosure of sensitive information are adequately addressed by existing state confidentiality protections. Ms. Caffarra declined to comment. A settlement of the suit was reached Thursday, according to the person familiar with the matter.

News Corp has complained that Google and other digital companies siphon ad revenue from content creators. Microsoft competes with Google on several fronts including cloud services and office-productivity tools. The current tensions with Google are reminiscent of past run-ins with the company, said Sen. Josh Hawley (R., Mo.), who **investigated the company in 2017** as attorney general of Missouri on possible antitrust and consumer-protection issues. "First they said they weren't subject to Missouri's antitrust and consumer-protection laws," Mr. Hawley said. "Then they refused to turn over documents and information. Then they didn't turn over what they said they would. It's the Google playbook—stall, stonewall, deflect and deny, because they are afraid the public will finally get the truth."

Mr. Hawley has emerged as an outspoken congressional critic of Google and other big tech firms since being elected to the Senate. The Google spokeswoman responded: "We have always acted in good faith in answering regulators' questions promptly, honestly and thoroughly, providing millions of pages of documents over the years about our various businesses and technologies. Any suggestion to the contrary is simply false."

Google also fought a broad subpoena issued by then-Mississippi Attorney General Jim Hood in 2014. That subpoena sought information on Google's platforms, ad practices and efforts to police "dangerous" or "illegal" content related to illicit drug sales, consumer credit-card information, human trafficking and copyright infringement. In response, Google **filed a suit** against Mr. Hood that resulted in a federal judge enjoining the Mississippi probe for a time. The judge said Google had presented "significant evidence of bad faith," suggesting that the attorney general's investigation represented an effort to coerce Google to comply with Mr. Hood's requests regarding content removal.

Google's complaint came as **emails surfaced from a hack** of Sony Pictures, suggesting movie studios were working behind the scenes with Mr. Hood's office to discredit Google. The motion-picture industry has long complained about copyright abuses on the internet. The injunction against Mr. Hood was eventually overturned on appeal. State attorneys general investigating Google have been in discussions with Mr. Hood—who left office in January—about joining their effort, likely as an expert. – ***Wall Street Journal***

ViacomCBS Inc. reported a loss in the final quarter of last year as Viacom completed its merger with sister company CBS and prepared to compete with the likes of Netflix Inc. in the increasingly crowded arena of online streaming video. In its first earnings report since the merger closed, ViacomCBS posted a fourth-quarter net loss of $258 million, or 42 cents a share, compared with a profit of $887 million, or $1.44 a share, in the year-ago period. Adjusted earnings were 97 cents a share. Analysts polled by FactSet had expected earnings of $1.32 a share, or $1.41 a share on an adjusted basis. Revenue fell 3% to $6.87 billion from the prior year as content-licensing revenue fell 11% to $1.28 billion. Analysts were looking for revenue of $7.34 billion. Shares of the company slumped 18% on Thursday.

The company also said it is targeting $750 million in cost cuts for the year, revising its guidance upward from $500 million. The company's advertising revenue fell 2% to $3.03 billion, and its publishing and theatrical revenues also declined. Its affiliate revenue rose 1% to $2.13 billion, fueled by growth in reverse compensation, retransmission and subscription-streaming revenue that offset declines in pay TV. ViacomCBS said it had $1.6 billion in U.S. streaming video revenue last year and finished the year with 11 million U.S. streaming subscribers, marking the first time that the company has broken out its online video results in detail.

ViacomCBS plans to court additional subscribers with an expanded version of CBS All Access, which will include content from across the company's cable networks, including Nickelodeon, MTV and VH1. The company's video-streaming services include CBS All Access, Showtime and BET+. On an earnings conference call, ViacomCBS Chief Executive Bob Bakish said the company will offer three main streaming services to maximize revenue from online video. Pluto TV, the company's ad-supported service, will be the cheapest option for consumers. The most expensive option will be anchored by Showtime, ViacomCBS's premium cable and streaming service. In the middle will be the expanded version of CBS All Access, which will include more than 30,000 episodes of TV and about 1,000 movies. "We believe this strategy of free, broad pay and premium pay is where the market will go," Mr. Bakish said.

Mr. Bakish predicted during the call that the company would have 16 million paid U.S. video-streaming subscribers and Pluto TV would have about 30 million monthly active users by the end of the year. Also on the call, Mr. Bakish said that the company plans to use its combined financial resources to strike a rights deal with the National Football League, an agreement that would secure one of the last remaining staples of linear TV viewership for years to come.

The company's CBS Sports and sports-betting operator William Hill US this month **agreed to a multiyear deal** that would enable the gambling company to seek new customers among the media giant's audience. ViacomCBS has named George Cheeks, a top executive at Comcast Corp.'s NBCUniversal, to succeed Joe Ianniello as **head of CBS-branded assets**. Mr. Cheeks will assume his role March 23. Mr. Ianniello, who was interim CEO of CBS before it **merged with Viacom** in December, will be departing the company.

The company late last year said it was **acquiring a 49% stake** in movie and television production company Miramax Pictures from BeIN Media Group for $375 million as ViacomCBS looks to broaden its programming holdings and put more content online. Miramax was founded in 1979 by brothers Harvey and Bob Weinstein. Harvey Weinstein, who later left to form the Weinstein Co., faces a series of sexual-assault allegations and has been charged with rape, criminal sexual act and two counts of predatory sexual assault. – ***Wall Street Journal***

The debt looked staggering, and the timing could not be worse. Was Pennsylvania's largest local Democratic party really $164,000 in the red, heading into what is expected to be the most expensive presidential election cycle in history, in a potentially decisive swing state? Turns out, no.

Philadelphia's Democratic City Committee says its inability to account for wire transfers meant a $200,000 contribution from the state party 15 months ago never showed up in campaign finance reports. So the local party filed annual campaign finance reports for 2018 and 2019 listing a ballooning debt that existed only on paper.

Bob Brady, chairman of the party, laughed off the concerns that had been rumbling in Democratic circles since he announced a coordinated campaign to raise money to **register, educate, and turn out** voters for the Nov. 3 general election. Brady vowed that the effort will incorporate "new ideas and techniques for organizing" while reaching out to "young and diverse" activists. Maybe some of them will have solid wire-transfer skills.

And Brady's language seems to set to rest **recent political skirmishes** between the party machinery and upstart progressives who backed third party candidates. Clout dubbed the effort "**the Committee to Reinstate Street Money**," since John Kerry was the last Democratic presidential nominee to put up the $350,000 the local party has traditionally asked for to fund get-out-the-vote efforts.

Some Clout fans perused the party's reports after hearing of the new fundraising effort and raised alarms. "We don't go by the report. We go

by the bank account statements," Brady said. “I don’t look at the reports. I say, how much money do we have?” Edgar “Sonny” Campbell Jr., **a West Philly ward leader**, has been the party’s treasurer since 2018. The party’s 2019 report, filed Jan. 31, listed a negative cash balance of $164,399, up from $93,752 in red ink in the 2018 report. Brady said the party worked with the Philadelphia Board of Ethics to correct its reporting. An amended report filed Wednesday now shows **a positive cash balance of $85,570**. **– Chris Brennan’s “Clout” column in *Philadelphia Daily News***

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