U.S. Department of Justice
Office of Information Policy
Sixth Floor
441 G Street, NW
Washington, DC 20530-0001

Telephone: (202) 514-3642

May 7, 2021

Brian Huddleston
704 Nickelville Lane
Wylie, TX 75098
brianhudd@gmail.com

Re: FOIA-2020-01319
20-cv-00447 (E.D. Tex.)
VRB:JMB:BPF

Dear Brian Huddleston:

This is a final response to your FOIA request, dated and received in this Office on June 5, 2020, in which you requested records of the Special Counsel's Office (SCO) concerning Seth Rich, Aaron Rich, and the alleged hacking of servers associated with the Democratic National Committee.

Because certain law enforcement materials located by this Office contain equities of the FBI, we have referred those materials to the FBI for processing and direct response to you.

On April 8, 2021, OIP sent an interim response to you. OIP has now processed an additional 179 pages containing records responsive to your request. I have determined that 121 of these pages are appropriate for release with information withheld pursuant to Exemptions 3, 5, 6, 7(C), 7(D), and 7(E) of the FOIA, 5 U.S.C. §§ 552(b)(3), (b)(5), (b)(6), (b)(7)(C), (b)(7)(D), and (b)(7)(E), and copies are enclosed. Additionally, I have determined that fifty-eight pages should be withheld in full pursuant to FOIA Exemptions 3, 5, 6, 7(C), and 7(E). Please note that the enclosed pages also contain records that are not responsive to your request. Those records have not been processed and are marked accordingly.

Exemption 3 pertains to information exempted from release by statute (in this instance, Rule 6(e) of the Federal Rules of Criminal Procedure). Exemption 5 pertains to certain inter- and intra-agency communications protected by the attorney work-product and deliberative process privileges. Exemption 6 pertains to information the release of which would constitute a clearly unwarranted invasion of personal privacy. Exemption 7(C) pertains to records or information compiled for law enforcement purposes, the release of which could reasonably be expected to constitute an unwarranted invasion of the personal privacy. Exemption 7(D) pertains to records or information compiled for law enforcement purposes, the release of which would disclose the identity of a confidential source. Finally, Exemption 7(E) pertains to records or information compiled for law enforcement purposes, the release of which would disclose certain techniques and procedures or guidelines for law enforcement investigations or prosecutions.

Information appearing within the Report on the Investigation into Russian Interference in the 2016 Presidential Election, Volume I (March 2019) is responsive to your request. You may locate Volume I of this Report here: https://www.justice.gov/storage/report_volume1.pdf.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2018). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

If you have any questions regarding this response, please contact Andrea Parker of the United States Attorney's Office for the Eastern District of Texas, at 409-981-7938.

Sincerely,

Jonathan Breyan

Jonathan Breyan
Senior Supervisory Attorney
for
Vanessa R. Brinkmann
Senior Counsel

Enclosures

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

RE: JANICE WOLK GRENADIER JWG)
INTERVENER

UNITED STATES OF AMERICA

V. **CRIM. No. 17-232 EGS**

MICHAEL T. FLYNN

RECEIVED
2020 MAY -6 PM 4:49
CLERK
US DISTRICT & BANKRUPTCY
COURTS

MOTION TO INTERVENE BY JANICE WOLK GRENADIER
VICTIM of the LEGISLATURE & JUDICIARY OF FEDERAL AND STATE OF VIRGINIA
U.S. and VIRGINIA STATE CONSTITUTIONAL RIGHTS VIOLATED FOR YEARS
"COVER UP" BY DOJ & FBI SUPPORTS and SHOWS THE PATTERN & PRACTICE

COMES NOW, Intervener Janice Wolk Grenadier (JWG) claims that she as General Flynn have been harmed by the collusion and corruption of the DOJ and the FBI. That General Flynn went to war to protect the FREEDOMS of the American Citizens. Rights that American Citizens do not have.

WHERE IT STARTED FBI

February 18, 2014 - FBI cautions residents of public corruption in Va. -
http://www.wusa9.com/story/news/local/**2014/02/18**/fbi-cautions-residents-of-public-corruption-in-northern-virginia/5585877/ *WASHINGTON (WUSA) -- The Federal Bureau of Investigation's* ***(FBI) Washington Field Office is looking to identify any public corruption occurring in Northern Virginia.*** *The FBI says public corruption can occur "when a public official, at any level of government – local, state or federal – does any official act in exchange for money, or other free goods or services, for private gain. Public corruption could also include public employees who take something of value for their own personal gain, thereby violating the public's trust." The FBI says many of their investigations into public corruption start once they receive a tip from someone. If you want to help identify potential criminal activity, the Washington Field Office has set up a Northern Virginia Public Corruption Hotline at 703-686-6225 and you can also e-mail them at NOVAPC@ic.fbi.gov.*
Some of the examples of corruption include:

> *Government officials such as DMV employees, city inspectors, taxing or zoning assessors or other regulatory agency employees, or even town councils or mayors;*
> *Contracting officials at all levels, including those who manage government contracts or regulatory permits; or, school resource officers who manage school accounts;*
> *Local officials colluding with real estate investors to rig the bidding process at foreclosure auctions;*
> ***A person representing the judicial branch - a judge, member of the jury or court personnel; or,***
> *A person representing law enforcement, who steals drugs from criminals, embezzles government funds, falsifies records or smuggles contraband*

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Who do you go to for HELP? Not the FBI

https://archives.fbi.gov/archives/washingtondc/press-releases/2014/fbi-announces-campaign-to-seek-public-assistance-identifying-acts-of-public-corruption If you go to the site and then hit the link YOU USED TO GET THIS for the transcripts you - got NOTHING

Comey when asked about it - LIED said he knew nothing about this https://youtu.be/KlsSkkxYnTg the question asked at Brookings event.

THE FBI FEDERAL BUREAU OF INVESTIGATION

REPORT THREATS • A-Z INDEX • SITE MAP

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Washington Field Office (WFO)

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Info This is archived material from the Federal Bureau of Investigation (FBI) website. It may contain outdated information and links may no longer function.

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FBI Announces Campaign to Seek Public Assistance Identifying Acts of Public Corruption

FBI Washington
February 18, 2014

Public Information Office
(202) 278-3519

The Federal Bureau of Investigation's (FBI) Washington Field Office is seeking the public's assistance in identifying public corruption in Northern Virginia. As the FBI's number one criminal investigative priority, public corruption occurs when a public official, at any level of government—local, state, or federal—does any official act in exchange for money or other free goods or services for private gain. Public corruption could also include public employees who take something of value for their own personal gain, thereby violating the public's trust. Public corruption hits at the heart of what a government is supposed to do—serve its people.

Listen: Public Service Announcement

Download | Transcript

Public corruption is often the result of agreements made in whispered conversations and sealed with quick handshakes. The secretive nature of the crime makes it difficult to detect without the assistance of concerned citizens. Many of the FBI's investigations into public corruption begin with a tip from someone who encounters corruption. Therefore, the public's willingness to come forward and report abuse of public office is essential to the FBI's investigations. The FBI's Washington Field Office has a dedicated squad of agents that investigate allegations of public corruption in Northern Virginia. To help identify potential criminal activity, the Washington Field Office has set up a Northern Virginia Public Corruption Hotline at 703-686-6225 and e-mail at NOVAPC@ic.fbi.gov.

While the vast majority of public officials are honest in their work and committed to serving their fellow citizens, unfortunately, a small percentage of public officials abuse their offices and the positions that they were sworn to uphold. Examples of corruption, where bribery and/or kickbacks occur in exchange for official action, could include public corruption committed by:

- Government officials such as DMV employees; city inspectors; taxing or zoning assessors or other regulatory agency employees; or even town councils or mayors;
- Contracting officials at all levels, including those who manage government contracts or regulatory permits; or school resource officers who manage school accounts;
- Local officials colluding with real estate investors to rig the bidding process at foreclosure auctions;
- A person representing the judicial branch—a judge, member of the jury or court personnel;
- A person representing law enforcement who steals drugs from criminals, embezzles government funds, falsifies records, or smuggles contraband.

Two recent examples of public corruption investigated by the FBI's Washington Field Office, which includes jurisdiction over Northern Virginia, are a DMV employee and two others who pled guilty to accepting bribes in exchange for DMV documents for illegal aliens who were otherwise not eligible; and a chief of a volunteer fire department who pled guilty to theft from a program that received federal funds. Such examples of public corruption erode the public's confidence and undermine the strength of our government.

Related podcast

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- Our Partnerships
- WFO History

Wanted by the FBI - WFO

FBI Jobs

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WHY THE DIRECTIVE FOR ALL PUBLIC CORRUPTION IN VIRGINIA TO FBI AND WAS FBI INVOLVED IN JWG ILLEGAL JAILING and GANG AGAINST HER?

1. **Gov. Terry McAulliff - 1st choice VP for Hillary Clinton until this became public?**
   1. **$130,000 donation Chinse Nationalist - He Starts out lying about it**

   https://abcnews4.com/news/nation-world/va-gov-mcauliffe-feds-have-found-no-wrongdoing

   2 **GreenTech** Chinese investors sue Gov. McAuliffe, other GreenTech ...

   www.richmond.com › news › local › government-politics

   Nov 28, 2017 - **Terry McAuliffe has sued McAuliffe and other key figures involved in GreenTech Automotive, claiming they were lured into a "scam" under false**

   3. Chinese investors sue Terry McAuliffe, Clinton brother ...

   www.foxnews.com › politics › chinese-investors-sue-terry...

   Nov 30, 2017 - **The investors filed suit in Fairfax County, Virginia, last week against the automaker, GreenTech Automotive, McAuliffe, Clinton's brother, ..**

2. **Andrew McCabe:**

   1 Clinton Ally Helped Campaign of FBI Official's Wife

   www.thedailybeast.com › clinton-ally-helped-campaign...

   In addition, the Virginia Democratic Party donated an additional $207,788 to McCabe's state senate campaign. More than a third of all campaign funds raised for ...

   2 Clinton Ally Aided Campaign of FBI Official's Wife - WSJ

   www.wsj.com › articles › clinton-ally-aids-campaign-of-f...

   Oct 24, 2016 - **McAuliffe's political-action committee donated $467,500 to the 2015 state Senate campaign of Dr. Jill McCabe, who is married to Andrew McCabe ...**

   This amount had been at the time reported up to $750,000

3. **Senator Mark Warner October 11, 2014** – Breaking news Senator Mark Warner and aid to Governor Terry McAuliffe guilty and admit to offering a Federal Judgeship to daughter of Phil Puckett

Sen. Mark Warner is not the nice guy some think he is | Letters ...

www.timesvirginian.com › opinion › letters_to_editor

Oct 22, 2014 - **Warner** proved that he's just another Democrat, political, hack, one who was willing to **trade** a **federal judgeship** for democrat control of the state ...

October 14, 2014 – Janice exposes on Blog VaLaw2010.blogspot.com information of corruption by Senator Warner

October 22, 2014 – November 12, 2014 – 22 days Janice illegally jailed and tortured in the City of Alexandria, *Solitary Confinement till 5pm on Election day Tuesday, November 4, 2014. Illegally Jailed to:*

1. Silence her and stop exposure of emails between herself and Mark Warner's office on the corruption in the Judiciary. Janice went to Mark Warner for help instead he had her jailed, at the same time it was exposed his "Pay to Play" with a Federal Judgeship for a favor. Being ignored by the Senate Ethics Committee.

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2. To Bully / scare her into either committing Suicide or to turning the other cheek of the corruption and not holding Virginia and the Federal Judiciary, the Government and Elected Officials accountable, as well as the criminal acts and actions of the Old Boys Network in Virginia

That the law is very clear: That Judge Clarks actions have turned back time.

- Giving me less rights than a slave. Taking someone under Title 42 US Code 1994 and Title 18 US Code 1581(a):
- Whoever holds or returns any person to a condition of PEONAGE, shall be fined under this title for imprisoned not more than 20 years or both.
- That on October 22, 2014 I was placed in jail for failure to pay legal fees in 30 days which is a violation of my Thirteenth Amendment "Neither Slavery nor involuntary servitude, except as punishment for a crime where of the party shall have duly convicted, shall exist within the United States, or any subject to their Jurisdiction".
- Furthermore the right by placing me "under" a state Peonage / Involuntary Servitude violating the Fourth Amendment right by malicious prosecution, false imprisonment and unconstitutional arrest.
- This violation of my Eighth Amendment Right as to Excessive Bail which in this case constitutes "Restitution Bail" which further shows the knowledgeable malicious intent to silence me till the election was over on November 4th. 2014.
- Bias, Retaliation and Retribution to further line the Lawyers pockets by Judge Clark.

Further: The system is one where the Lawyers and Judges have set it up to protect each other and line each others pockets with Cash.

December 2015 – Defendant Janice Wolk Grenadier Stands up and speaks out against the Criminal Acts of Judge Nolan Dawkins in Regard to his re-appointment - In front of the Courts of Justice in the Virginia Legislature – Several other Victims also stood up and spoke out about the criminal actions of other Virginia Judges Courts of Justice A group of Elected Officials / Lawyers who practice in front of these Judges

VOTED ALL JUDGE'S BACK INTO THEIR POSITIONS KNOWING THE CRIMINAL ACTS & ACTIONS OF THE JUDGES

The Professional Code of Responsibility of the Lawyers on the Courts of Justice Rule 8.4 Misconduct It is professional misconduct for a lawyer to:

> (a) violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another;
> (b) commit a criminal or deliberately wrongful act that reflects adversely on the lawyer's honesty, trustworthiness or fitness to practice law;
> (c) engage in conduct involving dishonesty, fraud, deceit or misrepresentation which reflects adversely on the lawyer's fitness to practice law;

The Courts of Justice further – GUARANTEES THE JUDGES against complaints being investigated by HAND SELECTING THE JIRC (The Judicial Inquiry and Review Committee where complaints are filed against Judges – and never investigated – Read More at www.proseamerica.blogspot.com the $602,000. SCAM on the Virginia Citizens Guaranteeing all Judge's the ability to ignore the law and rule to protect their own and as Judge Clark stated very clearly to his good friend Attorney Michael Weiser

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"I HAVE NO CHOICE BUT TO LET HER OUT OF JAIL, I AM SO SORRY I CANNOT COLLECT YOUR LEGAL FEES FOR YOU" You will have to come back and get a judgement.

The Appearance and the collusion is that all Judges in the State of Virginia have a Secret "Handshake" of "You Scratch my Back, I will line you pockets with WINS in the courtroom for your Clients – Call me – Buy me Lunch or Dinner or whatever – but, we will not turn on our own"

So what about those young Men and Women who go off to war to fight for the Rights our Constitution Gives Americans of Due Process?

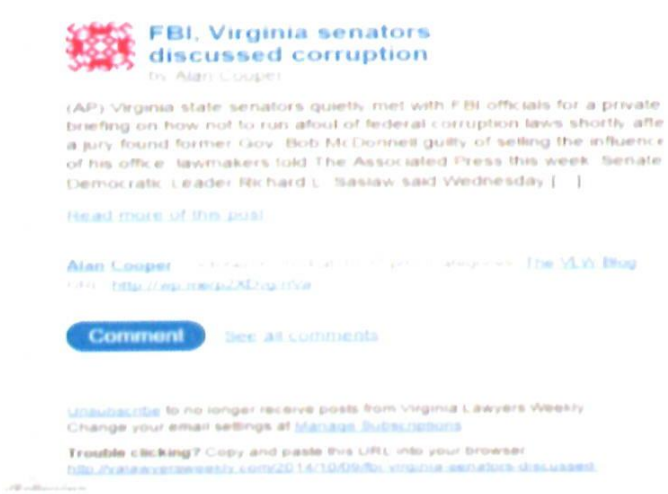
4. **Micheal Gardner Democratic fundraiser and wife Mayor of Falls Church Virginia** molested several young girls

Defendant allegedly asked about hit man to kill child witnesses

www.washingtonpost.com › local › crime › 2015/02/19

Feb 19, 2015 - Defendant allegedly asked about **hit man** to kill child witnesses ... charged with molesting two young girls, talked about **hiring** a **hitman** to kill them ... Loudoun County prosecutors said **Michael Gardner**, who is scheduled to ...

February 2014 the Murder of Ruth Ann Lodato for opening her front door, daughter of Judge Giammittorio & sister to Judge Bob Giammittorio



October 9, 2014 The FBI & VA Senators in private discuss Corruption in Virginia
The Result to date is Two Supreme Court Justices- Chief Judge Cynthia Kinser and Justice Leroy Millette Jr. resigning, Judge Potter retiring early, Commonwealth Attorney Randy Sengel retires at a young age. The Old Boys Network retires them early with all benefits - by all appearance as a "Thank you" for hiding the Murder by Hire and Suicides

The Facts are clear the FBI covered up for Democratic Fund Raiser Micheal Gardner

5. **The Cover Up of 5 Murders by Hitmen in the City of Alexandria: Ruth Ann Lodato daughter and sister to local Judge, Ron Kriby, Nancy Dunning wife to Sheriff Dunning (never interviewed), Dr. Rixsey - who the man they state did it was a "Cover Up".**
6. **NO investigation into the "Suicide" of the Fairfax Sheriff Megan Owen Barry**
7. **NO real investigation into the shootings of the congressmen**
8. **NO real investigation into the killing of Seth Rich**
9. **NO investigation into the Case with Mike Fields his business being stolen from him by the Government and OBAMA**

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10. NO investigation into the HATE crime and 5 -6 ATTEMPTS of MURDER on Janice Wolk Grenadier

December of 2013 – Ilona Grenadier Heckman and Presidential Candidate Loretta Lax Miller do a "HATE OF CATHOLICS, CHRISTIONS et al" Blog – jwgrenadierisalair.blogspot.com taken down while Janice is in jail.

From: LeahLax1234@aol.com <LeahLax1234@aol.com> Tue, Dec 24, 2013 at 2:05 PM

want to hear something more scarier I contacted Ilona Ely Freedman Grenadier Heckman your witch hunt is over

From: LeahLax1234@aol.com Tue, Dec 24, 2013
To: jwgrenadier@gmail.com

you know what **YOU** DIDN'T HELP JEWS **YOU ARE THE KIND THAT WOULD TURN THEM IN** BECAUSE ONE PERSON DID SOMETHING TO YOU THAT WAS JEWISH YOU MADE YOUR BED AND YOU LIED IN IT I THIS FAMILY REJECTED YOU FOR NOT BEING JEWISH YOU STUPID IDIOT **YOU WERE REJECTED** .. GET THAT INTO YOUR THICK SKULL NOW YOU ARE MAKING UP STORIES AND SPREADING LIES! **BLAMING ALL JEWS LIKE HITLER FOR NOT LIVING ON EASY STREET**. WELL GET OFF YOUR ASS GOOD YOU LOST ALL YOUR MONEY MAKES YOU HUMBLE AND GOOD YOU GOT A WHIPPING FROM A JEWISH LAWYER WHO WAS SMARTER THEN YOURS GOOD FOR HER I WOULD HIRE HER IN A HEART BEAT **SHE WENT AFTER A JEW HATING NAZI** AND SHE WON AND I HOPE **SHE GAVE HER GRANDSON A GOOD TALKING TO FOR MARRYING A GOY** IN THE FIRST PLACE AND HE SHOULD HAVE KEPT HIS ZIPPER UP AND NOT HAVE HAD SEX WITH A MENTALLY SICK PIECE OF CRAP LIKE YOU **YOU ARE THE NAZI WORSE A MUSLIN LOVING NAZI!** YOU HATE YOURSELF THAT IS WHY YOU HATE JEWS YOU ARE BLOCKED! -

A Blog was then started on Janice Wolk Grenadier to ruin her:

§2071, Records and Reports – Concealment removal or mutilation generally, §2076. Whoever, being a clerk of a district court of the United States, willfully refuses or neglects to make or forward any report, corticated, statement or document as required by law, shall be fined under this title or imprisoned not more than one year, or both."

When Divorce Lawyer and or others hired or as a favor Mark / Michael Stuart to drug Plaintiff and get inappropriate pictures, or rape one of Plaintiff's daughters, or plant drugs on one of Plaintiff's Daughters or in the home of Plaintiff and her girls in the November / December 2012 time frame. When Defendants in collusion or ignored the threat:

----------BLOG ----------

Through Ilona Grenadier Heckman and her best friend Loretta Lax Miller aka Muggy Cat aka Billy Sullivan Presidential Candidate for 2016 – there blog - jwgrenadierisalair.blogspot.com

We hope that you join us on Friday, January 10th, 2014 outside of Janice Wolk Grenadier's house to protest her anti-American pro-Satan values. Email us at muggycatscreams@aol.com for Janice Wolk Grenadier's

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address. We are expecting at least 200 people so don't forget to bring Holy Water from your church to purify and sactify the land of the supporter of the Anti Christ and the mother of the vessel of Satan. We will have a prayer session to pray for her lack of soul but do not look her straight in the eyes or you will be turned to stone.

JW Grenadier aka Janice Wolk Grenadier

Sunday, January 5, 2014

Janice Wolk Grenadier supports the Anti Christs Obama and Hillary Clinton

Not only is Janice Wolk Grenadier a traitor to the American people by being a card carrying Commie Pinko but she is also supporting the Anti Christs Obama and Hillary Clinton. Yes we said it here, Anti Christs meaning plural. Why is Janice doing this? Because they are not only going to let her keep her hairy vag but they are going to give her the chance to grow a penis as well. Well penises. Yes, Janice Wolk Grenadier will have 6 penises all over her body including one over her vagina. The other 5 will be as so: one in the palm of each hand, one on the bootom of each foot and one right where a tramp stamp would be on her back. That way when Janice Wolk Grenadier dies, she can go to Allah's heaven and have her 72 virgins. These 72 virgins will be a mix of males and females that she can rape with all of her penises and then the next morning at sun up they become virgins again. We have figured it out that the fetal body of little Joshua that Janice keeps in the basement of her home is going to be the vessel for the Dark Lord Satan himself to resurrect in a human body to carry out the apocolypse. That way, Janie Wolk Grenadier is guaranteed her 6 penises.

Proof she supports the Anti Christ is in her letters she has posted and her other posts of Hillary's and Obama's support defending both on everything Loretta Lax Miller fought against including the ObamaCare and Islamic Terrorism which Obama and Hillary support. Janice is for the destruction of the Catholic Church's values of having Nuns despense birthcontroll pills. Janice supports this by supporting Hillary Rodham Clinton and Barack Husein Obama. Everything Obama stands for is to destroy American Family Values and Janice has no values and worships Satan.

We at Muggy Cat take the religious stand that Janice is the Anti Christ and does not beleive in God and the wonders God has done on this Earth. Maybe Janice should move to sin city Las Vegas and sell her soul as well as her fugly body on the strip since she is whoring for Satan.

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We hope that you join us on Friday, January 10th, 2014 outside of Janice Wolk Grenadier's house to protest her anti-American pro-Satan values. Email us at muggycatscreams@aol.com for Janice Wolk Grenadier's address. We are expecting at least 200 people so don't forget to bring Holy Water from your church to purify and sactify the land of the supporter of the Anti Christ and the mother of the vessel of Satan. We will have a prayer session to pray for her lack of soul but do not look her straight in the eyes or you will be turned to stone.

----------End of Copy Paste excerpt from Blog ----------

THESE ARE THE THREATS OF Loretta Lax Miller aka Leah Lax aka Muggy Cat aka Billy Sullivan That the Defendants allowed – *MANY MORE CAN BE READ AND FOUND IN UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA - Civil Action No. 14-0162 - That the Judicial Community is desperate in the cover up of the collusion to protect Ilona Grenadier Heckman is obvious to a lay man.*

THE JUDGES

That the Secrecy of the "JUDGES CLUB" is a Mafia style Club that is funded by the Government, Elected Officials and Lawyers through their Salary, Benefits et al, Breakfast, Lunch, Dinner, a Weekend Getaway, Friendship, Sex, and other tips for personal and or financial gain.

A sad example of this as reported is Justice Scalia who passed in Texas after flying out on Air Force 2 with Dick Cheney, the trip paid for by lawyers / friends who had two cases in front of him. The Supreme Court has approx. 10,000 cases a year filed and takes approx. 80 cases. It is also reported this was done 144 times and is a pattern and practice with the Justices.

The 2nd Example is the United States of America's people will pay for the past United States District Court of the District of Columbia Chief Justice Richard Roberts for the rest of his life for RAPING A 16 year old VICTIM

The 3rd Example is Chief Justice Cynthia Kinser who the State of Virginia will pay her retirement as she works full time as a lawyer after letting Michael Gardner, found guilty of molesting young girls, but a good fund raiser for the Democrats out of jail. The Appeals Court of Virginia denied him a new trial, while the Supreme Court agreed to a new trial and let him out of jail to await the trial. He then attempted to hire a HITMAN to KILL THE YOUNG GIRLS. After FBI had a private meeting with the Virginia Legislature Chief Justice Cynthia Kinser retired early

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The 4th and maybe one of the worst *"Cash for Kids"* in Pennsylvania where "one" mother STOOD UP and STATED "NO MORE". The Judge is in jail and using any type of excuse ie technical error to try and get out of jail.

That Chief Justice John Roberts of the Supreme Court of the United States stated: 'My job is to call balls and strikes and not to pitch or bat' *Judges and justices are servants of the law, not the other way around. Judges are like umpires. Umpires don't make the rules; they apply them.* ***The role of an umpire and a judge is critical. They make sure everybody plays by the rules.*** *But it is a limited role. Nobody ever went to a ball game to see the umpire. Judges have to have the humility to recognize that they operate within a system of precedent, shaped by other judges equally striving to live up to the judicial oath. And judges have to have the modesty to be open in the decisional process to the considered views of their colleagues on the bench.*

Further **9/14/2017 An Exit Interview With Judge Richard Posner of the Seventh Circuit**, Judicial Provocateur - The New York Times https://www.nytimes.com/2017/09/11/us/politics/judge-richard-posner-retirement.html https: POLITICS An Exit Interview With Richard Posner, Judicial Provocateur - Sidebar By ADAM LIPTAK SEPT. 11, 2017 States:

The immediate reason for his retirement was less abstract, he said. ***He had become concerned with the plight of litigants who represented themselves in civil cases, often filing handwritten appeals. Their grievances were real, he said, but the legal system was treating them impatiently, dismissing their cases over technical matters. "These were almost always people of poor education and often of quite low level of intelligence,"*** *he said.* ***"I gradually began to realize that this wasn't right, what we were doing."***

In the Seventh Circuit, Judge Posner *said, staff lawyers rather than judges assessed appeals from such litigants, and the court generally rubber-stamped the lawyers' recommendations. Judge Posner offered to help. "I wanted to review all the staff attorney memos before they went to the panel of judges," he said. "I'd sit down with the staff attorney, go over his memo. I'd make whatever editorial suggestions — or editorial commands — that I thought necessary. It would be good education for staff attorneys, and it would be very good" for the litigants without lawyers. "I had the approval of the director of the staff attorney program," Judge Posner said,* ***"but the judges, my colleagues, all 11 of them, turned it down and refused to give me any significant role. I was very frustrated by that."***

Judge Posner further stated a*bout those who need help and or pro se:* *"The basic thing is that most judges regard these people (pro se) as kind of trash not worth the time of a federal judge"*

The appearance all Justice is by a Social HIERARCHY, and only for the friends or those that have the CA$H / MONEY can get Justice – I could go on page after page of stories of Corruption by the JUDGES supported by those around them.

This one X-WIFE of the Son of a Judge Plaintiff JANICE WOLK GRENADIER STATES: "NO MORE" We the American People are not TRASH as Judge Posner expressed that is what we are thinking of.

JANICE WOLK GRENADIER

Intervener Janice Wolk Grenadier (JWG) seeks relief for the violation of State and Federal Constitutional Rights, Federal Constitutional rights under Title 42 U.S Code §1981 &1983, Title 18 U.S. Code § 241 & 242, Rico and Racketeer Influenced and Corrupt Organization Act 18 U.S.C § 1961 – 1968 and under the Bill of Rights the Four Basic Freedoms are being Violated: **1. Freedom of speech 2. Freedom of worship 3. Freedom from want 4. Freedom from fear** and many other criminal acts and actions committed against her.

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Janice Wolk Grenadier FILES this in support of and to show other crimes to Americans like what was done to General FLYNN and Covered up. Janice Wolk Grenadier lives in FEAR every day of her life.

Janice Wolk Grenadier files this Intervene for the knowledgeable malicious intend to COVER UP for the criminal spree of Divorce Lawyer Ilona Ely Freedman Grenadier Heckman her accomplice Ericka Grenadier Lewis her husband Timberlake Lewis and David Mark Grenadier to steal Real Estate and monies from Sonia Grenadier and Janice Wolk Grenadier.

That IN OR AROUND December of 2013 Janice Wolk Grenadier CAME TO the Federal Courts for help. That Janice Wolk Grenadier lives every day in "FEAR" for her life from Divorce Lawyer Ilona Ely Freedman Grenadier Heckman and her " GANG" (widow to Judge Albert Grenadier and Jerome Heckman founder of Keller Heckman and 1st cousin to Judge Albert Grenadier) of Law Firm Grenadier Starace Duffett & Levi PC, David Mark Grenadier, Timberlake and Erika Ely Grenadier Lewis of California. All benefiting financial from the thefts of Real Estate and Money from Plaintiff Janice Wolk Grenadier.

The Judges hold the gateway to Justice have denied all Justice acting as the Juries REQUESTED INSTEAD ruling in "SECRECY" and hiding in chambers, ruling from there Desks instead of the Bench as required by the Oath of Office that they took. Janice Wolk Grenadier under the following Cases has been denied every Motion for an OPEN Court hearing, AS STATED BY Judge Posner she has been treated like TRASH.

You can read more at VALaw2010@blogspot.com , you will in the next few weeks be able to see JWG's cases at JudicialPedia.com a place for the "PEOPLE" to post there cases and what actually happened in the courts.

RELIEF REQUESTED

Wherefore first and most important is that this information helps General Flynn, and an investigation is DEMANDED by the Judge of this information.

That this court also "DEMANDS" an investigation into the Criminal Activity by the FBI and the Judiciary against JWG as Judges and Lawyers have an obligation under their OATH of Office to report such criminal activity.

The attached Exhibit of the corruption shows the perfect "COVER UP" of the DOJ, IG and FBI.

DATE: May 6, 2020

Respectfully Submitted,

Janice Wolk Grenadier[1]
15 W. Spring Street
Alexandria, Virginia 22301
202-368-7178
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[1] **COURAGE:** *(Courage (also called bravery or valour) is the choice and willingness to confront agony, pain, danger, uncertainty, or intimidation. Physical courage is bravery in the face of physical pain, hardship, death or threat of death, while moral courage is the ability to act rightly in the face of popular opposition, shame, scandal, discouragement, or personal loss.)* **So the Injustice does not happen to someone else.**

Document ID: 0.7.5411.5788-000002 20201221-0000013

CERTIFICATE OF SERVICE

I certify that on or around April 3, 2020, a copy of this was either emailed, hand delivered or sent through the USPS is placed in a postage-paid envelope addressed to the defendant's attorney, at the address stated below:

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May 6, 2020

Janice Wolk Grenadier
Pro Se Intervener

CERTIFICATION: *I declare under penalty and perjury: That No attorney has prepared or assisted in the preparation of this document. Janice Wolk Grenadier - Name of Pro Se Party.*

Janice Wolk Grenadier, May 6, 2020

Document ID: 0.7.5411.5788-000002 20201221-0000014

Exhibit 1

A. Deputy Assistant Attorney General Donald Kempf Affidavit JWG et al

B. Article Donald Kempf Resignation

Janice Wolk Grenadier:
GANG RAPED BY JUDGES / Attached Affidavit

Read more at www.VALaw2010.Blogspot.com

Judge Kavanaugh: ***"I am looking for a fair process, a process where I can defend my integrity and clear my name and all I'm asking for is fairness and that I be heard in this process"***
Statement used several times " All I'm asking for is a fair process where I can be heard"

Senator Grassley: ***I call for Due process for both sides et al***

Senator Grassley told Janice Wolk Grenadier: ***I am going to help you - keep after My staff. Senator Grassley has ignored me and made me Feel worthless, along with many others***

Dr. Christine Blasey Ford **"HER TRUTH" told to the WORLD!**
No Proof, can't remember where, who what and when
BUT, she is believable and she even self diagnosed herself

Janice Wolk Grenadier: ***GANG RAPED BY JUDGES AND LAWYERS and nowhere to go for help.***
HAS: who, what, when, where and the documentation, checks, real estate deeds, transcripts, Motions , that show lawyers lying in court, lying in court documents, emails, taped Conversations, Letters to show forgery by attorneys and Judges "COVERING UP" et al

- Lies by Lawyer Ilona Grenadier Heckman since February 14, 1985
- Over 5 attempts on my life - I have documentation
- Liable and Slander with websites by Ilona's "GANG"
- DOCUMENTS taken by JUDGES out of my file and mailed back to me- still in the box
- Tampering with a GRAND JURY
- ILLEGAL Jailing of me - holding me in Solitary Confinement for 14 days - having to SNEAK documents out to get released
- The collusion of the POLICE, the STATE Police, the Commonwealth of Virginia,
- The Executive Branch, the Legislature and the Judiciary Of Virginia
- The Executive Branch under Obama, the Senate, the Congress, the Government of the United States of America
- The DOJ, the FBI, Homeland Security and many more

JWG's Virginia and United States Constitutional Rights have been violated I have been "GANG Rapped" by ALL

Read More: VALAW2010.Blogspot.com **Call:** 202-368-7178 **E:** JWGrenadier@gmail.com

- **I want to BE HEARD** no different than Judge Kavanaugh
- **I want Justice** no different than Judge Kavanaugh

I HAD SEX out of being desperate to be heard for Justice, with Deputy Assistant Attorney General **Donald Kempf.** Because ***I want Due Process,*** **to be heard and** ***I believe it was and is my only road to JUSTICE, it is sad this is the NEW AMERICA*****, it is a miscarriage of Justice that this is the only way to be heard.**

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AFFIDAVIT of TRUTH

JANICE WOLK GRENADIER (JWG)

The "TRUTH" supposedly your best "DEFENSE" is no longer your best "DEFENSE"

it is your "MONEY-POWER & SEX" - "SEX for JUSTICE"

The United States of America Government / Judiciary is no different than Hollywood "SEX for a JOB"

Janice Wolk Grenadier according to law deposes and states under penalties of perjury as follows:

1. I am a resident of the State of Virginia.
2. I make this affidavit based upon facts personally known by me.
3. That I have been lied to and Schemed against since on or around December of 1985 by Divorce Lawyer Ilona Grenadier Heckman & others, with a **COVER - UP by many STATE of VIRGINIA & FEDERAL JUDGES, the DOJ, the FBI, the VA & Fed Government, the VA & Fed Elected Officials, the VA & Fed Judiciary.**
4. That on the evening of Nov 16, 2017 after a full day at an event JWG stopped by a Bar to mull over the day.
5. That a man standing behind me to get a drink started a conversation.
6. He shared he had just delivered the Remarks to the American Bar Association.
7. **Deputy Assistant Attorney General Donald Kempf** shared he had just gotten approved by the Senate.

8. **Deputy Assistant Attorney General Donald Kempf** later at his apartment would hand me his badge.
9. I told him about my event and about my issues with the court. I told him about being illegally jailed, my suit against 43 Federal Judges and my complaints with the DOJ et al.
10. He asked me to come back to his apartment.
11. **I agreed to go back to his apartment knowing that SEX for JUSTICE was my only choice.**
12. I went back to his apartment and had sex with him and made it clear that it was a trade.
13. I left right afterwards even though he wanted me to stay longer, as the next morning I was going back to my event, with the hopes of meeting AG Jeff Sessions.
14. I did meet **AG Jeff Sessions** who I would hand my suit et al to **Sarah Isgur Flores** Director who was to be my contact for my issues and past complaint et al. (emails and text messages are available)
15. I have been ignored by the DOJ, the FBI even with several attempts on my life & being in the hospital a year ago after being poisoned (taped conversations, emails, texts are available)
16. That on or around July 30, 2018 at the Whistleblower Summit I would meet **OIG Michael E. Horowitz and Counsel – Adam Miles who** is aware and is ignoring this even though several reports show an issue with SEX in the Government and DOJ ie "#METOO" et al. (emails available)
17. Ilona Grenadier, her lawyers et al has lied in court, court documents which has been COVERED-UP for SEX-MONEY & POWER. (forged & done by lawyers not licensed in VA documents, taped conversations, taped court hearings, et al are available)
18. The only way to get JUSTICE in America is SEX-MONEY and POWER
19. Once ignored by AG Jeff Sessions I went to Donald Kempf for help, "SEX for JUSTICE".
20. He turned me down to help, but wouldn't mind continuing SEX. (emails, texts, taped voice mails available)

"Under penalties of perjury, I declare that I have personally prepared and read the forgoing document and that the facts stated in it are true."

Janice Wolk Grenadier

Date 9/5/2018

GREGORY MARTIN PEEPLES
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES OCT. 31, 2019
COMMISSION # 7543569

Commonwealth of Virginia City of Alexandria

The foregoing instrument was acknowledged in front of me on this day of September of 2018 by Janice Wolk Grenadier

Signature of Notary

My Commission Expires. 10/31/2019

Notary Registration NO. 7543569

Document ID: 0.7.5411.5788-000002 20201221-0000017

Integrity Committee
Council of the Inspectors General on Integrity and Efficiency
1717 H Street, NW, Suite 825, Washington, DC 20006 • Integrity-Complaint@cigie.gov

May 2, 2019

Via Email
Janice Wolk Grenadier
jwgrenadier@gmail.com

Re: Complaint to the Integrity Committee

Dear Janice Wolk Grenadier:

The Integrity Committee (IC) of the Council of the Inspectors General on Integrity and Efficiency reviewed allegations submitted by you on or about September 5, 2018 to the U.S. Department of Justice (DOJ), involving Inspector General Michael Horowitz and Counsel to the Inspector General Adam Miles of the DOJ Office of Inspector General (OIG). DOJ OIG forwarded the complaint to the IC for review on April 16, 2019.

The IC is charged with receiving, reviewing, and investigating, where appropriate, allegations of misconduct made against Inspectors General (IG) and designated members of an IG's staff. The IC takes action on allegations of wrongdoing that involve abuse of authority in the exercise of official duties or while acting under color of office; substantial misconduct, such as gross mismanagement, gross waste of funds, or a substantial violation of law, rule, or regulation; or conduct that undermines the independence or integrity reasonably expected of such persons.

After thoroughly reviewing the allegations and supporting information provided, the IC determined that it will take no further action on this matter at this time. This determination was made pursuant to IC Policies and Procedures – 2018, paragraph 7.C.i. This determination is made solely pursuant to the IC's authorities and is not binding on any collateral or other proceeding.

Sincerely,

Scott Dahl
Chairperson
Integrity Committee

Document ID: 0.7.5411.5788-000002 20201221-0000018

Gmail

JW G <jwgrenadier@gmail.com>

Department of Justice, Office of the Inspector General

1 message

WashingtonComplaints, DOJOIG (OIG) <DOJOIG.WashingtonComplaints@usdoj.gov> Fri, May 3, 2019 at 12:09 PM
To: JW G <jwgrenadier@gmail.com>

Dear Ms. Grenadier,

Please call the Washington Field Office at (703) 413-1835 if you wish to make an appointment regarding your complaint against former Department of Justice employee Donald Kempf. You may schedule an appointment with Senior Special Agent Mike Fletcher to provide the details of your allegation. Please be prepared to provide several dates of availability and you will be contacted later as to a time that is available for you.

As you have been previously advised, the Department of Justice, Office of the Inspector General will welcome your information regarding your allegations regarding former employee Kempf, but the OIG does not have jurisdiction or oversight authority regarding your other complaints and issues.

Specifically, and as you have been previously advised, the OIG will not take your complaints regarding mortgage fraud issues, the FBI, divorce matters, State of Virginia matters, Federal Government complaints, local government complaints, Federal Judges, State Judges, allegations regarding your previous incarceration, or anything other than the specific details of your alleged encounter with former DOJ employee Kempf and your allegations of misconduct against him.

The OIG notes that you previously stated that you would provide copies of text messages, email messages, and recorded telephone calls to support your allegations against Kempf. As of this time, no such documents have been received from you. If you do possess such items, please provide these at the time you call to schedule an appointment. Thank you

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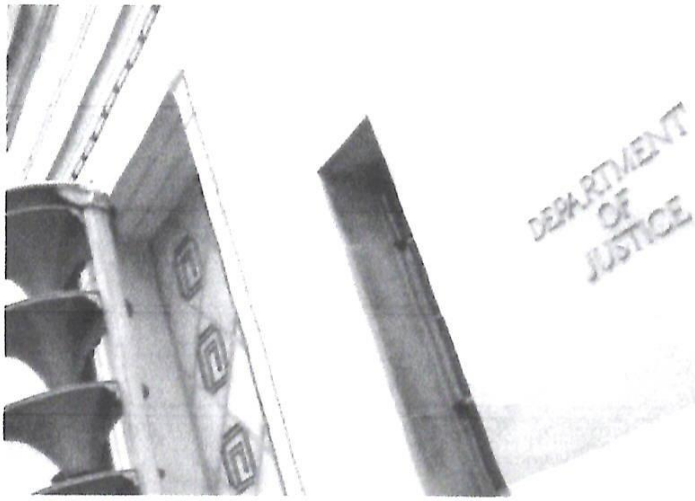
Senior DOJ Lawyer Donald Kempf Resigned Amid Misconduct Probe, Sources Confirm

A U.S. Justice Department inspector general investigation substantiated claims that the then-deputy assistant attorney general viewed sexually explicit images on government computers and that he made false statements to investigators. Kempf did not return messages seeking comment.

By **C. Ryan Barber** October 16, 2019 at 06:16 PM



U.S. Department of Justice. Photo: Diego M. Radzinschi/NLJ.

Donald Kempf Jr., a former senior lawyer in the U.S. Justice Department's antitrust division, stepped down last year during an internal investigation that would conclude he viewed sexually explicit images on government computers and made false statements when he was questioned about the conduct, according to sources familiar with the probe.

C. Ryan Barber

C. Ryan Barber, based in Washington, covers government affairs and regulatory compliance. Contact him at cbarber@alm.com. *On Twitter:* @cryanbarbe

https://www.law.com/nationallawjournal/2019/10/16/senior-doj-lawyer-donald-kempf-resigned-amid-misconduct-probe-sources-confirm/?cmp=share_twitter

EXECUTIVE SESSION

COMMITTEE ON THE JUDICIARY,

JOINT WITH THE

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT,

U.S. HOUSE OF REPRESENTATIVES,

WASHINGTON, D.C.

INTERVIEW OF: JAMES COMEY

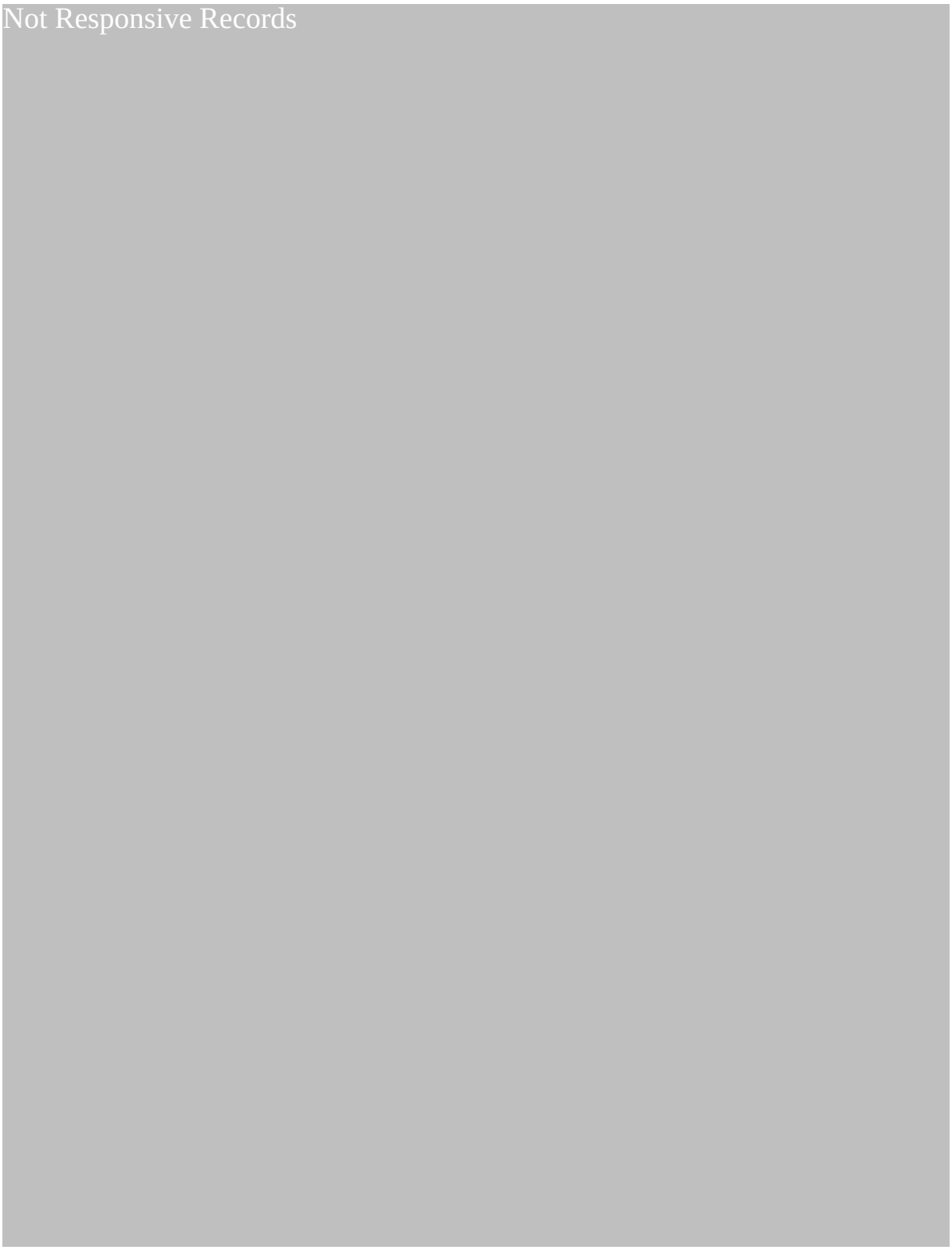
Friday, December 7, 2018

Washington, D.C.

The interview in the above matter was held in Room 2141, Rayburn House Office Building, commencing at 10:12 a.m.

Members Present: Representatives Goodlatte, Issa, King, Gohmert, Jordan, Buck, Ratcliffe, Gaetz, Biggs, Nadler, Jackson Lee, Cohen, Deutch, Bass, Gowdy, Sanford, Meadows, Hurd,

Cummings, Cooper, Krishnamoorthi, Gomez, and Plaskett.



Mr. Cohen. When you were at the FBI, did you have any reason to investigate the people who propagated stories that Seth Rich

was murdered by folks within the DNC or other democratic operatives or any of the people that talked about this pizza operation, the pizzagate thing? Did you ever investigate the people that started those conspiratorial stories?

Mr. Comey. I don't remember. I don't remember investigations on those topics. I remember at one point receiving an email from someone, a private citizen, to my personal account, raising issues about the -- is it Ping Pong? Whatever the pizza place was that was involved in some conspiracy theories. I remember sending it to my staff saying, make sure this gets to the appropriate place, but I don't know whether there were investigations.

Not Responsive Records

In The

United States Court of Appeals

for the Third Circuit

18-1816

JACOB CORMAN IN HIS OFFICIAL CAPACITY AS MAJORITY LEADER OF THE PENNSYLVANIA SENATE; MIKE FOLMER; IN HIS OFFICIAL CAPACITY AS CHAIRMAN OF THE PENNSYLVANIA STATE SENATE GOVERNMENT COMMITTEE; LOU BARLETTA; RYAN COSTELLO; MIKE KELLY; TOM MARINO ; SCOTT PERRY; KEITH ROTHFUS; LLOYD SMUCKER; GLEN THOMPSON; JEFFREY CUTLER

v.

SECRETARY COMMONWEALTH OF PENNSYLVANIA; COMMISSIONER BUREAU OF COMMISSIONS, ELECTIONS & LEGISLATION

CARMEN FEBO SAN MIGUEL; JAMES SOLOMON; JAMES GREINER; JOHN CAPOWSKI; GRETCHEN BRANDT; THOMAS RENTSCJILER; MARY ELIZABETH LAWN; LISA ISAACS; DON LANCASTER; JORDI COMMAS; ROBERT SMITH; WILLIAM MARX; RICHARD MANTELL; PRISCILLA MCNULTY; THOMAS ULRICH; ROBERT MCKINSTRY; MARK LICHTY; LORAINE PETROSKY

(Intervenors in District Court)

JEFFREY CUTLER,
Appellant

Appeal from the Order/Judgment entered April 10, 2018 in the United States District Court for the Middle District of Pennsylvania at No. 1-18-cv-00443

BRIEF AND APPENDIX
Volumes I of II (Pages 1a-34a)

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York, PA 2806
(215) 872 5715
Pro Se Appellant

Document ID: 0.7.5411.7142-000001 20201221-0020583

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STATEMENT OF SUBJECT MATTER AND APPELLATE JURISDICTION

The United States District Court had subject matter jurisdiction pursuant to 18 U.S.C. § 3231, which confers upon the district courts original jurisdiction over all offenses against the laws of the United States. Appellate jurisdiction is conferred upon the Court of Appeals for the Third Circuit by 28 U.S.C. § 1291 and U.S.C. 18 U.S.C. § 3742(a).

The District Court imposed a decision on March 19, 2018, with the judgment officially entered that same day. (AA5-28; DDE ## 136, 137).[1] Appellant Jeffrey Cutler complied with Rule 4(b)(1) of the Federal Rules of Appellate Procedure by filing a timely Motion to Reconsider and Intervene on April 3, 2018, however the court omitted page 3 during scanning (AA396-397). The court corrected the document on April 9, 2018 (AA561-570), and rendered a decison on April 10, 2018. Notice of Appeal was filed on April 12, 2018 (AA1-2; DDE # 141) and a corrected appeal on April 17, 2018. (AA3-4; DDE # 143).

STATEMENT OF RELATED CASES

Appellant believes USCA case #17-2709 currently pending before this Court is directly related to this appeal, and case #5:17-cv-05025 in the eastern district of

[1] "AA" refers to the Appellant's Appendix filed with this brief. "DDE #" refers to the district docket entry and corresponding entry number.

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Pennsylvania are both related to this case. Case # CI-17-01626 Lancaster County court of Common Pleas, was also aimed at setting a precedent in altering the Pennsylvania Constitution by Judicial Decree. Case # 3:17-cv-02692 from the Northern District of Texas, and case # 1:16-cr-10233-RGS Massachussetes, both involve FBI misconduct. Case # 3:12-cr-00034-CWR-FKB involves the KLU KLUX KLAN or copycat behavior.

STATEMENT OF THE ISSUE ON APPEAL

1. Whether the remedy imposed by the Supreme Court of Pennsylvania, which clearly violates the Pennsylvania Constitution and creates a precedent that allows any part of the constitution be circumvented in 10 days without any notice being afforded to voters or the public, and was substantively unreasonable because it exceeded the necessary to satisfy the goals set forth in 18 U.S.C. §3553(a) and violates the United States Constitution Amendment 1. The Public Interest Law Center claims this case is based soley on state constitutional grounds and not perjured testimony.

   Standard of Review: Appellate courts review sentencing challenges under the abuse of discretion standard. *Gall v. United States*, 552 U.S. 38 (2007).

   Preservation of Issue: Mr. Cutler opposed the government's request for a remedy that allows the court to Ammend the Pennsylvania Constitution in effectively 10 days based on perjured testimony.

   The courts have affirmed, it must "afford a liberal reading to a complaint filed by a pro se plaintiff," particularly when the plaintiff has no formal legal training or education. Klayman v. Zuckerberg, 753 F.3d 1354, 1357 (D.C. Cir. 2014); see also Erickson v. Pardus, 551 U.S. 89, 94 (2007) ("A document filed pro se is to be liberally construed, and a pro se complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by

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lawyers."

STATEMENT OF THE CASE

Jeffrey Cutler appeals the remedy imposed by the Pennsylvania Supreme court which allows a process that minimally is described by the Pennsylvania constitution at a minimum of 90 days, during 2 seperate sessions. Mr. Cutler respectfully submits that under the facts and circumstances specific to this case, the final remedy was significantly greater more intrusive than necessary to achieve the statutory purposes of case, and was therefore substantively unreasonable.

Furthermore, the remedy created an unwarranted disparity in law in contravention of 18 U.S.C. § 3553(a), and violates the United States Constitution Amemdment 1.

A. The Offense

Mr. Cutler was elected to public office in November 2013. He was subsequently removed from office based on a single-count Complaint in Mandamus with violating the local tax collector law, and was removed from office based on a two hour hearing based on perjured testimony. The incident took place on March 17, 2017 in the court of common pleas by Judge Margaret Miller, ordering his mail be redirected and bank accounts seized in violation of federal law.

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Prior to this incident, Mr. Cutler after taking his required oath office to defend the constitution of the United States and Commonwealth of Pennsylvania, had tried to overturn the affordable care act because he felt it violated the establishment clause of the United States constitution Amendment 1. He had hired the American Freedom Law Center to assist him in the appeal of this effort. Mr. Cutler had filed an original lawsuit in Washington, DC on December 31, 2013 Pro Se (1:13-cv-2066). Mr. Cutler had gotten into a verbal altercation with a township about being elected, and was urged to resign, the position he was legally elected in November of 2013. By January 9, 2014, East Lampeter Township solicitor had sent a threat of legal action for getting legally elected. Mr. Cutler contracted the Fulton Bank to accept payments at any of the over 80 state branches, just like the Conestoga Valley School system. Mr. Cutler deputized the Conestoga Valley School system to collect the school sytem taxes for East Lampeter Township, since they had an employee in place to perfrom this activity and the other two townships that use the Conestoga Valley School system were not part of East Lampeter Township. Mr. Cutler continued to perform the duties required of the position and was continually

---

2 Mr. Cutler was never convicted of any crime and attempted to clear his name and recover assets seized by court order, and found not a single lawyer would assist him. Mr. Cutler had reported crimes to the FBI and had been directed to cease and desist reporting crime, by email of the FBI (AA118).

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harraseed by East Lampeter Township and they filed action in Mandamus on June 9, 2015 (case # CI-15-05424) on three counts, but 2 of the counts were removed by stipulation. The action in Common Pleas court, caused Mr. Cutler to try and defend his reputation. The solicitor of East Lampeter Townsip supported perjured verification of Ralph Hutchinson and Mail Fraud. Mr. Cutler believes his lawyer Drew Deyo was bribed or coerced into throwing the case, and committed legal malpractice. Mr. Deyo complained about the FBI harrasing him. Evidence of East Lampeter Township using bribes or payments to coerce false testimony had been discoveed previously during discovery and trials involving Lisa Michelle Lambert. The malicious prosecution of a crime that did not happen, via Mandamus action violates the very foundations of the justice system. The fact that they felt compelled to not only ruin Mr. Cutler's reputation and life, but had to make sure he knew it was because he was born Jewish by keying a SWASTIKA on his minivan. Mr. Cutler was aware that KLU KLUX KLAN existed in Lancaster County, but since he chose to not openly display signs of being Jewish he felt reasonably safe. There were stories in the Lancaster newspaper that Jewish families were being threatened and harrased and fled Lancaster county. Mr. Cutler had an incident at a McDonald's where Lancaster city police were called to evict him for criminal tresspass from the site and inform him he was not allowed at any McDonald's owned by the same franchise, in perpetuity. His alledged infraction was he

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allegdedly said something that was heard by an employee. Mr. Cutler purchased 10 shares of McDonald's stock and wrote a priority mail letter to the corporate headquarters and CEO. He informed the CEO he would file an action in Federal court. The corporation informed the franchise, and Mr. Cutler and the franchise resolved the problem and no action was required in court, and no compensation was paid.

Mr. Cutler sent out tax bills using the same printer as used by the Conestoga Valley School system, but was not paid for the postage and printing as required by law. The data for the tax bills was supplied by the office of the Lancaster County Treasurer (Craig Ebersole at the time). Mr. Cutler was never fully compensated for the postage and printing, but after a 1 year delay based on emails and letters from the solicitor of East Lampeter Township, was paid half the amount spent for the service. Mr. Cutler accepted a contract engineering support position for Harley Davidson in York, Pennsylvania at night to supplement his revenue. His lawsuit challenging the affordable care act progressed in court at the same time he was doing both collectimg taxes and supporting the Harley Davidson plant in York, PA. The data provided by the office of the treasurer contained approximately 175 exempt properties (such as churches), which required a significant amount of time to correct. Mr. Culer's interface to the funds collected was reports provided by Fulton Bank, via internet access. He also was required to enter the tax data on the Lancaster county progam know as "MrETC", via the

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internet. During this time Mr. Cutler experienced at least one period where his internet "IP"address was blocked from access to the Lancaster county system "MrETC". After a verbal altercation with the treasurer (Craig Ebersole), the IP access was restored. At the same time Mr. Cutler's case in district court progressed and Kimberly Herr of the United States justice department of Justice contacted him about an extension of time to respond to case 1:13-cv-02066. Mr. Cutler prepared a response opposing the motion for extended time, and travelled to Washington, DC to deliver the response (Mr. Cutler does not have CM/ECF access to the federal courts). Mr. Cutler discovered during his trip to Washington, DC that judge (Colleen Kollar-Kotelly) had granted the extension without even seeing Mr. Cutler's response. This was Mr. Cutler's first hard example of un-equal justice. Case 1:13-cv-02066 was dismissed for lack of standing and Mr. Cutler filed an appeal in the United States Court of appeals in Washington, DC (case # 14-5183), and paid cash at the time of the appeal. Despite paying cash for the appeal, the United States Court sent Mr. Cutler a notice requesting payment or declaration of paupris. Mr. Cutler went to Washington, DC and filed a motion to continue with a copy of the receipt. Mr. Cutler believing the court system was essentially rigged against pro se litigants sought assistance from any competent lawyer. Mr Cutler was able to induce the American Freedom Law Center to assist him, by making a large donation (over $ 75,000). His goal was very similar to their objective, based on cases they had in federal court. They performed very

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well and took the appeal all the way to the Supreme Court (15-632) (AA130). On May 12, 2015 oral arguments were held in Washington, DC in front of a three judge panel. Mr. Cutler had purchased a roundtrip ticket at an Amtrak terminal that morning with an American Express card in Baltimore Penn Station. On the return trip home Mr. Cutler recieved a phone call from his brother about a Amtrak crash and wanted to know if he was safe. Amtrak 188 had gone off the tracks in Philadelphia, and killed 8 people. NBC sought out and interviewed a Jeffrey Cutler about the crash. That Jeffrey Cutler was not the same Jeffrey Cutler, but that Jeffrey Cutler had purchased a reserved seat on that Amtrak 188. One of the people killed was a midshipman of the United States Naval Acadamy (Justin Zemser), and thus his murder would be subject to the laws of the United States government. Mr. Cutler became aware the locomotive involved in the accident had a feature that allowed some control via the internet, yet this has not been examined or noted in public.

On June 10, 2015 East Lampeter Township filed an action in Mandamus against Mr. Cutler in Common Pleas Court (CI-15-05424). On June 30, 2015 Mr. Cutler filed a civil action against East Lampeter Township, pro se for violations of the sunshine law and to force them to pay expenses of the Tax Collector (CI-15-05682) and other remedies.

On August 14, 2015 (AA80,98) the United States Court of appeals for the DC circuit granted Mr. Cutler standing to challenge the affordable care act based on

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the establishment clause of the United States constitution. On December 10, 2015 East Lampeter Township filed a petition for an injunction to remove Mr. Cutler from office, bassed on perjured testimony and mail fraud in the court of common pleas. Judge Jeffrey Wright did not allow Mr. Cutler to be present in the hearing, and issued an order which Mr. Cutler complied, even though one part of the complaint was not relevent. On November 11, 2015 an 89 page petition was filed in the Supreme Court case 15-632 by the American Freedom Law Center on behalf of Mr. Cutler. On January 11, 2016 the Supreme Court announced it will decline to hear the case, even though the United States Government declined to respond to the petition. Also on January 11, 2016 two state police officers were waiting for Mr. Cutler near the entrence to his apartment complex. They claimed they followed Mr. Cutler the 1.1 miles he drove after leaving a resturant where Mr. Cutler consumed less than ten dollars worth of beer. They administered a field sobriety test, and Mr. Cutler registered a .05 blood alcohol level. Despite being under the legal limit they handcuffed Mr. Cutler, and transported him to Lancaster General Hospital. At the hospital they drew blood and Mr. Cutler requested they take an extra vial for his testing, but they refused. Lancaster General Hospital sent Mr. Cutler a bill for drawing blood of two hundred dollars. They also confiscated Mr. Cutler's driver's license. This required Mr. Cutler to get a duplicate driver's license. At the Pennsylvania DMV, they had no record that any possible DUI was in progress, or had occured. On January 20, 2016

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Judge Wright issued an order to assign the case to Judge Margaret Miller, violating the rules of the court. They elected a new treasurer, and she (Amber Green) took office in January 2016. The Lancaster County Treasurer also changed the software to record tax payments. The software had numerous problems. On March 17, 2016 there was hearing with Judge Miller in common pleas court for case # CI-15-05682. Judge Miller had been assigned to the case # CI-15-05682, despite a request for Judge Wright for continuity. Judge Brown was assigned to the case # CI-15-05682 by random assignment, and then Judge Miller was assigned to the case, because of alleged conflict. Judge Miller dismissed case # CI-15-05682. within minutes of the hearing termination. Mr. Cutler stopped by the office of the FBI in Newtown Square in May of 2016 with documentation of misconduct by East Lampeter Township/Lancaster County identifying approximately 35 items. Mr. Cutler talked to an FBI agent for approximately 2 hours, and offered a hard copy of the documents but the FBI agent declined to take the hard copy of the documents. Mr. Cutler had also notified the treasurer's office of these problems. Some of the entries he had made in the payment of tax payments had been erased or not calculated correctly. In June of 2016 Mr. Cutler was notified of a hearing in common pleas court for case # CI-15-05424. Mr. Cutler requested that his lawyer Drew Deyo subpoena people to the hearing, Mr. Deyo refused. Mr. Cutler advised Mr. Deyo he is not authorized to represent him unless the action is approved in writing. Mr. Cutler started acting pro se in case #

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CI-15-05424. He requested several motions and they were all denied by Judge Miller. He filed a move to Federal court middle district of Pennsylvania as case # 1:16-cv-1159 for Lancaster county court case CI-15-05424. Mr. Cutler had inserted the entire 89 page petition for the Supreme court in the case. It was dismissed and remanded back to Common pleas court, however Mr. Cutler filed a STOP order in court of Common pleas, which was ignored by Judge Miller. Judge Miller held a hearing on June 17, 2016 (AA186, 188) even though the STOP order was in place. During the hearing they acknowledged that they never notified Mr. Cutler of the hearing, and violated due process. Mr. Cutler filed an appeal in federal court United States Court of Appeals for the third circuit for case # 1:16-cv-1159 as case # 16-3164. Mr. Cutler was notified by text message supposedly by his mother's land line (which is impossible), that Seth Rich had been murded in the hospital. Mr. Cutler called the Rabbi that gave the eulogy at Seth Rich's funeral. Mr. Cutler also mentioned Seth Rich in a filing in case 16-3164 (On August 16, 2016 Seth Rich is mentioned in the filing in Philadelphia United States Court of Appeals for the Third Circuit case 16-3164). The owner of the Best Cake bakery on Haverford Avenue in Philadlephia was shot during a robbery. This bakery is near Mr. Cutler's mother's house and Mr. Cutler would stop there to purchase bread for his mother when visiting her. Seth Williams (the elected district attorney of Philadelphia at the time) held a rally to try and find the individuals that shot the baker in front of the store. Several police and other

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representatives of the Philadelphia District Attorney's office were present. Mr. Cutler met Seth Williams for the first time, and Jan McDermott an assitant district attorney. Mr. Cutler offered both Mr. Williams and ADA McDermott a T-SHIRT he had created in memory of his case in Federal Court. ADA McDermott accepted the TSHIRT. On August 9, 2016 Mr. Cutler attended a rally for Mr. Trump for president that Mike Pence attended at the Host Farm in Lancaster, PA. Mr. Cutler was one of four people to speak, and gave one of his T-SHIRTS to Mike Pence, who is now the Vice President of the United States. Another speaker talked about the "Right To Try" for experimental drugs and that has since become law. (https://www.youtube.com/watch?v=BdlZkt1Xlhs) Case 16-3164 was denied and Mr. Cutler filed for an Enbanc review that was also denied on Nov 10, 2016. Mr. Cutler sought a way to keep the case alive without filing a new petition to the Supreme Court. He filed motions to join cases, including a case involving the recount in Pennsylvania, by Jill Stein in the Eastern District of Pennsylvania (2:16-cv-06287). Mr. Cutler also filed motions in case 5:16-cv-04108 on December 23, 2016. This case involves another victim of Judge Miller and massive civil rights violations. He was held over 41 months at the time without trial, had zero representation in federal court, and used verbage to deny his release that asserts he failed to use his state appeals, even though he never even had a trial. Mr Cutler believes these are all related cases. Mr. Cutler discovered during this process and by the rules of the court he probaly prevented Jill Stein from mounting

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any appeal, because Mr. Cutler's case had been through the entire Enbanc process, and only an emergency appeal to the Supreme Court would have any merit. Mr. Cutler also discovered during this process that other cases for incorrect jurisdiction were routinely transfered to the Eastern District of Pennsylvania. Mr. Cutler has no formal legal training. Mr. Cutler started sending hard copies and emails to ADA McDermott of misconduct in Lancaster county, just in case he became dead unexpectedly. He did this based on Mr. Williams prosecution of Kermit Gosnel, and his willingness to take on the cases of officials taking bribes on camera. On January 30, 2017 Jeffrey Cutler got an email reply from FBI agent Joesph A. Milligan that stated "Cease and desist adding myself and ADA McDemott to any more of your emails regarding this matter." (AA118) Note: Spelling error of McDemott which should be McDermott. This email was based on an email from Jeffrey Cutler the same day with a title "CONSPIRACY TO COMMIT BANK AND INSURANCE FRAUD"(AA118). Less than 60 days later Seth Williams was indited on corruption charges March 21, 2017. Mr. Cutler attended some of the trial and the FBI was presentening evidence trivial evidence that Mr. Williams would withdraw money from the ATM, and not care about a two dollar charge. Mr. Cutler also tried to intervene in the case, and filed motions for the case and show prejudice by the FBI including the cease and desist email (2:17-cr-00137). Mr. Cutler became aware that Seth Williams may be starting a grand jury to investigate the Murder of Jonathan Luna on November 4, 2003. On February 23,

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2017 the East Lampeter Solicitor had a meeting to appoint the Lancaster County Treasurer (Amber Green - even though it has now been published she failed to have a surety bond and was collecting taxes illegally) to collect real estate taxes in 2017, and this was aproved by the same day at a 7:00 AM meeting. Mr. Cutler attended the meeting but it ended when he started speaking. On March 3, 2017 Jeffrey Cutler filed a new federal lawsuit (2:17-cv-00984) against Amber Green et al., which is the basis of USCA case #17-2709. On March 7, 2017 Brian Hurter signed a verification which essentially claimed Mr. Cutler failed to turn in $ 90,000.00 (AA122). Yet on March 17, 2017, he testified under oath that neither he or anyone that worked for him ever audited a single record of the Lancaster County Treasurer. Based on court records Judge Miller filed an order on March 7, 2017 that allowed Mr.Cutler's lawyer to withdraw effective March 10, 2017. Mr. Hurter did nothing to stop wasted postage of sending out tax bills via first class mail instead of pre-sorted mail, which cost Lancaster county taxpayers over $250,000.00 over the period of his term. Mr. Hurter had allowed over three million dollars of checks to remain un-cashed at the office of the Lancaster County Treasurer for over 30 days. On March 10, 2017 Amber Green married Scott Martin. They both got divorces in the fall of 2016. Scott Martin was one of the 2 State Senators that initiated actions against Mark Reese (also without a aid of legal advice) to also set a precedent to allow a judge to alter the Pennsylvania Constitution by decree (Case # CI-17-01626 Lancaster County court of Common

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Pleas). Mr. Cutler filed a motion to intervene in that case also. Based on tax records Jeffrey Martin has one of the the smallest tax bills in East Lampeter Township, of less than $ 2.00 per year. On March 17, 2017 after a two hour hearing Judge Miller ruled Mr. Cutler was essentially no longer the tax collecor, and issued an that order that siezed his mail and bank accounts opened at Fulton Bank for this purpose. Mr. Cutler had filed a motion with the Supreme Court of Pennsylvania complaing about his treatment and violations of whisteleblowerAct of Dec. 12, 1986, P.L. 1559, No. 169. On May 4, 2017 the funeral for Mr. Robert Needle, was held. He died unexpectedly and was a retired employee of the Commonwealth of Pennsylvania's auditor general's office and Mr. Cutler's cousin. On May 25, 2017 Beranton Whisenant was found murdered on Hollywood beach in Florida, he may have been the federal employee Mr. Needle was confering about the activities in Pennsylvania. Case # 2:17-cv-00984 was dismissed just after notice of default judgement was filed against the NBC affiliate. Despite over ninety thousand dollars being declared stolen by the verification of Brian Hurter of March 7, 2017, no criminal complaint was ever filed as of this date. Mr. Cutler contacted the attorney general of Pennsylvania, and made a complaint of insurance fraud. Mr. Cutler found not a single lawyer would represent him. Lawyers that at first showed interest would cancel after a day or two, as if intimidated or threatened. The email from the FBI shows Mr. Cutler was not only being monitored, but the people he contacted were also being

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monitored. On April 23, 2018 Mr. Cutler filed an Injunction Pending Appeal. On April 25, 2018 (AA219, 220) the court filed an Order dictating the proper format of all responses by CM/ECF filers in the USCA case 18-1816. All of Mr. Cutler's Appeals in state court have been exhausted. On April 25, 2018 Mr. Geffen on behalf of the Public Interest Law Center filed an Entry of appearence that failed to notify Mr. Cutler and violated Rule 65 of the Federal Rules of Civil Procedure (AA552, 554). All documents filed on behalf of Acting Secretary Robert Torres and Commisioner Marks fail to comply with the order of April 25, 2018 (AA219, 220) (AA557, 559) and therefore all their claims should be dismissed.

B. The History and Characteristics of Jeffrey Cutler

Prior to this incident, the record shows that Mr. Cutler was a hardworking, man, who had successfully supported himself and never had any prior criminal convictions. Mr. Cutler was living in East Lampeter Township, Pennsylvanina for several years. He had worked for various companies and had got elected to public office as Tax Collector by simply writing his name on he ballot and having the good fortune to get marble #2 in a lottery draw to break the tie. His first day on the job was January 6, 2014 as a East Lampeter Township Tax Collector. He also had a solid work history before being elected, including jobs as an engineer and helping start up complicated pharmaceutical, manufacturing opertions, food plants, and paper manufacturing projects.

Mr. Cutler not only worked as an engineer, but as an electrician for a ship yard,

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and other companies. Mr. Cutler does not have an any criminal record, and has tried to preserve his reputation throughout his life. Mr. Cutler term in office of 27 months, was short of the elected term of 48 months. It does bear mentioning that he was relatively young at the time (62) of the illegal removal from public office based on prejudice of the township and Lancster County. The township supervisor has been employed for over 21 years, and the township now has a debt of over 25 million dollars. Mr. Cutler has been exceptionally proactive about trying to clear his name and had to investigate misconduct of East Lampeter Township, Lancaster County and FBI (AA118). However on June 27, 2017 Mr. Cutler visited the Central Penn college in East Lampeter Township and inquired about some of the summer courses. That evening Mr. Cutler got a call from an officer of the East Lampeter Township Police department and was told Mr. Cutler will be arrested for criminal tresspass if he enters the college again. Essentially there was no complaint and Ralph Hutchinson tried to turn East Lampeter Township into a concentration camp for Mr. Cutler just like NAZI Germany (AA126). Except for the brief detention by State Police on January 11, 2016, Mr. Cutler has never beem in custody. He lived a law-abiding, productive life, characterized by a solid work-ethic.

C. The Guilty Plea

Jeffrey Cutler has only entered into a plea agreement to open an office in East Lampeter Township, and post hours on the tax bills. This agreement was negotiated

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by Drew Deyo without Mr. Cutler's appproval or Mr. Cutler allowed to be in attendence on Dec 30, 2015.

D. The Sentence

On March 7, 2017 based on time stamp on the prothontary web site Judge Miller entered an order that is dated March 10, 2017 which froze the assets of the bank accounts of Jeffrey Cutler at Fulton Bank. The petition to intervene was filed on On March 8, 2017 based on time stamp prothontary web site, by Christina Hausner. On March 17, 2017 Judge Miller issued an order which made final the theft of Mr. Cutler's assets. On October 2, 2017 six police officers of East Lampeter Township and 1 one constable threatened Mr.Cutler with death if he failed to leave his apartment at 67 Cambridge Village, based on fraudulent paperwork of eviction (a legal stop order was in effect based on case filed in federal court which is now 5:17-cv-05025). All of Mr. Cutler' assests have been destroyed or stolen, despite 2 insurance policies.

SUMMARY OF THE ARGUMENT

The sole issues on appeal are the reasonableness of Jeffrey Cutler's sentence that included a very rare documented fraud by public officials, and if a judge can blatantly ignore the constitution. Mr. Cutler submits that the above-the-range sentence is substantively unreasonable based on the totality of the circumstances.

The sentence is a result of criminal activity and discrimination by the state. The state Court's unsustainable finding that Mr. Cutler demonstrated, through this

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alleged offense, a disregard for being the wrong religion. The record simply does not support the court's conclusion. Instead, the facts show that despite Mr. Cutler's demonstrated efforts at rehabilitation of his name, censorship of his activities by NBC, the LNP Media Group and every other media outlet in the United States, showed a disregaed for Human Life and support of Fake News. Worse, data from the Sentencing Commission conclusively shows that upward variances are extraordinarily rare, but not in Lancaster County Pennsylvania. The sentence facially created a disparity, one that was not warranted under the facts specific to Mr. Cutler and this case. A previous case in East Lampeter Township of Lisa Michelle Lambert was significantly tainted based on the federal judge Stewart Dalzell. In short, the final sentence was far greater than necessary to address the statutory goals of sentencing, since it was based on perjured testimony in both cases.

LEGAL ARGUMENT

I. THE SENTENCE IMPOSED BY THE COURT, WHICH INCLUDED AN EXTREMELY RARE SIEZURE AND UPWARD VARIANCE, WAS FAR GREATER THAN NECESSARY TO SATISFY THE RELEVANT SENTENCING GOALS SET FORTH IN 18 U.S.C. § 3553(a) AND WAS THEREFORE UNREASONABLE.

A. Standard of Review

Mr. Cutler challenges the substantive un-reasonableness of his asset siezure and being made homeless by police misconduct including the destruction of evidence of the

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murder of Jonathan Luna. Final sentences are reviewed for reasonableness under the abuse-of-discretion standard. *Gall v. United States*, 552 U.S. 38, 46 (2007). Mr. Cutler preserved this issue by objecting to the government's request for an upward variance, while simultaneously advocating for vacating the sentence below the guideline range.

B. Argument

Mr. Cutler respectfully challenges the reasonableness of his above-the-range sentence. The substantive reasonableness review focuses on whether it was reasonable for the state court to conclude, in light of all of the relevant sentencing factors, that the sentence imposed was minimally sufficient to comply the sentencing goals set forth in 18 U.S.C. 3553(a). As the Court explained in *United States v. Doe*, "[s]ubstantive reasonableness inquires into 'whether the final sentence, wherever it may lie within the permissible statutory range, was premised upon appropriate and judicious consideration of the relevant factors.'" 617 F.3d 766, 769 (3d Cir. 2010), *cert. denied,* 564 U.S. 1005 (2011), (citing *United States v. Schweitzer*, 454 F.3d 197, 204 (3d Cir. 2006)). Mr. Cutler maintains that in light of the facts and circumstances particular to his case, that his sentence, which included an upward variance, was plainly unreasonable and did not comply with the "overarching instruction to courts that they must 'impose a sentence sufficient, but not greater than necessary,' to achieve the goals of sentencing," *Kimbrough v. United States*, 552 U.S. 85, 101 (2007).

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When imposing a final sentence, a court must consider all of the goals and factors set forth in 18 U.S.C. § 3553(a)(2), which are:

> (A) to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense;
> (B) to afford adequate deterrence to criminal conduct;
> (C) to protect the public from future crime of the defendant; and
> (D) to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner.

Additionally, the court must consider the nature and circumstances of the offense, the history and characteristics of the defendant, the kinds of sentences available, the guideline range, and the need to avoid unwarranted disparities in sentencing. *See* 18 U.S.C. § 3553(a)(1)-(7). On appeal, as he did at sentencing, Mr. Cutler submits that these factors not only weighed against an upward variance, they actually supported his request for completely vacating a verdict based on perjured testimony.

1. The guideline range remains a strong starting point for any sentence. Sentences outside the range must be justified by the record.

A correctly calculated guideline range remains the "starting point for the entirety of the §3553(a) analysis." *United States v. Langford*, 516 F.3d 205, 211 (3d Cir. 2008). While the guideline range is not entitled to any presumption of reasonableness, the Supreme Court considers it "the starting point and the initial benchmark." *Gall,* 552 U.S. at 50.

The extent of the variance is important because the sentencing court must explain a variance and "ensure that the justification is sufficiently compelling to support the

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degree of the variance." *Id.* at 50. As the First Circuit explained, in reviewing the reasonableness of a sentence, an appellate court "focuses on the duration of the sentence in light of the totality of the circumstances." *United States v. Del Valle-Rodriguez,* 761 F.3d 171, 176 (1st Cir. 2014). Moreover, in *Gall,* the Supreme Court noted that it was "uncontroversial that a major departure should be supported by a more significant justification than a minor one." *Gall,* 552 U.S at 50.

For the reasons more fully addressed below, Mr. Cutler maintains that the record, as a whole, did not support any verdict by Judge Miller. Furthermore, the reasoning given by the court for the variance did not justify an upward variance, and violation of law.

2. The nature and circumstances of the offense did not justify an upward variance.

Mr. Cutler respectfully submits that a careful review of the record and a balanced analysis of all the facts surrounding this offense do not support any penalty imposed by the court or the reasoning offered by the court for the final sentence. The nature and circumstances of the offense is an important factor within the §3353(a) analysis, but that analysis requires the court to look at the totality of the circumstances. To the contrary, Mr. Cutler did not and does not have a disregard for human life. There is no question that the nature of the underlying offense was extremely not serious or dangerous. Mr. Cutler does not acknowledge his behavior was wrong, but he simply maintains that his conduct must be put in the correct context. There was no crime,

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except the 190,000 counts of mail fraud committed by Brian Hurter and Amber Green Martin (even though it has now been published she failed to have a surety bond and was collecting taxes illegally) defrauding almost every taxpayer in Lancaster County, except High Inc and their partner LNP Media Group.

His actions were driven by the natural desire for self-preservation, rather than an indifference towards others.

Moreover, characterizing his behavior as reflecting a disregard for human life would place Mr. Cutler among the worst and most violent offenders. However, it must be emphasized that Mr. Cutler has no criminal history points and was convicted of no crime. A 2017 report by the United States Sentencing Commission ("Commission") entitled *"The Past Predicts the Future Criminal History,"* explains, "the Commission's present study found that recidivism rates are closely correlated with total criminal history points and resulting CHC classification, as offenders with lower criminal history scores have lower recidivism rates than offenders with higher criminal scores."

Mr. Cutler did not commit any criminal offense but the action in Mandamus was aimed at incarcerating Mr. Cutler like Lisa Michelle Lambert. Data from the Commission does not support placing Mr. Cutler in the company of the worst, most dangerous offenders who demonstrate a disregard for the safety of others.

3. Mr. Cutler's and Lisa Michelle Lambert's history and characteristics strongly supported his request for vacating the verdicts. A downward variance was both available and appropriate in both cases.

An equally important sentencing factor is the history and characteristics of the

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individual defendant. Lisa Michelle Lambert's tremendous efforts to improve herself while incarcerated and then striving to lead an honest, law abiding life, are proof of good name. There is no question she successfully established herself as a hardworking, person. Moreover, the court's disregard for human life should warrant a full dismissal of all charges against Lisa Michelle Lambert, Mr. Cutler and Jammal Harris.

Because a defendant disagrees with the manner in which a court weighs the sentencing factors. *United States v. Bunger*, 478 F.3d 540, 546 (3d Cir. 2007) ("Nor do we find that a district court's failure to give mitigating factors the weight a defendant contends they deserve renders the sentence unreasonable.") However, post-offense rehabilitation, and how it relates to the history and circumstances of the defendant, is arguably a unique factor and an exception to that policy.

First, the Supreme Court has affirmatively stated the rehabilitation merits "great weight" and provides strong support for more lenient sentences. *Gall v. United States*, 552 U.S. 38, 59 (2007) ("The District Court quite reasonably attached great weight to Gall's self-motivated rehabilitation, which was undertaken not at the direction of, or under supervision by, any court, but on his own initiative. This also lends strong support to the conclusion that imprisonment was not necessary to deter Gall from engaging in future criminal conduct or to protect the public from his future criminal act.") In fact, a defendant's demonstrable efforts at rehabilitation are among the most important considerations in the whole sentencing analysis. Persuasively, as the Supreme Court observed in *Pepper v. United States*,

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> There is no question that the evidence of Pepper's conduct since his initial sentencing constitutes a critical part of the 'history and characteristics' of a defendant that Congress intended sentencing courts to consider.
>
> Pepper's postsentencing conduct also sheds light on the likelihood that he will engage in future criminal conduct, a central factor district courts must assess when imposing sentence. As recognized by Pepper's probation officer, Pepper's steady employment, as well as his successful completion of a 500-hour drug treatment program and his drug-free condition, also suggest a diminished need for 'education or 'vocational training . . . or other treatment.' Finally, Pepper's exemplary postsentencing conduct may be taken *as the most accurate indicator* of his 'present purposes and tendencies and significantly to suggest the period of restraint and the kind of discipline that ought to be imposed upon him. Accordingly, evidence of Pepper's postsentencing rehabilitation bears directly on the District Court's overarching duty to 'impose a sentence sufficient, but no greater than necessary' to serve the purposes of sentencing.'

562 U.S. 476, 492-3 (2011) (emphasis added). Lisa Michelle Lambert's case is remarkably similar to Pepper's case in the sense that both defendants made extensive efforts at rehabilitating themselves. In sum, the Supreme Court explicitly holds rehabilitative efforts are among the most important factors in the overall sentencing analysis, and corruption of public officials and religion should not weigh into these guidelines.

There is a real threat here, that instead of sending a message to other individuals about the risks of reoffending, the upward variance in this case serves as a deterrent against running for public office, as those efforts were grossly undervalued by the sentencing court.

The record simply does not support a finding that Mr. Cutler deserved any penalty and that sentence.

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4. The final sentence resulted in an unfair and unwarranted sentencing disparity.

Furthermore, this sentence must be vacated and this matter remanded because the final sentence in this case created a major sentencing disparity. Statistics and data released by the Commission show that upward variances pursuant to §3553(a) are extremely rare. In reality, they are so rare that they are virtually a statistical anomaly.

Based on the data, to justify this sentence, Mr. Cutler and Lisa Michelle Lambert have to be among the very worst offenders, and have committed one of the most egregious offenses. However, for the reasons discussed above, Mr. Cutler does not belong among the category of worst offenders. In fact, he stands apart from other persons never convicted. Mr. Cutler and Lisa Michelle Lambert are inexplicably placed among the top three or four worst defendants, committing the worst offenses, in the fiscal year. The record simply does not justify such a conclusion. Therefore, the upward variance led to an unjustifiable disparity.

- *United States v. Rogers*, 598 Fed. Appx. 114 (3d Cir. 2015), *cert. denied* 135 S.Ct. 1570. Third Circuit upheld the upward variance based in large part on the defendant's personal characteristics which included a lack of employment, and a lengthy juvenile and adult criminal record.

- *United States v. Ramirez*, 460 Fed. Appx. 119 (3d Cir. 2012), *cert. denied* 568 U.S. 1016. The district court did not abuse its discretion in imposing an upward variance after finding the defendant had a lengthy and "disturbing" record. *Id.* at 120. Also, the firearm was used in connection with drug distribution.

- *United States v. Cabbagestalk*, 246 Fed. Appx. 109 (3d Cir. 2007), *cert. denied* 552 U.S. 1126 (2008). Third Circuit ruled the district court's explanation that defendant's lengthy criminal history, which included convictions for robbery, aggravated assault, making terroristic threats, and reckless endangerment of another person, justified the upward variance. This case also involved the use

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of a weapon in connection with another felony.

- *United States v. Perez-Carrera*, 686 Fed. Appx. 15 (3d Cir. 2017), *cert. denied* 138 S.Ct. 281. Third Circuit noted that defendant not only had prior drug and firearm convictions, but there were very short time gaps in between offenses.

- *United States v. Carson*, 377 Fed. Appx. 257 (3d Cir. 2010). Upward variance affirmed for defendant with "deplorable" criminal record that spanned "a little over 30 years" and included multiple convictions for firearm offenses and other crimes of violence.

Mr. Cutler or Lisa Michelle Lambert are not comparable to any of these defendants; they wer not "similarly situated" to these defendants. Mr. Cutler had a solid employment record, and no prior conviction, did not offend or use a firearm in connection with another offense.

In sum, these cases highlight that the final sentence created an unfair and unwarranted sentencing disparity. Instead of being sentenced with a no fine like a defendant never convicted (or John Corsine), of with no prior conviction, and who presented a number of verifiable mitigating factors, Mr. Cutler and Lisa Michelle Lambert were sentenced like an individual with a lengthy criminal history and no history of post-offense rehabilitation.

The disparity was not only unwarranted, it was also inherently unfair, and in furtherance of a criminal act.

5. The sentence was substantively unreasonable.

As established above, the upward variance was not justified in this case. The record does not support a finding that Mr. Cutler showed a disregard for human life. Due to the application of the variance, the sentence created an unwarranted disparity placing

Document ID: 0.7.5411.7142-000001 20201221-0020614

Mr. Cutler and Lisa Michelle Lambert among the top worst offenders before the court. The final result was an above- the-range sentence that cannot be justified by the record, and is unduly punitive based on the totality of circumstances. Because the final sentence does not represent the statutorily mandated minimally sufficient sentence, it is substantively unreasonable. Because of the number of documents that appear to be altered (AA339)(AA587) or late, even in federal court. In previous appeals (16-3164) parts of Rand Paul's book "Government Bullies" which was photocopied as part of the appeal it was obscured and made unreadable. Robert Mueller was the director of the FBI on November 4, 2003 when Jonathan Luna, (POSSIBLY BY MEMBERS OF THE KLU KLUX KLAN) was found MURDERED in Lancaster county, Pennsylvania. Five days after the death James Comey may have been given the number 2 position at the DOJ, to help cover-up the murder. At the time of the MURDER Andrew McCabe was in charge of the criminal division of the FBI. The FBI tried to get the coroner of Lancaster, county to call the MURDER a SUICIDE. Mr. McCabe was fired from the FBI for lies he made on March 16, 2018.

April Brooks made the FALSE statement "There's no evidence to show that he met his death at the hands of any other individual," Brooks said. "Or that he had seen or been with any other individual that night. You have naysayers and you have a divergence of (law enforcement) opinion," she said. "But again, we turned over every rock. We are confident that there is nothing hanging out there to find."
<ref>http://articles.chicagotribune.com/2012-08-29/news/sns-rt-us-usa-security-

Document ID: 0.7.5411.7142-000001 20201221-0020615

fbibre87s0u5-20120829_1_white-collar-crime-drug-gangs-gang-cases</ref>., even though this contradicts the report of the Lancaster county coroner. Flora Posteraro was fired <ref>https://www.ydr.com/story/news/2018/03/13/abc-27-anchor-leaves-station-says-not-my-choice/421175002/</ref> the same day Jeffrey Cutler emailed a reminder that on the 10 year anniversary of Luna's death WHTM had done a story that mentioned the FBI cover-up <ref>https://www.youtube.com/watch?v=LOXQSptqGKQ</ref>. The Baltimore Sun reported of the FBI cover-up on the 5 year anniversary of Luna's death <ref> http://www.baltimoresun.com/news/maryland/bal-md.luna30nov30-story.html </ref>

Based on United States v. Williams, 341 U.S. 58 (1951) and Gill v. Whitford, (Supreme Court 2018) and Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Commission. Also based on <ref>https://lancasteronline.com/news/local/lancaster-county-treasurer-without-insurance-for-millions-in-tax-dollars/article_ef5b90bc-89d5-11e8-8ace-77712e721cba.html</ref> Amber Green Martin never had a surety bond to collect taxes, and therefore Susan Peipher, Christina Hausner and others were involved in suborning perjury, destroying or concealing evidence, witness tampering, and concealing income or assets, Mr. Cutler requests the following conclusion.

CONCLUSION

For the foregoing reasons, Appellant Jeffrey Cutler respectfully submits that hereby requests that the court grant his Permanent Injunction and enjoin the enforcement of the revised voting map, a new election date set using the previously approved voting

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districts, bar all Pennsylvania judges from submitting remedies which knowingly violate the Pennsylvania constitution, bar any further enforcement of "Obamacare", remove all penalties from plaintiffs, declare executive ORDER 9066 UNCONSTITUTIONAL, and bar the review, and distribution, of documents siezed of Mr. Cutler/Mr. Cohen and the suspension of further action in NY cases known as 1:18-cv-03501 and 1:18-mj-03161KMW., return assets seized based on an illegal order, reinbursement of legal costs and other remedies that court deems appropriate, and vacate the sentence for Jeffrey Cutler, Lisa Michelle Lambert, and Jammal Harris and all persons similarly situated. Also stop retrial of case 1:16-cr-10233-RGS so these people are not treated differently than Senator Menendez, or John Corsine in the MF Global fraud case.

Respectfully submitted,

Jeffrey Cutler
Pro Se
P.O. Box 2806
York, PA 17405
eltaxcollector@gmail.com
Tel: (215) 872-5715
Appellant

Originally Dated: July 16, 2018

Date_____

Document ID: 0.7.5411.7142-000001 20201221-0020617

PAC

From: PAC
Sent: Wednesday, October 3, 2018 11:07 AM
To: RSMSC; AMZ; JLQ; DWA; JSR; LR (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: BuzzFeed: This Ohio Woman's Run-In With The FBI Gives Us A Window Into Robert Mueller's Trump–Russia Probe

BuzzFeed: This Ohio Woman's Run-In With The FBI Gives Us A Window Into Robert Mueller's Trump–Russia Probe

https://www.buzzfeednews.com/article/kevincollier/trump-russia-mueller-probe-guccifer-graduate-student-cleared

By Kevin Collier
October 3, 2018

Cassandra Ford tends to stay online late into the evening and then sleep in. So when two FBI agents dispatched by special counsel Robert Mueller's office pounded on her boyfriend's door at 10 in the morning in April of this year, they woke her up.

She stumbled downstairs and opened the door, her jaw dropping when they handed her a subpoena telling her she had to testify before a Washington grand jury in two weeks. Ford didn't recognize the first agent, who was tall, bearded, and gruff. "He was like, 'If you don't go, it's not going to be good for you,' kind of threatening," she recalled.

But she knew the other agent, Scott Halper. Back in August 2016, he'd taken her out for coffee in her native Defiance, Ohio, to talk about the unusual way she was using Twitter. He was friendly enough at the time he just wanted to chat about a Twitter account she'd registered that June with the username @Guccifer2.

She'd created the account as something between a joke and an experiment a riff off the hacktivist persona Guccifer 2.0, who at the time was slowly releasing files stolen from the Democratic National Committee. It would be months before the US government would publicly identify Guccifer 2.0 as a front for Russia's GRU military intelligence agency, the same group that now stands accused of hacking into the DNC and taking the emails.

But during her first meeting with Halper, she never felt like she was being investigated. Halper had even told her she should consider joining the bureau.

"I do think it's kind of funny, because if anybody's going to walk into an international hacking incident and have no clue about it, it would be me for sure," Ford told BuzzFeed News.

But it apparently wasn't funny to Mueller, who is tasked with finding crimes tied to foreign influence on the 2016 election, no matter what they may be.

At the time Mueller subpoenaed Ford, he was three months away from charging 12 GRU officers, accusing them of a host of crimes related to the DNC hack and leak. Echoing something journalists and

cybersecurity experts had said for a while, the indictment painstakingly detailed allegations of how the Russians used the Twitter account @Guccifer 2.

That account was an homage to Marcel Lazar, a Romanian who called himself Guccifer and hacked emails from political figures like Colin Powell and George W. Bush before being arrested in 2014 and extradited to the US, where he's now serving a four-year sentence. But in Russia's hands, the handle was repurposed to tweet links to stolen material, try to communicate with someone tied to Donald Trump's campaign, and pass most of the hacked material to WikiLeaks.

Cassandra Ford didn't hack the DNC. She doesn't know how to hack, was never charged with a crime, and believes she's no longer of interest to law enforcement. But her story how a 26-year-old fell victim to Russian trolling, confused others in turn, and got swept up in Mueller's investigation shows how fevered some Twitter obsessives got in trying to follow the threads of Russian hacking.

It also provides a view into how Mueller's probe operates and the extent that Mueller has gone to make sure he leaves no stone unturned as he looks into Russian meddling and any connection to the Trump campaign.

Ford found herself in some weird corners of Twitter in the spring of 2016, her final semester in Penn State's international affairs master's program and a few months before the DNC hack. She'd been studying the situation in Syria, swaths of which at the time were controlled by ISIS, when she discovered #OpISIS, a Twitter game of cat and mouse where pro-ISIS accounts tried to connect with each other and recruit, while a network of anti-ISIS activists, identifying as Anonymous despite few displaying any hacking prowess, tracked and reported them to Twitter.

Former Twitter employees say #OpISIS wasn't particularly effective at stopping the militants' use of their platform. At the time, Twitter, like other social media companies, was under significant international pressure to find a way to algorithmically stop ISIS recruitment, and was tweaking what would become a relatively effective formula to block ISIS users from posting or registering new accounts.

But Ford became obsessed with #OpISIS's immediacy, its secrecy, and the sense that people presenting themselves as both Anonymous and ISIS were interacting directly with her. She wrote a final paper for her online ethnographies course on those experiences and "the world of Anonymous that I had found myself in the middle of."

"The writing is coherent," her professor responded, "but at the end I'm still pretty mystified about who's who and what's what and the purpose of all these cloak-and-dagger communications." He gave her a B+.

Ford headed back home to Defiance that summer, listless and spending a lot of time in her online world, more concerned with the immediacy of what her friends were saying and what ISIS fanboys were doing than with what the media reported. She didn't care for that year's presidential politics. She was a registered Republican from years ago, when she'd wanted to vote for Ron Paul for president, but she disliked Donald Trump and thought Hillary Clinton's plan in Syria, to continue to aid rebels against both ISIS and Bashar al-Assad, would only continue Syria's cycle of misery. When the DNC announced on June 14 that it had been hacked, and that the company it hired to do cybersecurity response, CrowdStrike, blamed the GRU, she missed the news.

What she did see was what her circle on Twitter was saying the next day: Some guy calling

himself Guccifer 2.0 had created a WordPress blog claiming to be single-handedly behind the whole thing. Writing "DNC's servers hacked by a lone hacker," he posted several files as proof, including the party's opposition file on Trump.

For many who followed the news, this was an obvious feint. It was telling that the blog had only appeared after the DNC's announcement, and CrowdStrike was a respected company that was unlikely to stake its reputation on a such a huge claim. Because some of the released files were Word documents, and Microsoft Word captures the metadata of users who make changes, the files showed that they'd been changed most recently by someone who used Russian as their default language and had registered their name as Iron Felix, a reference to Felix Dzerzhinsky, who organized the Soviet secret police that would eventually become the KGB.

But Ford didn't see a Russian operation she saw a mystery. Her circle on Twitter talked excitedly about this hacktivist who had disrupted a major American political party, and she saw chatter that the term "Guccifer 2" was being censored by Twitter (Twitter declined to comment for this story). She saw one friend say it was strange that Guccifer 2 didn't have a Twitter account, so she registered one. Skeptical of the people who claimed the metadata proved the hack was the work of Russia, and feeling cheeky about the online debate about the Russian metadata on those DNC documents, she made the account's Twitter avatar a googled photo of Dzerzhinsky, registered its time zone as Volgograd, and, after putting a phrase through Google Translate, tweeted, "Не верьте всему, что вы читаете" ("Do not believe everything that you read").

The problem with that, of course, is that Russia really was responsible for the DNC hack. In fact, according to Mueller's eventual indictment, the Guccifer 2.0 personality and WordPress blog were hastily created on June 14 and maintained by a handful of officers in a GRU group called Unit 74455, which was located in a Moscow military building on Kirova Street nicknamed "the Tower" and managed by Col. Aleksandr Osadchuk. Those guys weren't the DNC hackers that was the work of other GRU officers, located in a different building but they were tasked with disseminating Democrats' files and emails. They finally did register a Twitter account @Guccifer 2, because Ford had already taken the cleaner one a few days later.

Ford doesn't like to think of what she was doing with her account as trolling, and oftenwhen someone would ask her if she hacked the DNC, she'd tell them no, that wasn't her. But she didn't always go out of her way to inform people, either, and readily shared the files that the GRU released concerning Hillary Clinton.

"It was like this typical active-measures account, sowing doubt and confusion," recalled Adam Parkhomenko, who was the DNC's national field director in 2016. He spent months after the election obsessing over the account and sparring with Ford without ever knowing who she was.

And it was widely seen. While @Guccifer2 never reached 2,000 followers, it was retweeted and cited enough that it received hundreds of thousands of impressions in the months after its creation, according to Twitter's analytics for the account, which Ford screengrabbed and shared with BuzzFeed News.

Technically, Twitter recognizes Ford's account as being created June 9, and a review of her account's archive she shared her downloaded account history with the computer forensics firm Garrett Discovery, which gave it to BuzzFeed News with Ford's permission says she registered an account that day, and changed the username to @Guccifer2 on June 16, though she only recalls actually creating the

account on the latter date.

For Parkhomenko, the discrepancy in dates was a smoking gun. Since it appeared the account was created before the WordPress account, he figured whoever was behind it was somehow tied to a secret Russian operation. He obsessed over how the account was registered with a Volgograd time zone and tweeted at weird hours a result of Ford's tendency to stay up all night online and figured there must be some strange connection to the Russian government.

Adam Parkhomenko
✓@AdamParkhomenko

· Nov 29, 2017

Replying to @AdamParkhomenko

https://twitter.com/adamparkhomenko/status/935792544562253824 …

Adam Parkhomenko
✓@AdamParkhomenko

Something that
@Guccifer2, the account
created on June 9, the day of the Trump, Jr. and Russia meeting, and 6 days before "Guccifer 2.0" was ever public doesn't like to be pointed out:

Account was registered on 6/9, Volgograd, Russia.

Tweets in Volgograd, Russia Time Zone.
1:24 AM - Dec 1, 2017

@Guccifer2's inbox which Ford also shared, as part of her account history soon became a honeypot for internet weirdos. One guy messaged her the email addresses and phone numbers of White House staffers, just because. One confused journalist messaged her from his verified account: "hi I am a producer at CNN. I am trying to reach Gufficer 2.0 [*sic*]."

Conspiracy theorists came in droves, eager to talk about George Soros, or about the Seth Rich conspiracy, which holds that murdered DNC staffer Rich was the actual source of the stolen emails even though if Guccifer 2.0 were the real hacker who broke into the DNC, that makes the Seth Rich theory nonsensical.

Others asked her outright for hacking services, a violation of US law. “I am seeking services for file retrieval,” a Canadian man said. “I'm looking for someone to hak [*sic*] into a computer.” Another one asked, “Hi, can you tell me please is it possible to hack someone's twitter acct dms?”

The FBI noticed, too. Two months after she made the account, on Aug. 19, Ford received a phone call from someone in the FBI’s San Francisco field office. She was friendly, and asked about the account. Ford took control of the conversation: She had been harassed a lot online, she said, and would love to talk about it in person, and to ask the FBI if she’d been hacked.

Four days later, she met Halper and one other agent. They came from the Cleveland field office to see her at Cabin Fever, a coffee shop in downtown Defiance, a northwestern Ohio town just across the Michigan border and 160 miles from Cleveland.

Exhaustively investigating all possible angles of a hacking case is par for the course, former FBI officials say. Wannabe hackers and the real ones alike often brag, and the internet is rife with people falsely claiming credit for, or accusing someone else of, such activity. If the FBI ends up bringing charges against a suspect, their entire case file is subject to discovery from the defense. If there’s any hint that someone else might be behind a given hack, that’s a good tool for the defense, so the FBI often tries to rule out all those other possibilities to increase the chance of a guilty plea or conviction.

“I came across a lot of those types of people in my career,” said Austin Berglas, head of cyberforensics at the firm BlueVoyant and the former assistant special agent in charge of the FBI’s cyber branch in New York.

Berglas was among the FBI agents who investigated and eventually took down the Silk Road, the notorious online black marketplace, largely used to sell drugs, which at the time was the largest in history. It was the brainchild of Ross Ulbricht, who went by the pseudonym Dread Pirate Roberts. In November 2013, a month after the FBI arrested Ulbricht and shuttered the site, a replacement called Silk Road 2.0, run by a second Dread Pirate Roberts, appeared online to take its place.

“When DPR was taken down, all these fake sites and DPR2 popped up. People said this is not legitimate, that DPR is done,” Berglas said. The following year, as part of a massive law enforcement crackdown on popular drug sites, Berglas’s team arrested Blake Benthall for running the second Silk Road.

At no point in her coffee date with the two agents did Ford feel threatened. Instead, she said, she felt emboldened. They listened to her talk about the account and the abuse she’d gotten online from strangers, and told her that with her education and taste for investigative work and international affairs, she should consider the FBI or CIA, or perhaps work at a think tank. She was intrigued, but wasn’t ready to move to DC, and was spooked that her affinity for marijuana could keep her from getting a job in government intelligence. And she ruled it out completely after Trump was elected, she told BuzzFeed News, for fear of being seen as endorsing him. (The FBI declined to comment for this story, but did not dispute its broad outlines.)

Justice Department investigations are supposed to be apolitical, but that hasn’t stopped pollsters, eager to take the temperature on a case that might directly impact the president of the United States, from regularly asking Americans how they feel about Mueller. His unfavorable ratings started rising last year, according to a Marist poll, though in recent months opinion has turned and now 59% of registered voters have decided they approve of his investigation, according to numerous polls.

One of the concerns is that the investigation is taking too long without yet making a firm connection between Russian meddling and the Trump campaign. Trump himself has made that claim about Mueller, who was appointed to his job on May 17, 2017.

Donald J. Trump
✓@realDonaldTrump

Congratulations America, we are now into the second year of the greatest Witch Hunt in American History...and there is still No Collusion and No Obstruction. The only Collusion was that done by Democrats who were unable to win an Election despite the spending of far more money!

7:28 AM - May 17, 2018

But the scope and importance of the investigation are precisely why it's dragged on for a year and a half with no end in sight, said Alan Rozenshtein, a law professor at the University of Minnesota and a former cybersecurity and foreign intelligence adviser to the Justice Department.

"This is simply them being very thorough. These are Boy Scouts. In the same way that the Secret Service tracks down every threat against the president, no matter how silly it may be, I suspect they are tracking every shred of evidence related to possible Russian hacking," Rozenshtein said.

"I think there's an intuition that the more important the investigation, the faster it should go. And I think that's understandable, but in fact it's the other way around. I can't think of a criminal investigation whose stakes are higher, ever, in the history of the republic, in a certain sense. So you really want to get it right."

Ford's April 2018 subpoena asked for more information than she could provide: all documents she could access concerning not only the @Guccifer2 account, but also @Guccifer 2, the WordPress account, and, for good measure, WikiLeaks and DCLeaks, another site that the GRU registered to leak hacked US political material.

After the two agents left her doorstep, Ford talked to her boyfriend, who recommended she talk to Cathy Elliott Jones, a lawyer based in Ventura County, California, who considers herself an "earth mother" adviser to Anonymous, and who has a habit of pausing, mid phone call, to yell "fuck you, FBI!" in case her phone is tapped. Jones called a lawyer friend, who in turn recommended Jim Klimaski, a 72-year-old DC attorney who specializes in military and employment law, but who was both experienced and willing to take her on for free.

"Some lawyer in San Francisco called me up, wherever she was, Sacramento or something, and begged me to take this on, and I said OK, she can come over here and I'll walk her to the grand jury office," Klimaski told BuzzFeed News.

Ford brought printouts, including her Twitter confirmation email and account details, and headed to Klimaski's office the morning of April 20. They shared a cab over to the Department of Justice, and were seated in a small, windowless conference room across from assistant special counsel Kyle Freeny and senior assistant special counsel Jeannie Rhee. Alex Kobzanets, an FBI special agent who has

investigated Russian cybercrime cases, sat at the head of the table and didn't speak much.

Ford wouldn't be forced to testify, Freeny said, but after the meeting, she would have to hand over more files from her Twitter account, as well as some Telegram chats, and answer all their questions. (Freeny directed BuzzFeed News' inquiries for this story to the special counsel's spokesperson, who confirmed the job titles of the people in this story but otherwise declined to comment.)

Freeny was friendly, a good cop to Rhee's accusatory bad cop, Ford said. They talked about the account, how Ford had thought to register it, and about Jonathan Langdale, an estranged Twitter friend who had privately messaged her advice on how to handle @Guccifer2 in its early days, according to Twitter direct messages Ford provided to BuzzFeed News. When emailed for comment, Langdale replied that "In my view, your outlet publishes CNN-type propaganda, like the so-called-'dossier,' without verification," and declined to answer questions.

The prosecutors had printed out some of @Guccifer2's tweets on high-quality, glossy paper, which Ford found funny, and they asked what she had been thinking when composing them. One printed tweet was one of that account's first a retweet of someone else talking about ActBlue, a Democratic fundraising platform. In Ford's mind, the tweet was interesting because it pertained to a class-action suit, since dismissed, that accused the DNC of unfairly helping Hillary Clinton beat Bernie Sanders in the primary. But for the special counsel, ActBlue was a red flag: GRU officers had hacked the Democratic Congressional Campaign Committee to change a link to ActBlue to one for Act Blues, a phishing page GRU hackers had set up.

Kobzanets, the FBI agent who specializes in tracking Russian hackers, was more interested in who Ford knew, asking for details about international Anonymous affiliates she had communicated with, but it seemed to Ford that she wasn't helpful.

"They seemed to already know everything before they started," Klimaski recalled.

As the conversation dragged on, Kobzanets appeared to grasp at straws for potential leads, Ford said. "He was like, do you have any Russian friends? Do you know any Russians? I really sat there and thought about it, and was like, I don't think I do." (Kobzanets didn't respond to attempts to verify those comments.)

Twice, the special counsel employees excused themselves, left together, and returned. When they were finished with their questions, they told Ford she wasn't a target, but asked her to hand over her phone and laptop. She hesitated, but Klimaski and Jones, reached by phone, both told her that while it was debatable whether the subpoena covered her devices, it wouldn't be any trouble at all for Freeny to write a new one. She acquiesced, and got the devices back a few days later.

That was the only time Klimaski and Ford met in person. He went on with his practice with other pro bono work. Two months later, Mueller filed his indictment against the GRU officers, including those accused of running @Guccifer 2 and those who allegedly hacked the material that account disseminated.

"We never heard from them again," Klimaski said.

JLQ

From: JLQ
Sent: Friday, June 15, 2018 12:58 PM
To: AMZ; MRD
Subject: Article

http://www.fox5dc.com/news/wikileaks-founder-addresses-death-of-dnc-staffer-seth-rich-in-fox-news-interview

James L. Quarles
The Special Counsel's Office
(b)(6), (b)(7)(C)

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JSR

From: JSR
Sent: Thursday, June 7, 2018 4:09 PM
To: (b)(6), (b)(7)(C) LRA; RK (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: RE: Question fro b(6), b(7)(C), b(7)(D), b(7)(E)

Let's talk about this.

Jeannie S. Rhee
Special Counsel's Office
(b)(6), (b)(7)(C)

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-----Original Message-----
Fro (b)(6), (b)(7)(C)
Sent: Thursday, June 7, 2018 4:07 PM
To: JS (b)(6), (b)(7)(C); LR (b)(6), (b)(7)(C); RK (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
C (b)(6), (b)(7)(C), (b)(7)(E)
Subject: Question fro b(6), b(7)(C), b(7)(D), b(7)(E)

This afternoon I received a ca (b)(6), (b)(7)(C), (b)(7)(D), (b)(7)(E)

Any guidance o (b)(5), (b)(6), (b)(7)(C), (b)(7)(D), (b)(7)(E)

Thank you
b(6), b(7)(C)

Not Responsive Records

From (b)(6), (b)(7)(C)
Sent: Monday, April 30, 2018 9:16 AM
To: Special Counsel <specialcounsel@jmd.usdoj.gov>
Subject: Re: Guccifer 2.0 - identity

(b)(6), (b)(7)(C)

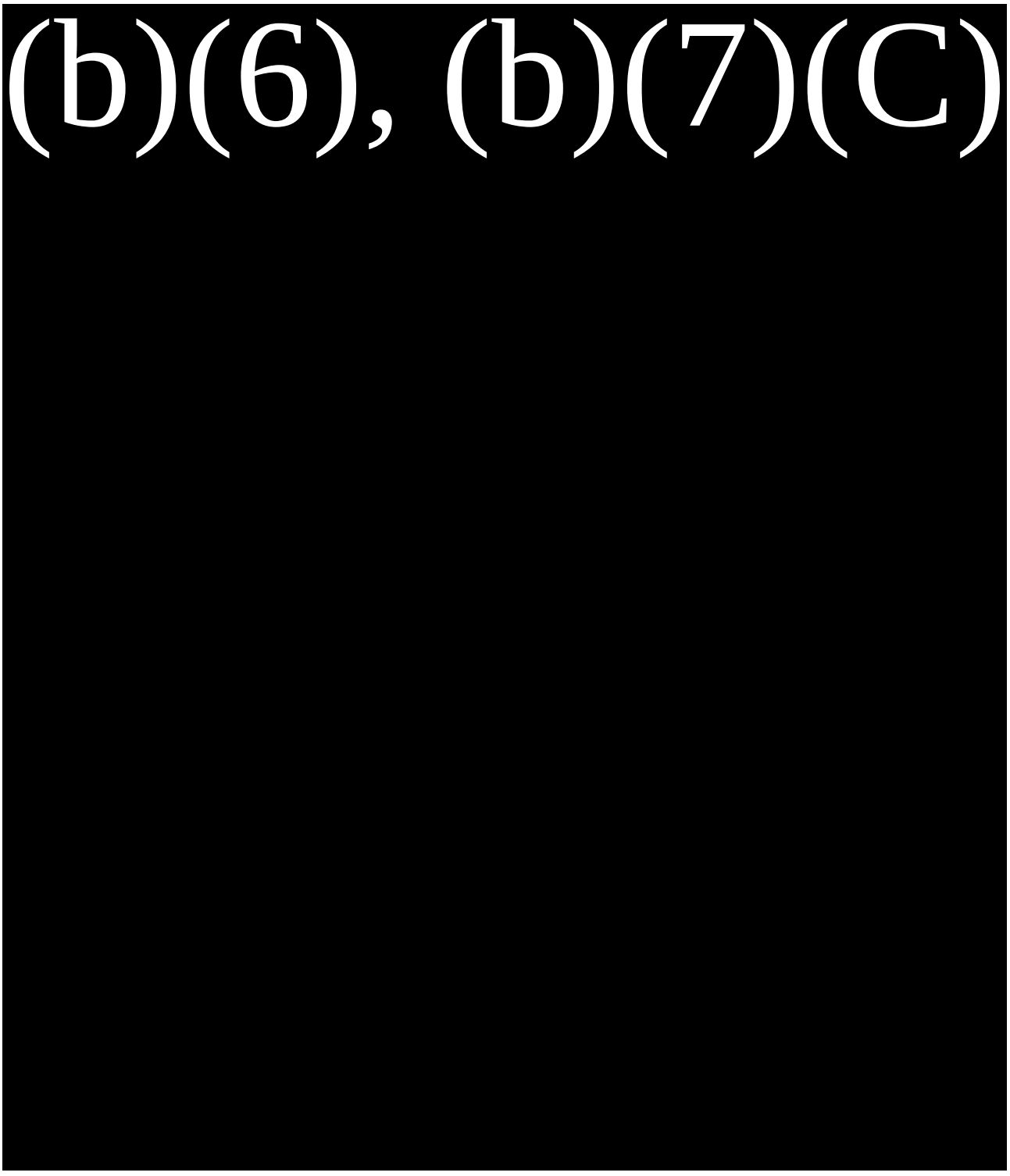
Sent with ProtonMail Secure Email.

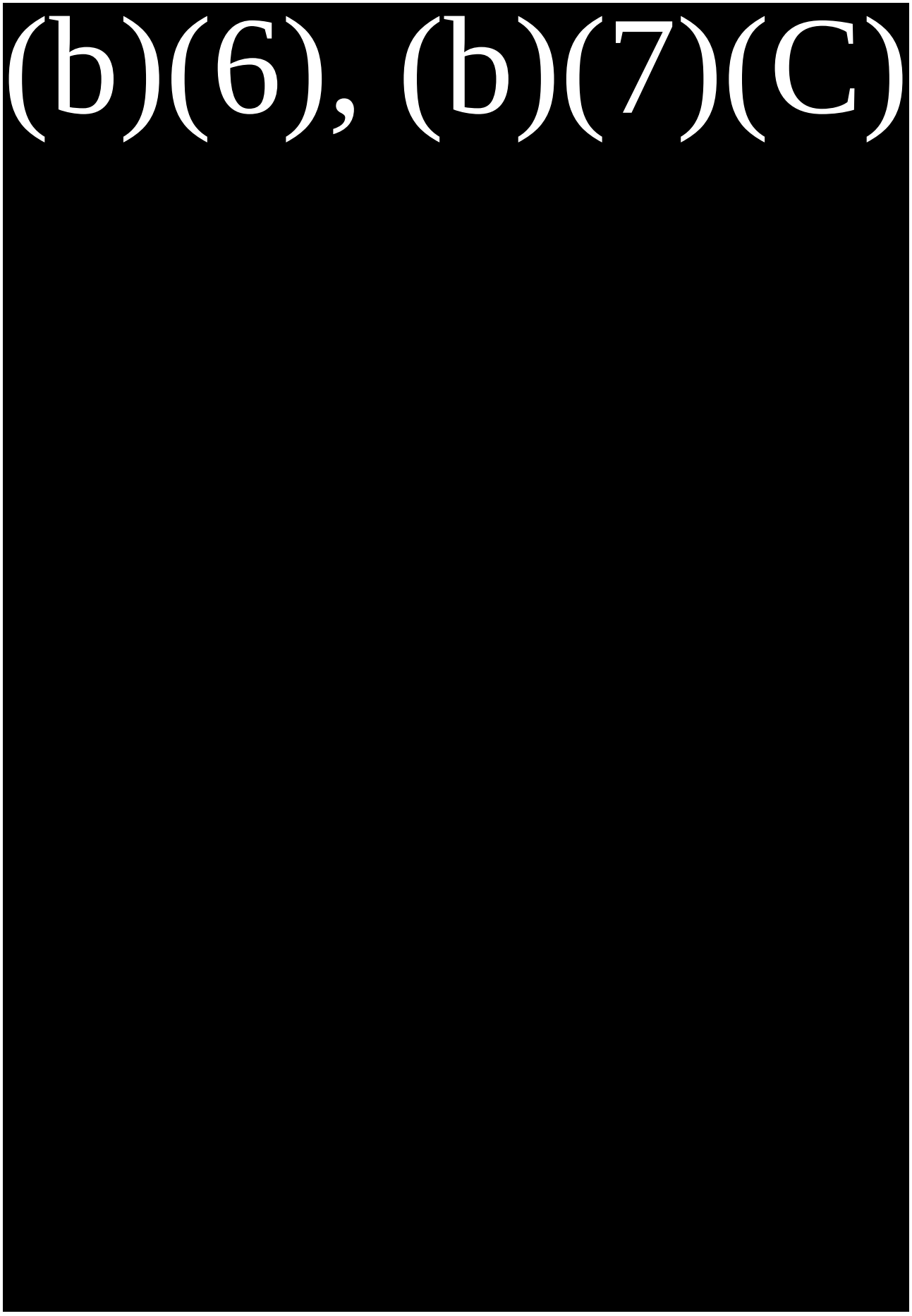
------- Original Message -------
On April 28, 2018 7:56 PM (b)(6), (b)(7)(C) wrote:

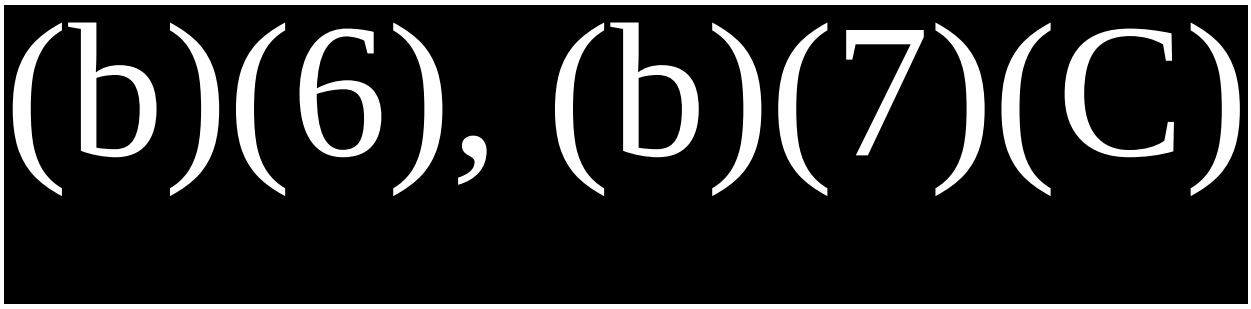
April 28, 2018

Robert S. Mueller III
Special Counsel
Department of Justice
950 Pennsylvania Avenue NW
Room B 103
Washington, DC 20530

Dear Mr. Mueller:




(b)(6), (b)(7)(C)


(b)(6), (b)(7)(C)

PAC

From: PAC
Sent: Friday, April 6, 2018 10:32 AM
To: RSMSC; AMZ; JLQ; DWA; JSR; LRA; RKD
Cc: (b)(6), (b)(7)(C)
Subject: BuzzFeed: These Messages Show Julian Assange Talked About Seeking Hacked Files From Guccifer 2.0

BuzzFeed: These Messages Show Julian Assange Talked About Seeking Hacked Files From Guccifer 2.0

https://www.buzzfeed.com/kevincollier/assange-seth-rich-lies-guccifer-wikileaks-hannity?bftwnews&utm_term_.mbvqpNmlw#.fxMkamy1K

By Kevin Collier
April 5, 2018

Twitter DMs obtained by BuzzFeed News show that in the summer of 2016, WikiLeaks was working to obtain files from Guccifer 2.0, an online hacktivist persona linked to by Russian military intelligence, the clearest evidence to date of WikiLeaks admitting its pursuit of Guccifer 2.0.

"[P]lease 'leave,' their conversation with them and us," WikiLeaks asked journalist Emma Best, who was also negotiating with Guccifer 2.0 for access to what it had teased on its blog as "exclusive access" to hacked Democratic Congressional Campaign Committee files. "[W]e would appreciate it if you did not dump the docs and obviously archive.org will delete them anyway."

WikiLeaks had mentioned Guccifer 2.0 a single time before, tweeting in June 2016 five weeks before it released its first dump of Democratic National Committee emails that the persona had claimed it gave WikiLeaks DNC emails.

But by the time of the DM conversation with Best, WikiLeaks founder Julian Assange had shifted the story of how WikiLeaks acquired those emails, giving repeated TV interviews that floated Seth Rich, a Democratic staffer who had been murdered in what police concluded was a botched robbery, as his real source.

The messages between Assange and Best, a freelance national security journalist and online archivist, are the starkest proof yet that Assange knew a likely Russian government hacker had the Democrat leaks he wanted. And they reveal the deliberate bad faith with which Assange fed the groundless claims that Rich was his source, even as he knew the documents' origin.

Best told BuzzFeed News she first reached out to Guccifer 2.0 in August 2016 after it posted on its WordPress account a call for journalists who wanted its files. "I sent them a Direct Message and referred to that, asking what they had in mind," Best told BuzzFeed News over Signal. Best has experience posting large data sets, and wondered if she could host the files on archive.org, a nonprofit digital library.

But Guccifer 2.0 had another idea. "[I] gonna send a large trove to wikileaks," it said. Best, who had DMed with WikiLeaks before, relayed that message to WikiLeaks in a direct message on Twitter. Neither party conveyed to her whether they had interacted together before.

"I told them that Guccifer 2.0 was considering giving me at least part of the cache, which is when they asked me to be their 'agent,' which they said I would get 'credit' for," Best said. She didn't agree to act as Assange's agent, she said, but stopped messaging with Guccifer 2.0.

WikiLeaks was adamant in its communications with Best that it didn't want anyone else to leak the files.

"[T]hese other media groups are very likely to take a stupid initial angle," WikiLeaks said in one message sent Aug. 12 at 9:14 p.m., adding that other news outlets would focus less on the content of the leaks than how they came to be. "'We don't know if its true. Possibly russians who knows blah blah blah.'"

WikiLeaks's pitch worked. "I dropped the matter with both parties and never received or passed on any exclusive G2, DNC, Podesta, etc. documents," Best said.

Less than an hour after WikiLeaks's last message to Best, Guccifer 2.0 tweeted that it had handed those documents over.

Who was in control of the WikiLeaks Twitter account cannot be known with certainty. But Assange is widely considered to be the primary user of the @WikiLeaks Twitter handle, and Best believed her chats with that handle "were with him or his proxy."

Best said she deleted all her direct messages after noticing someone was trying to hack her Twitter account, but recently found the email notifications that users receive when they get a DM on Twitter. A lawyer for WikiLeaks did not respond to a request for comment.

The following is the entirety of WikiLeaks's messages to Best that night, according to the emails she provided. All times are ET. (Twitter does not send a user copies of their own messages, so the contents Best provided are one-sided.)

8:43 p.m.: please "leave" their conversation with them and us

8:43 p.m.: we would appreciate it if you did not dump the docs and obviously archive.orgwill delete them anyway

9:12 p.m.: Impact is very substantially reduced if the "news" of a release doesn't co-incide with the ability to respond to the news by searching

9:13 p.m.: non-searchable dumps are just channeled into a few orgs with technical resources. then others won't touch them because they perceive that the cherries have all been picked by techdirt or whatever.

9:14 p.m.: and these other media groups are very likely to take a stupid initial angle

9:15 p.m.: "We don't know if its true. Possibly russians who knows blah blah blah" because they don't properly verify prior to publication and are scared because they're not us, contaminating the entire release

9:18 p.m.: in that regretable event, from our perspective, please just act as our agent we can ensure you get the right credit, cross promotion etc.

Before Guccifer 2.0 began speaking with Best, the account had repeatedly claimed to be Assange's source, though it was a one-sided relationship. On June 15, more than a month before WikiLeaks published its first of two batches of Democratic emails, the persona wrote in an email to the Smoking Gun that it had "thousands of files and mails" that it already "gave to Wikileaks." When WikiLeaks released its first batch of Democrats' emails in the 2016 campaign, the "DNC Leaks," Guccifer 2.0 claimed to be the source.

But Assange chose, in television interviews both immediately before and after his conversation with Best, to not publicly bring up Guccifer 2.0, and instead to tease the conspiracy theory that Seth Rich, the Democratic National Committee staffer whose murder spawned conspiracy theories, could be the source for his leaks.

The Seth Rich conspiracy held, in essence, that Rich, a DNC staffer who supported Bernie Sanders, grew disillusioned with the party after Hillary Clinton won the nomination, stole emails to give to WikiLeaks, and was killed for it.

The theory didn't account for how a regular staffer would have had access to Clinton campaign manager John Podesta's email account, which WikiLeaks released in October, or files stored on the DCCC's server, which Guccifer 2.0 released slowly over the summer on its WordPress account and in emails to reporters. Nor did it account for why the NSA, FBI, and CIA, as well as a number of US and foreign private threat

intelligence companies, would each conclude there was sufficient evidence that the GRU, Russia's military intelligence arm, had indeed hacked those targets.

Rich's murder, two weeks after Assange first began leaking the hacked DNC documents, was likely the result of a robbery attempt gone bad, police concluded. But the conspiracy theory was spread quickly by alt-right social media figures and conservative news sites, and lasted far beyond the election, with people like Fox News commentator Sean Hannity talking about it for months after Trump took office.

Rich's parents have since sued Fox News over "the pain and anguish that comes from seeing your murdered son's life and legacy treated as a mere political football." His brother Aaron has sued two other right-wing commentators who pushed the theory that Aaron aided his brother and illegally helped cover it up. Fox declined to comment on the legal action, but noted it has retracted the story and that Hannity announced in May 2017 that he would stop coverage of the hoax out of respect for Rich's family.

Three days before the conversation with Best, Assange brought up Rich unprompted during an appearance via livestream on Netherlands' Nieuwsuur, a nightly public news broadcast: "Whistleblowers go to significant efforts to get us material, at often very significant risks," he said. "There's a 27-year-old that works for the DNC who was shot in the back, murdered, just a few weeks ago for unknown reasons, as he was walking down the street in Washington," he said.

When host Eelco Bosch van Rosenthal echoed what DC police had concluded, that Rich's death was a botched robbery, Assange replied, "No, there's no findings."

That same day, the WikiLeaks Twitter account announced it would offer a reward for information leading to the conviction of Rich's killer.

In those interviews, despite privately angling for Guccifer 2.0's files, Assange continued to push the Seth Rich story. Two weeks after the conversation with Best, Assange appeared on Fox News, and while he didn't claim Rich was murdered over the leaks, he refused to deny it either, and made no mention of any other source.

"If there's any question about a source of Wikileaks being threatened, people can be assured that this organization will go after anyone who may have been involved in some kind of attempt to coerce or possibly kill a potential source," Assange said.

"I know you don't want to reveal your source, but it certainly sounds like you're suggesting a man who leaked information to WikiLeaks was then murdered," said host Megyn Kelly.

"If there's someone who's potentially connected to our publications and that person is then murdered in suspicious circumstances, it doesn't necessarily mean that the two are connected. But that type of allegation is very serious and it's taken very seriously by us," Assange replied. Since then, WikiLeaks has tweeted numerous times about the theory, never disputing it.

Beyond the June 2016 tweet, Assange made no mention of Guccifer 2.0. As with previousmisdirections, hinting that Rich was responsible gave WikiLeaks a means of not implicating the Russian government.

WikiLeaks has been caught covering for Russia at least twice before, both in the summer of 2016, when it declined to publish a huge cache of Russian government data, and in its 2012 exclusion, in its published "Syria Files," of a $2.4 billion transaction from the Central Bank of Syria to the VTB Bank in Russia. In September, it finally published 35 files from a private Russian intelligence company, but most of them were already public and of little news value, leading experts to allege that was a decision to quiet criticism that

WikiLeaks was too friendly to Russia.

Details about the true identity of Guccifer 2.0 are still coming to light. But in many ways, it was obvious from the start.

Guccifer 2.0 first appeared online on June 15, exactly one day after the Washington Post broke the story that the DNC had been hacked and that Russia's military intelligence agency was behind it. Guccifer 2.0 claimed to be Romanian, but didn't understand the language. It used a shady Russian VPN service that gave it access to IP addresses that weren't commercially available. Despite having files from congressional races all over the country, it prioritized leaks of swing states.

In a joint report released after the election, in January 2017, the US's top intelligence agencies announced that "We assess with high confidence that the GRU relayed material it acquired from the DNC and senior Democratic officials to WikiLeaks. Moscow most likely chose WikiLeaks because of its self-proclaimed reputation for authenticity." The GRU, the report said, "used the Guccifer 2.0 persona."

Last month, the Daily Beast reported that either Twitter or WordPress noticed at least once that someone logged into the Guccifer 2.0 account without turning on a VPN, revealing an IP address belonging to the GRU in Moscow.

The files that Guccifer 2.0 published on its WordPress account would later appear in both of WikiLeaks's major drops during the 2016 election: the DNC Email Archive and the Podesta Emails dumps.

In between those releases, on Aug. 12, 2016, it was clear from those messages to Best that the WikiLeaks Twitter account knew that Guccifer 2.0 was the source of hacked Democratic documents.

WikiLeaks's formal policy is to never publicly identify a source of its leaks, and Assange still refers to Chelsea Manning, the whistleblower who has admitted and spent years in prison for giving WikiLeaks Army Intelligence documents, as an "alleged source." He never mentioned Guccifer 2.0 or any other party as a potential source in those interviews.

With the exception of one final post, in which it shot back at the joint US intelligence report that detailed the Russian hacking campaign, Guccifer 2.0 went silent after Trump was elected.

(b)(3), (b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

-----Original Message-----
From (b)(3), (b)(7)(E)
Sent: Tuesday, March 13, 2018 6:42 PM
To: RK (b)(6), (b)(7)(C)
Subject: Records Request Processe (b)(3), (b)(7)(E)

(b)(3), (b)(7)(E)

Document ID: 0.7.5411.5935 20201221-0047909

[redacted]

Document ID: 0.7.5411.5935 20201221-0047910

LRA

From: LRA
Sent: Friday, February 23, 2018 5:06 PM
To: (b)(6), (b)(7)(C)

https://www.vox.com/policy-and-politics/2017/5/24/15685560/seth-rich-conspiracy-theory-explained-fox-news-hannity

L. Rush Atkinson
Special Counsel's Office
(b)(6), (b)(7)(C)

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FREEDOM WATCH, INC.

Plaintiff,

v.

THE HONORABLE JEFF B. SESSIONS, in his official capacity as Attorney General of the United States of America on behalf of the UNITED STATES DEPARTMENT OF JUSTICE
Washington, DC

And

THE HONORABLE ROBIN C. ASHTON, in her official capacity as Director of the Office of Professional Responsibility on behalf of the OFFICE OF PROFESSIONAL RESPONSIBILITY of the United States Department of Justice
Washington, DC

And

THE HONORABLE MICHAEL E. HOROWITZ, in his official capacity as the Inspector General of the Department of Justice on behalf of the OFFICE OF THE INSPECTOR GENERAL of the United States Department of Justice
Washington, DC

And

THE HONORABLE CHRISTOPHER A. WRAY, in his official capacity as Director of the Federal Bureau of Investigation on behalf of the FEDERAL BUREAU OF INVESTIGATION
Washington, DC

Defendants.

COMPLAINT FOR WRIT OF MANDAMUS

Document ID: 0.7.5411.6578-000002 20201221-0050658

I. INTRODUCTION

Plaintiff Freedom Watch, Inc. ("Freedom Watch") brings this action against Defendants United States the Honorable Jeff B. Sessions ("Mr. Sessions") in his official capacity as Attorney General of the United States of America on behalf of the United States Department of Justice ("USDOJ"), the Honorable Robin C. Ashton ("Ms. Ashton") in her official capacity as Director of the Office of Professional Responsibility on behalf of the Office of Professional Responsibility of the United States Department of Justice ("OPR"), the Honorable Michael E. Horowitz ("Mr. Horowitz") in his official capacity as the Inspector General of the Department of Justice on behalf of the Office of the Inspector General of the United States Department of Justice ("IG"), and the Honorable Christopher A. Wray ("Mr. Wray") in his official capacity as Director of the Federal Bureau of Investigation on behalf of the Federal Bureau of Investigation ("FBI") (collectively "Defendants") seeking a writ of mandamus pursuant to 28 U.S.C. § 1361 compelling Defendants to conduct an expedited investigation into the the torrent of leaks surrounding the Special Prosecutor Robert Mueller's ("Mr. Mueller") investigation into Russian interference in the 2016 presidential election ("the Mueller Investigation").

II. JURISDICTION AND VENUE

1. This Court has subject matter jurisdiction over this case pursuant to 28 U.S.C. § 1331 (Federal Question Jurisdiction)

2. Venue is proper pursuant to 18 U.S.C. § 1965 and 28 U.S.C. § 1391(b)(2), (3) in that Defendants reside here and are subject to personal jurisdiction in this District.

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III. PARTIES

Plaintiff

3. Freedom Watch is a 501(c)(3) corporation, incorporated under the laws of the District of Columbia.

Defendants

4. Defendant Mr. Sessions is being sued in his official capacity as Attorney General of the United States of America on behalf of the United States Department of Justice.

5. Defendant Ms. Ashton is being sued in her official capacity as Director of the Office of Professional Responsibility on behalf of the United States Department of Justice.

6. Defendant Mr. Horowitz is being sued in his official capacity as Inspector General on behalf of the United States Department of Justice.

7. Defendant Mr. Wray is being sued in his official capacity as Director of the Federal Bureau of Investigation on behalf of the Federal Bureau of Investigation.

IV. STANDING

8. Plaintiff has standing to bring this action because it has been directly affected and victimized by the unlawful conduct complained herein. Its injuries are proximately related to the conduct of Defendants, each and every one of them, as it is a public interest watchdog which investigates and prosecutes government corruption on behalf of the American people and disseminates information to them.

V. FACTS

BACKGROUND FACTS

9. In May 2017, Mr. Mueller was appointed by the USDOJ as Special Counsel to conduct along with the FBI a criminal investigation into alleged Russian interference in the 2016 presidential election.

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10. Mr. Mueller has been tasked with investigating whether or not Russia interfered in the U.S. presidential election in the 2015-2016 election cycle, and if so to what extent and in what ways and whether in collusion with any U.S. campaigns or institutions.

11. Mr. Mueller was appointed because the Attorney General, Mr. Sessions, needlessly recused himself from overseeing an investigation into a fanciful theory that we now know was invented by the Hillary Clinton presidential campaign in their deliberations within 24 hours of suffering an unexpected loss in the November 8, 2016 presidential campaign. Out of an abundance of caution, Mr. Sessions bent over backwards to avoid even the slightest appearance of bias or conflict of interest and recused himself.

12. On September 11, 2017, Freedom Watch made a Complaint Against Special Counsel Robert Mueller and Staff and Request for Expedited Investigation Into Gross Prosecutorial Misconduct of Prosecuting Attorneys to Mr. Horowitz and Ms. Ashton and their respective offices, the IG and OPR. Exhibit 1.

13. Since the Complaint was made, neither OPR nor the IG has been willing to confirm that an investigation is underway and thus one can only conclude that no such investigation exists or is underway. Thus, it is clear that Defendants will not take action without the requested judicial intervention.

FACTS PERTAINING TO THE LEAKS FROM MR. MUELLER AND HIS STAFF

14. Since the inception of the Mueller Investigation, a pattern of a persistent torrent of leaks has emerged, and considering their nature, it is clear that the majority of these leaks are coming from Special Counsel Robert Mueller and his staff, most of whom are suffering from serious conflicts of interest.

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15. The nature as well as the quantity of these leaks makes it clear that they are coming from the USDOJ and/or FBI, and Mr. Mueller's legal staff, which are technically under the direction and control and authority of USDOJ as well.

16. What Mr. Mueller's staff is focused on, their progress, activities, and even what they are thinking are being regularly reported in the news media on an almost daily basis.

17. For instance, a NBC News article stated:

> Federal investigators working for Special Counsel Robert Mueller are keenly focused on President Donald Trump's role in crafting a response to a published article about a meeting between Russians and his son Donald Jr., three sources familiar with the matter told NBC News. The sources told NBC News that prosecutors want to know what Trump knew about the meeting and whether he sought to conceal its purpose.[1]

18. The Wall Street Journal was also privy to the investigative goals and activities of Mr. Mueller's office:

> Special counsel Robert Mueller is examining what role, if any, former national security adviser Mike Flynn may have played in a private effort to obtain Hillary Clinton's emails from Russian hackers, according to people familiar with the matter.
> The effort to seek out hackers who were believed to have stolen Mrs. Clinton's emails, first reported by The Wall Street Journal, was led by a longtime Republican activist, Peter W. Smith.[2]

19. In fact, just about every news media outlet has known exactly what Special Counsel Mueller and his compromised staff is doing on a daily basis:

> The letter Mueller is reviewing was drafted by Trump along with policy adviser Stephen Miller, and legal experts say it is possibly

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[1] Julia Ainsley and Tom Winter, *Mueller Team Asking if Trump Tried to Hide Purpose of Trump Tower Meeting*, NBC News, August 28, 2017, available at: https://www.nbcnews.com/news/us-news/mueller-team-asking-if-trump-tried-hide-purpose-trump-tower-n796746

[2] Shane Harris, *Special Counsel Examines Possible Role Flynn Played in Seeking Clinton Emails From Hackers*, The Wall Street Journal, August 25, 2017, available at: https://www.wsj.com/articles/special-counsel-examines-possible-role-flynn-played-in-seeking-clinton-emails-from-hackers-1503694304

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> the most critical piece of evidence in Mueller's obstruction-of-justice case since Comey's testimony before the Senate Intelligence Committee in June, because it can give prosecutors a direct window into Trump's thinking shortly before he fired Comey.[3]

20. The above are just a few examples out of the countless news reports providing detailed specifics of the Mueller Investigation nearly every day. Given the supposedly confidential nature of the Mueller Investigation, the only only possible conclusion is that the information contained in the leaks is being deliberately disseminated to the media by the only persons with knowledge of such Mr. Mueller and his staff.

21. Mr. Mueller and his staff have appeared to zero-in and deliberately targeted former National Security Advisor Michael Flynn ("Mr. Flynn") and his family. As reported by Politico, Mr. Mueller's "most experienced attorneys have discrete targets, such as…former national security advisor Michael Flynn…."[4]

22. Mr. Mueller and his staff leaked to CNN that:

> Russian officials bragged in conversations during the presidential campaign that they had cultivated a strong relationship with former Trump adviser retired Gen. Michael Flynn and believed they could use him to influence Donald Trump and his team, sources told CNN.[5]

23. As a result of Mr. Mueller's leaks, Mr. Flynn was forced to resign from his position as National Security Advisor.

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[3] Sonam Sheth, *Mueller's investigation just got a boost and another Trump associate may be in its crosshairs*, Business Insider, September 2, 2017, available at: http://www.businessinsider.com/stephen-miller-trump-letter-comey-firing-obstruction-of-justice-mueller-russia-investigation-2017-9

[4] Darren Samuelsohn, *What Mueller's org chart reveals about his Russia Probe*, Politico, Nov. 13, 2017, available at: https://www.politico.com/story/2017/11/13/robert-mueller-russia-probe-organization-244789.

[5] *Sources: Russians bragged about using Flynn*, CNN, undated video of news broadcast, available at: http://www.cnn.com/videos/politics/2017/05/20/russia-michael-flynn-donald-trump-influence-brown-borger-ac.cnn/video/playlists/michael-flynn/

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24. Mr. Mueller has now also leaked to media outlets, as recently as November 13, 2017, that he and his team are apparently investigating "an alleged plot involving Mr. Flynn, his son and potentially others to forcibly and extra-legally effect the return of Fethullah Gulen to Turkey in exchange for millions of dollars."[6]

25. Mr. Flynn faces "potential criminal liability for being both late in disclosing his foreign relationships, as well as being less than forthcoming in his disclosures…. Even if Mueller's team finds Flynn's disclosure to be accurate… he could potentially be on the hook for a far different and less technical - offense than Manafort and Gates."[7]

26. It is also clear that the leaks are not coming from those being investigated:

> In response to this CNN story, the President's attorney, Jay Sekulow, said, "President's outside counsel has not received any requests for documentation or information about this. Any inquiry from the special counsel that goes beyond the mandate specified in the appointment we would object to."[8]

27. Details about Mr. Mueller's sharing investigative information and procedures, as well as collaborating with the Attorney General's office of the State of New York (itself subject to confidentiality of criminal investigations as well) were also promptly leaked to the news media.

28. Details of Mr. Mueller's investigation including focusing on possible obstruction of justice by President Donald Trump and his campaign were promptly dumped into the public realm in the news media.

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[6] Steve Vladeck, *Michael Flynn's Legal Problems are as Dire as they Sound*, NBC News, Nov. 13, 2017, available at: https://www.nbcnews.com/think/opinion/michael-flynn-s-legal-problems-are-dire-they-sound-ncna820276.

[7] *Id*.

[8] Evan Perez, Pamela Brown and Shimon Prokupecz, *One year into the FBI's Russia investigation, Mueller is on the Trump money trail*, CNN, August 4, 2017, available at: http://www.cnn.com/2017/08/03/politics/mueller-investigation-russia-trump-one-year-financial-ties/index.html

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29. Mr. Mueller and his team are clearly leaking confidential information regarding their criminal investigation to media outlets and the public, as there is no other possible source of the information that has been revealed to the public, through friendly media outlets.

FACTS PERTAINING TO MR. MUELLER'S GRAND JURIES

30. Mr. Mueller has since convened two grand juries which have been functioning for many months as the "legal heart" and base of operations of the Mueller Investigation.

31. Mr. Mueller convened a second grand jury in the District of Columbia after already convening a grand jury in the Eastern District of Virginia at Alexandria, Virginia. Because jurors are drawn from voter rolls, and Donald Trump received only 4.1% of the vote in the District of Columbia for president on November 8, 2016, Mr. Mueller's efforts at juror shopping are not only unethical but fail to provide the public an assurance of the appearance of integrity in these proceedings. The grand jury in Virginia would have had all the authority necessary to consider evidence across the river in Washington, D.C.

32. Given that President Donald Trump's campaign was headquartered in Manhattan, there is no valid reason for an investigation of the 2016 presidential campaign to be sited in Washington, D.C. The appearance is that the grand jury convened in Virginia was skeptical of Mr. Mueller's presentations and Mr. Mueller sought a different group of grand jurors.

MR. MUELLER AND HIS STAFF'S CONFLICTS OF INTEREST

33. 28 CFR 45.2 mandates that no USDOJ employee may participate in a criminal investigation or prosecution if he has a personal or political relationship with any person or organization substantially involved in the conduct that is the subject of the investigation or prosecution, or who would be directly affected by the outcome.

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34. Mr. Mueller and his team suffer from numerous conflicts of interest that not only mandate their removal, but also explain why the leaks are being disseminated to the media on a daily basis. The damage of continuing leaks to the reputation of innocent persons is especially harmful. The more the myth of collusion between Russia and the Trump presidential campaign unravels, the more the flow of leaks accelerates each day.

35. Furthermore, Mr. Mueller's investigation turns on the credibility and personal interests of Mueller's long-term colleague and close friend, former FBI Director James Comey. ("Mr. Comey")

36. Not only will the investigation impact Mr. Comey, but Mueller must judge his own friend's credibility as a witness.

37. As recently as 2009, then Director of the FBI, Mr. Mueller personally carried samples of highly-enriched uranium to Moscow, as shown in official diplomatic cables that have been publicly released. While Mr. Mueller's involvement in transporting uranium samples to the Russian Federation may have been proper [9] the task of the Special Counsel is to give public confidence and the appearance of enhanced integrity in the Russian collusion investigation. Compared with the professional permanent staff of the FBI and USDOJ, Mr. Mueller cannot offer public confidence in the investigation having personally worked with Russia on such high level issues.

38. If the evidence shows that Russia intervened in the election in relation to Hillary Clinton's support for the sale of twenty percent (20%) of the uranium mining reserves of the

[9] "(S/NF) Background: Over two years ago Russia requested a ten-gram sample of highly enriched uranium (HEU) seized in early 2006 in Georgia during a nuclear smuggling sting operation involving one Russian national and several Georgian accomplices. The seized HEU was transferred to U.S. custody and is being held at a secure DOE facility. In response to the Russian request, the Georgian Government authorized the United States to share a sample of the material with the Russians for forensic analysis."

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United States to the Russian Federation as the leading member of the inter-governmental decision-making body the Committee on Foreign Investment in the United States (CFIUS), Mr. Mueller and his team would be ethically prohibited from honestly investigating and exploring the truth.

39. Mr. Mueller knowingly hired an attorney who had previously -- within the last year -- represented the Clinton Foundation of whom Hillary Clinton and Bill Clinton are principals. Attorney Jeannie S. Rhee ("Ms. Rhee"), D.C. Bar No. 464127 was ethically required to decline a position that places her in a conflict of interest as a staff attorney for Mr. Mueller.

40. Having previously represented the Clinton Foundation as an attorney, including its Board of Directors and principals Hillary Clinton, Bill Clinton, Chelsea Clinton, and Former Counselor of the U.S. Department of State Cheryl Mills, Ms. Rhee ethically cannot investigate, work on, or prosecute the topics related to the investigation of collusion by the Russian Federation with the presidential campaign of Donald Trump running against Hillary Clinton.

41. Ms. Rhee's involvement contaminates the entire investigation by Mr. Mueller's office.

42. Furthermore, as Ms. Rhee's supervisor and a supervising attorney, Mr. Mueller is committing ethical violations by directing an attorney to violate the ethical requirements of the Department of Justice and of the District of Columbia Bar.

43. Mr. Mueller's hiring of Ms. Rhee - and others - is in itself an ethical violation of USDOJ standards and professional rules. However, Mr. Mueller's refusal to correct this unethical conduct speaks volumes and loudly proclaims the true nature of Mr. Mueller's intentions and undertakings.

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44. Now, Ms. Rhee is investigating Donald Trump's alleged Russian collusion with Russia during the 2016 presidential campaign as one of Mr. Mueller's top lawyers. With Mr. Mueller's experience, he obviously knows that the lawyers he is hiring will be legally prevented from following the evidence wherever it leads. One must infer that Mr. Mueller intends a hatchet job on President Trump in retaliation for his friend, Mr. Comey's, firing from head of the FBI.

45. Legally Ms. Rhee can only investigate President Trump, even if the evidence might show that Hillary Clinton -- through Ms. Rhee's former (recent) client the Clinton Foundation -- actually colluded with Russia instead or that leaked emails from Hillary Clinton's campaign were leaked by DNC employee Seth Rich. Ms. Rhee is not ethically or legally allowed to look into alternative theories or any of the outrageous leaks from the deep state defending Hillary Clinton's loss, the disclosure of Clinton campaign emails to Wikileaks, etc.

46. Two other lawyers on Mr. Mueller's team gave the maximum $2,700 donation to Hillary Clinton in last year's election.

47. Three attorneys on Mr. Mueller's team - Andrew Weissmann, Jeannie Rhee, and James Quarles - alone donated more than $50,000 to Democrats,[10] and almost exclusively to Democrats, according to Federal Election Commission campaign finance reports.

48. All told, more than half of Mr. Mueller's massive team of lawyers are influential donors to the Democrat party investigating the presidential campaign of a Republican Donald Trump.

///

[10] Marshall Cohen, *Special counsel team members donated to Dems, FEC records show*, CNN, June 13, 2017, available at: http://www.cnn.com/2017/06/12/politics/robert-mueller-donations-democrats-fec/index.html.

Document ID: 0.7.5411.6578-000002 20201221-0050668

FIRST CAUSE OF ACTION
Writ of Mandamus

49. Freedom Watch repeats and re-alleges all of the previous allegations of the entirety of this Complaint for Writ of Mandamus with the same force and effect, as if fully set forth herein again at length.

50. Under 28 U.S.C. § 1361, "[t]he district court shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff."

51. Freedom Watch has requested that the IG and the OPR conduct an investigation into the torrent of leaks coming from Mr. Mueller and his staff pertaining to the Mueller Investigation, as well as the unethical conflicts of interest. The IG and OPR have refused to confirm whether any investigation is underway, leading to the only possible conclusion that they will not act without the judicial intervention requested in this Complaint for Writ of Mandamus

52. This Court must, pursuant to 28 U.S.C. § 1361, in the nature of mandamus, compel Defendants to conduct an immediate, thorough investigation into the torrent of leaks coming from Mr. Mueller and his staff pertaining to the Mueller Investigation set forth in this Complaint for Writ of Mandamus

53. When Defendants' investigation confirms that leaks did occur and that the conflicts of interest actionable as ethical violations, Mr. Klayman respectfully requests an order compelling Mr. Sessions and the USDOJ to order the removal of Mr. Mueller and his staff from the investigation.

VI. PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for relief and judgment against Defendant as follows:

Document ID: 0.7.5411.6578-000002 20201221-0050669

(a) A writ of mandamus compelling Defendants to conduct an immediate, thorough investigation into torrent of leaks coming from Mr. Mueller and his staff, as well as unethical conflicts of interest, pertaining to the Mueller Investigation and an order compelling Mr. Sessions and the USDOJ to order the removal of Mr. Mueller and his staff from the investigation when the investigation reveals that the leaks did originate from Mr. Mueller and his staff.

(b) Mr. Klayman reserves the right to supplement and/or amend this Complaint for Emergency Writ of Mandamus and Injunctive Relief.

Dated: November 15, 2017

Respectfully submitted,

/s/ Larry Klayman

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Document ID: 0.7.5411.6578-000002 20201221-0050670

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VIA FEDERAL EXPRESS

EXPEDITED PROCESSING AND TREATMENT REQUESTED

September 11, 2017

Hon. Robin C. Ashton
Chief
Office of Professional Responsibility
950 Pennsylvania Avenue, NW #3266
Washington, DC 20530

Hon. Michael E. Horowitz
Inspector General
U.S. Department of Justice
950 Pennsylvania Ave, NW, #4706
Washington, DC 20530

RE: COMPLAINT AGAINST SPECIAL COUNSEL ROBERT MUELLER AND STAFF AND REQUEST FOR EXPEDITED INVESTIGATION INTO GROSS PROSECUTORIAL MISCONDUCT OF PROSECUTING ATTORNEYS

Dear Ms. Ashton and Mr. Horowitz:

The Office of Professional Responsibility and Inspector General must thoroughly investigate the torrent of leaks, and to the extent Department of Justice ("DoJ") or Federal Bureau of Investigation ("FBI") personnel are leaking investigative and/or grand jury evidence, presentations, witness testimony, or proceedings, discipline, terminate, and/or prosecute those responsible.

The undersigned General Counsel of Freedom Watch writes as a former prosecutor in the DoJ's Antitrust Division and the founder and former chairman of Judicial Watch, as well as the founder, chairman, and general counsel of Freedom Watch.

Mr. Klayman was also formerly a U.S. Senate candidate in the State of Florida in 2004. There is reason to believe that this Complaint is necessary because Mr. Robert Mueller has failed to carry out his oath of office and fulfill his duties as Special Counsel.

Just as I, Larry Klayman did when I served in the Department, Mr. Mueller took an oath to administer to and mete out justice within the bounds of the ethics and the law as a member of the DoJ. Having lived by these rules himself while a DoJ employee, the upholding of these rules holds a special significance to the undersigned.

Rarely in our memory has such a shocking river of leaks been so great in quantity, so flagrant and brazen, and so extensive and continuous. The purpose of the rules against leaks of information obtained during criminal investigations includes the fear of deterring cooperation of witnesses with investigators upon seeing that their "confidential" discussions with DoJ personnel are splashed upon the pages of The Washington Post or The New York Times and other anti-Trump "friendly media." The damage done to DoJ for years to come involving all legal matters, not just this one, in convincing complaining witnesses and factual witnesses that they cannot trust DoJ personnel to adhere to the Department's own rules and safeguard their confidences is incalculable. And of course these leaks pollute the jury pool directly compromising the integrity of the legal process and depriving potential defendants of due process and unfairly smears those who may be found in the end to be blameless, yet smeared by the leaks.

Mr. Mueller was appointed a Special Counsel on or about May 17, 2017, by Deputy Attorney General Rod Rosenstein precisely for the purpose of upholding the appearance of integrity in the public view. While prosecutors, investigators, and staff of DoJ are fully competent and capable of carrying out the duties delegated to Mr. Mueller,

assuring the American people that the process is above reproach and not subject to reasonable question was the reason for taking those tasks away from DoJ personnel actually experienced in carrying them out and transferring those duties instead to Mr. Mueller.

Unfortunately, Mr. Mueller and those he has hired have failed not only in presenting a public appearance above reproach but in adhering to the legal, regulatory, and ethical requirements of their appointment and employment with DoJ.

Special Counsel Mueller has convened not one, but two, grand juries which have been functioning for many months as the “legal heart” and base of operations of the Special Counsel's investigation.

Federal Rules of Criminal Procedure Rule 6(e)(2) "The Grand Jury" requires that:

(2) * * *

(B) Unless these rules provide otherwise, the following persons must not disclose a matter occurring before the grand jury:

(i) a grand juror;

(ii) an interpreter;

(iii) a court reporter;

(iv) an operator of a recording device;

(v) a person who transcribes recorded testimony;

(vi) an attorney for the government; or

(vii) a person to whom disclosure is made under Rule 6(e)(3)(A)(ii) or (iii).

(3) *Exceptions.*

(A) Disclosure of a grand-jury matter other than the grand jury's deliberations or any grand juror's vote may be made to:

(i) an attorney for the government for use in performing that attorney's duty;

(ii) any government personnel including those of a state, state subdivision, Indian tribe, or foreign government that an attorney for the government considers necessary to assist in performing that attorney's duty to enforce federal criminal law; or

(iii) a person authorized by 18 U.S.C. §3322.

> (B) A person to whom information is disclosed under Rule 6(e)(3)(A)(ii) may use that information only to assist an attorney for the government in performing that attorney's duty to enforce federal criminal law. An attorney for the government must promptly provide the court that impaneled the grand jury with the names of all persons to whom a disclosure has been made, and must certify that the attorney has advised those persons of their obligation of secrecy under this rule.
>
> (C) An attorney for the government may disclose any grand-jury matter to another federal grand jury.
>
> * * *
>
> Furthermore, Rule 6(e)(7) provides that:
>
> > (7) *Contempt.* A knowing violation of Rule 6, or of any guidelines jointly issued by the Attorney General and the Director of National Intelligence under Rule 6, may be punished as a contempt of court.

While it is often difficult by nature to know prior to an investigation who is responsible for leaks, a pattern of a persistent torrent of leaks, considering their nature, makes it clear that the majority of these leaks are coming from Special Counsel Robert Mueller and his staff, most of whom are suffering from serious conflicts of interest. The nature as well as the quantity of these leaks makes it clear that they are coming from the DoJ and/or FBI, and his legal staff, which are technically under the direction and control and authority of DoJ as well, egregiously under Special Counsel Mueller's direction.

Thus, Mr. Mueller as Special Counsel and his staff are subject to the requirements incumbent upon all DoJ personnel. DoJ regulations are extended to a Special Counsel under **28 C.F.R. § 600.7**.

> **28 C.F.R. § 600.7 Conduct and accountability.**
>
> **(a)** A Special Counsel shall comply with the rules, regulations, procedures, practices and policies of the Department of Justice. He or she shall consult with appropriate offices within the Department for guidance with respect to established practices, policies and procedures of the Department, including ethics and security regulations and procedures. Should the Special Counsel conclude that the extraordinary circumstances

of any particular decision would render compliance with required review and approval procedures by the designated Departmental component inappropriate, he or she may consult directly with the Attorney General.

(b) The Special Counsel shall not be subject to the day-to-day supervision of any official of the Department. However, the Attorney General may request that the Special Counsel provide an explanation for any investigative or prosecutorial step, and may after review conclude that the action is so inappropriate or unwarranted under established Departmental practices that it should not be pursued. In conducting that review, the Attorney General will give great weight to the views of the Special Counsel. If the Attorney General concludes that a proposed action by a Special Counsel should not be pursued, the Attorney General shall notify Congress as specified in § 600.9(a)(3).

(c) The Special Counsel and staff shall be subject to disciplinary action for misconduct and breach of ethical duties under the same standards and to the same extent as are other employees of the Department of Justice. Inquiries into such matters shall be handled through the appropriate office of the Department upon the approval of the Attorney General.

(d) The Special Counsel may be disciplined or removed from office only by the personal action of the Attorney General. The Attorney General may remove a Special Counsel for misconduct, dereliction of duty, incapacity, conflict of interest, or for other good cause, including violation of Departmental policies. The Attorney General shall inform the Special Counsel in writing of the specific reason for his or her removal.

These requirements include:

28 U.S. Code § 530B - Ethical standards for attorneys for the Government

(a) An attorney for the Government shall be subject to State laws and rules, and local Federal court rules, governing attorneys in each State where such attorney engages in that attorney's duties, to the same extent and in the same manner as other attorneys in that State.

(b) The Attorney General shall make and amend rules of the Department of Justice to assure compliance with this section.

(c) As used in this section, the term "attorney for the Government" includes any attorney described in section 77.2(a) of part 77 of title 28 of the Code of Federal Regulations and also includes any independent counsel, or employee of such a counsel, appointed under chapter 40.

§ 3801.101 General

In accordance with § 2635.105 of this title, the regulations in this part apply to employees of the Department of Justice and supplement the Standards of Ethical Conduct for Employees of the Executive Branch in part 2635 of this title. In addition to the regulations contained in part 2635 of this title and in this part, employees are subject to the conduct regulations contained in part 735 of this title and 28 CFR part 45.

28 CFR § 45.12 Reporting to the Department of Justice Office of Professional Responsibility.

Department employees have a duty to, and shall, report to the Department of Justice Office of Professional Responsibility (DOJ-OPR), or to their supervisor, or their component's internal affairs office for referral to DOJ-OPR, any allegations of misconduct by a Department attorney that relate to the exercise of the attorney's authority to investigate, litigate or provide legal advice, as well as allegations of misconduct by law enforcement personnel when such allegations are related to allegations of attorney misconduct within the jurisdiction of DOJ-OPR.

No DoJ employee may participate in a criminal investigation or prosecution if he has a personal or political relationship with any person or organization substantially involved in the conduct that is the subject of the investigation or prosecution, or who would be directly affected by the outcome. **28 CFR 45.2**

What Mueller's staff is focused on and even what they are thinking are being regularly reported in the news media. Note that the following news report governs not merely that questions have been asked but what topics dominate the Special Counsel's investigation and why.

> Federal investigators working for Special Counsel Robert Mueller are keenly focused on President Donald Trump's role in crafting a response to a published article about a meeting between Russians and his son Donald Jr., three sources familiar with the matter told NBC News.

> The sources told NBC News that prosecutors want to know what Trump knew about the meeting and whether he sought to conceal its purpose.

Julia Ainsley and Tom Winter, "Mueller Team Asking if Trump Tried to Hide Purpose of Trump Tower Meeting," NBC News, August 28, 2017, accessible at: https://www.nbcnews.com/news/us-news/mueller-team-asking-if-trump-tried-hide-purpose-trump-tower-n796746

The activities and progress of Special Counsel Robert Mueller's staff of Democrat party donors have been reported in the news media on an almost daily basis.

> One year after the FBI opened an investigation, the probe is now managed by special counsel Robert Mueller. Sources described an investigation that has widened to focus on possible financial crimes, some unconnected to the 2016 elections, alongside the ongoing scrutiny of possible illegal coordination with Russian spy agencies and alleged attempts by President Donald Trump and others to obstruct the FBI investigation. Even investigative leads that have nothing to do with Russia but involve Trump associates are being referred to the special counsel to encourage subjects of the investigation to cooperate, according to two law enforcement sources.
>
> * * *
>
> In recent weeks, investigators have also started looking into the June 2016 meeting in Trump Tower and how the White House responded to news of that meeting. The session included Trump Jr., Manafort, Trump's senior adviser and son-in-law Jared Kushner, and a Russian attorney.

Evan Perez, Pamela Brown and Shimon Prokupecz, "One year into the FBI's Russia investigation, Mueller is on the Trump money trail," CNN, August 4, 2017, accessible at: http://www.cnn.com/2017/08/03/politics/mueller-investigation-russia-trump-one-year-financial-ties/index.html

It is also clear that the leaks are not coming from those being investigated:

> In response to this CNN story, the President's attorney, Jay Sekulow, said, "President's outside counsel has not received any requests for documentation or information about this. Any inquiry from the special counsel that goes beyond the mandate specified in the appointment we would object to."

Id.

The daily activities of the Special Counsel's office are routinely disclosed to journalists. As a result, The New York Times learned through a leak what evidence the Special Counsel is obtaining and presenting to the grand jury.

> The special counsel, Robert S. Mueller III, has obtained a letter drafted by President Trump and a top political aide that offered an unvarnished view of Mr. Trump's thinking in the days before the president fired the F.B.I. director, James B. Comey.
>
> The circumstances and reasons for the firing are believed to be a significant element of Mr. Mueller's investigation, which includes whether Mr. Trump obstructed justice by firing Mr. Comey.

Michael S. Schmidt and Maggie Haberman, "Mueller Has Early Draft of Trump Letter Giving Reasons for Firing Comey," The New York Times, September 1, 2017, accessible at: https://mobile.nytimes.com/2017/09/01/us/politics/trump-comey-firing-letter.html

Similarly:

> Trump ended up shelving that letter in favor of a far shorter one, but the draft has taken on new significance in the probe by special counsel Robert S. Mueller III, who is examining it as he determines whether Trump's firing of Comey was part of an effort to obstruct justice, according to people with knowledge of the investigation.
>
> * * *
>
> Mueller will weigh the narrative with other events that led up to Comey's firing, including Comey's account of Trump's efforts to intercede by requesting that the FBI director drop an investigation of former national security adviser Michael Flynn.

Rosalind S. Helderman, Carol D. Leonnig and Ashley Parker, "Mueller examining Trump's draft letter firing FBI Director Comey," The Washington Post, Sept. 1, 2017

Furthermore, the leaks are not coming from the Trump team:

> "I can't comment on anything the special counsel might be interested in," White House attorney Ty Cobb said. "But this White House is committed to being open and transparent with the special counsel's investigation."

Id.

The news media knows exactly what Special Counsel Mueller and his compromised staff is doing on a daily basis:

> The letter Mueller is reviewing was drafted by Trump along with policy adviser Stephen Miller, and legal experts say it is possibly the most critical piece of evidence in Mueller's obstruction-of-justice case since Comey's testimony before the Senate Intelligence Committee in June, because it can give prosecutors a direct window into Trump's thinking shortly before he fired Comey.

Sonam Sheth, "Mueller's investigation just got a boost and another Trump associate may be in its crosshairs," Business Insider, September 2, 2017, accessible at: http://www.businessinsider.com/stephen-miller-trump-letter-comey-firing-obstruction-of-justice-mueller-russia-investigation-2017-9

> Special counsel Robert Mueller increasingly views President Donald Trump's trip back from the G-20 summit in Europe this July as a critical moment in his investigation. And as part of an attempt to uncover just what happened on that fateful flight, his team is expected to question several White House officials. Among them will be the president's close adviser Hope Hicks.
>
> People familiar with the probe tell The Daily Beast that Hicks the longtime Trump aide who is currently interim White House communications director likely has information that will interest Mueller regarding Donald Trump Jr.'s initial claim that his meeting with the Kremlin-linked lawyer Natalia Veselnitskaya was just about adoption.
>
> "No doubt in my mind she is going to be a witness," a source familiar with the Mueller probe told The Daily Beast.
>
> On Friday, The Washington Post reported that Hicks wasn't alone on Mueller's radar. Former White House chief

> of staff Reince Priebus, former press secretary Sean Spicer, White House counsel Don McGahn, McGahn aide James Burnham, and Kushner aide and White House spokesman Josh Raffel are also expected to be questioned.

Betsy Woodruff, Lachlan Markay, and Asawin Suebsaeng, "Mueller Wants to Talk to Hope Hicks Over Misleading Russia Statement," The Daily Beast, September 8, 2017, accessible at: http://www.thedailybeast.com/mueller-wants-to-talk-to-hope-hicks-over-misleading-russia-statement

The investigative goals and activities of Mr. Mueller's office regularly appear in the news media:

> Special counsel Robert Mueller is examining what role, if any, former national security adviser Mike Flynn may have played in a private effort to obtain Hillary Clinton's emails from Russian hackers, according to people familiar with the matter.
>
> The effort to seek out hackers who were believed to have stolen Mrs. Clinton's emails, first reported by The Wall Street Journal, was led by a longtime Republican activist, Peter W. Smith.

Shane Harris, "Special Counsel Examines Possible Role Flynn Played in Seeking Clinton Emails From Hackers," The Wall Street Journal, August 25, 2017, accessible at: https://www.wsj.com/articles/special-counsel-examines-possible-role-flynn-played-in-seeking-clinton-emails-from-hackers-1503694304

> Russian officials bragged in conversations during the presidential campaign that they had cultivated a strong relationship with former Trump adviser retired Gen. Michael Flynn and believed they could use him to influence Donald Trump and his team, sources told CNN.

CNN," Sources: Russians bragged about using Flynn," CNN, undated video of news broadcast, accessible at: http://www.cnn.com/videos/politics/2017/05/20/russia-michael-flynn-donald-trump-influence-brown-borger-ac.cnn/video/playlists/michael-flynn/

Details of Mr. Mueller's investigation were leaked to the news media concerning the focus of the investigation:

> Federal investigators working for Special Counsel Robert Mueller are keenly focused on President Donald Trump's role in crafting a response to a published article about a meeting between Russians and his son Donald Jr., three sources familiar with the matter told NBC News. The sources told NBC News that prosecutors want to know what Trump knew about the meeting and whether he sought to conceal its purpose.

Julia Ainsley And Tom Winter, "Mueller Team Asking if Trump Tried to Hide Purpose of Trump Tower Meeting," NBC News, August 28, 2017, accessible at https://www.nbcnews.com/news/us-news/mueller-team-asking-if-trump-tried-hide-purpose-trump-tower-n796746

> The U.S. special counsel investigating possible ties between the Donald Trump campaign and Russia in last year's election is examining a broad range of transactions involving Trump's businesses as well as those of his associates, according to a person familiar with the probe.
>
> FBI investigators and others are looking at Russian purchases of apartments in Trump buildings, Trump's involvement in a controversial SoHo development in New York with Russian associates, the 2013 Miss Universe pageant in Moscow and Trump's sale of a Florida mansion to a Russian oligarch in 2008, the person said.
>
> The investigation also has absorbed a money-laundering probe begun by federal prosecutors in New York into Trump's former campaign chairman Paul Manafort.

Greg Farrell and Christian Berthelsen, "Mueller Expands Probe to Trump Business Transactions," Bloomberg news, July 20, 2017, accessible at: https://www.bloomberg.com/news/articles/2017-07-20/mueller-is-said-to-expand-probe-to-trump-business-transactions

> Mr. Mueller's investigative contacts and collaboration with the Internal Revenue

Service were promptly leaked to the news media:

> Special counsel Bob Mueller has teamed up with the IRS. According to sources familiar with his investigation into alleged Russian election interference, his probe has enlisted the help of agents from the IRS' Criminal Investigations unit.

Betsy Woodruff, "Mueller Enlists the IRS for His Trump-Russia Investigation," The Daily Beast, August 31, 2017, accessible at: http://www.thedailybeast.com/exclusive-mueller-enlists-the-irs-for-his-trump-russia-investigation

Details from the investigation are being regularly reported to the news media:

> As the Robert Mueller investigation intensifies, new details are being leaked about the direction the probe is going. Buried in a story about the intensifying relationship between Mueller and Congress, CNN revealed some very interesting information. According to the report, Mueller's team may have obtained evidence in the raid of Paul Manafort's home that was not covered by the search warrant.
>
> * * *
>
> During that raid, Mueller's investigators took documents considered to be covered by attorney-client privilege, sources told CNN. Lawyers from the WilmerHale law firm, representing Manafort at the time, warned Mueller's office that their search warrant didn't allow access to attorney materials. The documents in question have now been returned, the sources say

Rachel Stockman, "Mueller Team's Apparent 'Mistake' Could Screw Their Case Against Manafort," LAW NEWZ, September 5th, 2017, accessible at: https://lawnewz.com/opinion/mueller-teams-apparent-mistake-could-screw-their-case-against-manafort/

Mr. Mueller's core investigative and prosecution strategies have been leaked to the news media and publicly revealed:

> U.S. investigators examining money laundering accusations against President Donald Trump's former campaign manager Paul Manafort hope to push him to cooperate with their probe into possible collusion between Trump's campaign and Russia, two sources with direct knowledge of the investigation said.
>
> Special Counsel Robert Mueller's team is examining Manafort's financial and real estate records in New York as well as his involvement in Ukrainian politics, the officials said.
>
> Between 2006 and 2013, Manafort bought three New York properties, including one in Trump Tower in Manhattan. He paid for them in full and later took out

> mortgages against them. A former senior U.S. law enforcement official said that tactic is often used as a means to hide the origin of funds gained illegally. Reuters has no independent evidence that Manafort did this.
>
> The sources also did not say whether Mueller has uncovered any evidence to charge Manafort with money laundering, but they said doing so is seen by investigators as critical in getting his full cooperation in their investigation.
>
> "If Mueller's team can threaten criminal charges against Manafort, they could use that as leverage to convince him to cooperate," said one of the sources.

Julia Edwards Ainsley and John Walcott, "U.S. investigators seek to turn Manafort in Russia probe: sources," Reuters, July 22, 2017

However, this is not coming from Manafort or his legal team, who deny the information being leaked and say it is false. The information is being leaked by Special Counsel Mueller's office:

> Manafort's spokesman, Jason Maloni, said, "Paul Manafort is not a cooperating witness. Once again there is no truth to the disinformation put forth by anonymous sources and leakers."

Id.

Details about Mr. Mueller's sharing investigative information and procedures, as well as collaborating with the Attorney General's office of the State of New York -- also itself subject to confidentiality of criminal investigations as well -- were promptly leaked to the news media. It should be emphasized that Attorney General Schneiderman's office is restricted from sharing these details as much as Mr. Mueller's office is restricted.

> Special counsel Robert Mueller's team is working with New York Attorney General Eric Schneiderman on its investigation into Paul Manafort and his financial transactions, according to several people familiar with the matter.

> The cooperation is the latest indication that the federal probe into President Donald Trump's former campaign chairman is intensifying. It also could potentially provide Mueller with additional leverage to get Manafort to cooperate in the larger investigation into Trump's campaign, as Trump does not have pardon power over state crimes.
>
> The two teams have shared evidence and talked frequently in recent weeks about a potential case, these people said. One of the people familiar with progress on the case said both Mueller's and Schneiderman's teams have collected evidence on financial crimes, including potential money laundering.

Josh Dawsey, "Mueller teams up with New York attorney general in Manafort probe," Politico, August 30, 2017, http://www.politico.com/story/2017/08/30/manafort-mueller-probe-attorney-general-242191

Details of Mr. Mueller's investigation including focusing on possible obstruction of justice by President Donald Trump and his campaign were promptly dumped into the public realm in the news media. It should be noted that government officials interviewed would not themselves be free to disclose information about their interviews:

> The move by special counsel Robert S. Mueller III to investigate Trump's conduct marks a major turning point in the nearly year-old FBI investigation, which until recently focused on Russian meddling during the presidential campaign and on whether there was any coordination between the Trump campaign and the Kremlin. Investigators have also been looking for any evidence of possible financial crimes among Trump associates, officials said.

Devlin Barrett, Adam Entous, Ellen Nakashima and Sari Horwitz, " Special counsel Mueller is investigating Trump for possible obstruction of justice," The Washington Post, June 14, 2017

The Washington Post has published an extraordinary continuing flow of details of the grand jury proceedings and investigative activities of Mr. Mueller's office. The Washington Post

> ... reported that Mueller was examining whether Trump has tried to obstruct justice and was seeking interviews with three administration officials: Dan Coats, the director of national intelligence; Michael Rogers, the head of the National Security Agency; and Richard Ledgett, the former NSA deputy director.
>
> Mark Corallo, a spokesman for Trump's personal lawyer, responded Wednesday evening to the Post report by saying: "The FBI leak of information regarding the president is outrageous, inexcusable and illegal."

"Trump administration rips leaks surrounding Mueller probe," Fox News, June 16, 2017, accessible at: http://www.foxnews.com/politics/2017/06/16/trump-administration-rips-leaks-surrounding-mueller-probe.html

Leaks of confidential information from the criminal prosecution hit The Wall Street Journal on August 31, 2017, Peter Nicholas, Erica Orden and Paul Sonne, "Trump Attorneys Lay Out Arguments Against Obstruction-of-Justice Probe to Mueller" The Wall Street Journal. An extraordinary array of documents obtained from Mr. Mueller's office are summarized and discussed in this article, including identifying specific meetings with Mr. Mueller in the Special Counsel's office:

> Lawyers for Donald Trump have met several times with special counsel Robert Mueller in recent months and submitted memos arguing that the president didn't obstruct justice by firing former FBI chief James Comey and calling into question Mr. Comey's reliability as a potential witness, people familiar with the matter said.

In the article, the reporters chronicle that the Trump administration and Trump's private lawyers would not comment on the memos or the story at all, indicating that they were not the source of the leaks. Mr. Mueller's office leaked the memos and information.

> Special counsel Robert S. Mueller III has alerted the White House that his team will probably seek to interview six top current and former advisers to President Trump who were witnesses to several episodes relevant to the investigation of Russia's meddling in the 2016 election, according to

> people familiar with the request.
>
> Mueller's interest in the aides, including trusted adviser Hope Hicks, former press secretary Sean Spicer and former chief of staff Reince Priebus, reflects how the probe that has dogged Trump's presidency is starting to penetrate a closer circle of aides around the president.

Carol D. Leonnig, Rosalind S. Helderman and Ashley Parker, "Mueller gives White House names of 6 aides he expects to question in Russia probe," The Washington Post, September 8, 2017, accessible at: https://www.washingtonpost.com/politics/spicer-priebus-hicks-among-six-current-and-former-trump-aides-mueller-has-expressed-interest-in-interviewing-for-russia-probe/2017/09/08/3b32779e-949a-11e7-aace-04b862b2b3f3 story.html?

Furthermore, Mr. Mueller convened a second grand jury in the District of Columbia after already convening a grand jury in the Eastern District of Virginia at Alexandria, Virginia. Because jurors are drawn from voter rolls, and Donald Trump received only 4.1% of the vote in the District of Columbia for president on November 8, 2016, Mr. Mueller's efforts at juror shopping are not only unethical but fail to provide the public an assurance of the appearance of integrity in these proceedings. The grand jury in Virginia would have had all the authority necessary to consider evidence across the river in Washington, D.C. Furthermore, Donald Trump's campaign was headquartered in Manhattan in New York City, New York. Therefore, there is no valid reason for an investigation of the 2016 presidential campaign to be sited in Washington, D.C. The appearance is that the grand jury convened in Virginia was skeptical of Mr. Mueller's presentations and Mr. Mueller sought a different group of grand jurors.

Mr. Mueller was appointed because Attorney General Jeff Sessions needlessly recused himself from overseeing an investigation into a fanciful theory that we now know was invented by the Hillary Clinton presidential campaign in their deliberations within 24

hours of suffering an unexpected loss in the November 8, 2016 presidential campaign. [1] Out of an abundance of caution, Sessions bent over backwards to avoid even the slightest appearance of bias or conflict of interest and recused himself.

Thus, Mr. Mueller was appointed as Special Counsel to uphold the highest standards of integrity and avoid even a hint of any impropriety in an investigation of a theory that there might have been some collusion between the presidential campaign of Donald Trump and the Russian Federation.

Because the theory has been discredited, the damage of continuing leaks to the reputation of innocent persons is especially harmful. The more the myth of collusion between Russia and the Trump presidential campaign unravels, the more the flow of leaks accelerates each day.

Meanwhile, Rule 1:7 of D.C.'s Rules of Professional Conduct -- Mr. Mueller's office and operations being in the District of Columbia and Ms. Rhee licensed by the District of Columbia Bar -- require:

> A lawyer who has formerly represented a client in a matter shall not thereafter represent another person in the same or a substantially related matter in which that person's

---

[1] All nations spy on each other, such as the United States hacking Angela Merkel, German Chancellor. Of course Russia and China persistently try to hack government and private computer networks in the U.S.A. However, forensic investigation now reveals that Clinton campaign emails from the Democrat National Committee were copied at extraordinarily high speech (impossible over an internet connection) on to a thumb drive physically plugged into the DNC's computer system. "On the evening of July 5, 2016, 1,976 megabytes of data were downloaded from the DNC's server. The operation took 87 seconds. This yields a transfer rate of 22.7 megabytes per second. These statistics are matters of record and essential to disproving the hack theory. No Internet service provider, such as a hacker would have had to use in mid-2016, was capable of downloading data at this speed." Patrick Lawrence, "A New Report Raises Big Questions About Last Year's DNC Hack," The Nation, August 9, 2017; https://www.thenation.com/article/a-new-report-raises-big-questions-about-last-years-dnc-hack/

interests are materially adverse to the interests of the former client unless the former client gives informed consent.

28 CFR § 45.2 Disqualification arising from personal or political relationship.

(a) Unless authorized under paragraph (b) of this section, no employee shall participate in a criminal investigation or prosecution if he has a personal or political relationship with:

(1) Any person or organization substantially involved in the conduct that is the subject of the investigation or prosecution; or

(2) Any person or organization which he knows has a specific and substantial interest that would be directly affected by the outcome of the investigation or prosecution.

(b) An employee assigned to or otherwise participating in a criminal investigation or prosecution who believes that his participation may be prohibited by paragraph (a) of this section shall report the matter and all attendant facts and circumstances to his supervisor at the level of section chief or the equivalent or higher. If the supervisor determines that a personal or political relationship exists between the employee and a person or organization described in paragraph (a) of this section, he shall relieve the employee from participation unless he determines further, in writing, after full consideration of all the facts and circumstances, that:

(1) The relationship will not have the effect of rendering the employee's service less than fully impartial and professional; and

(2) The employee's participation would not create an appearance of a conflict of interest likely to affect the public perception of the integrity of the investigation or prosecution.

(c) For the purposes of this section:

(1)*Political relationship* means a close identification with an elected official, a candidate (whether or not successful) for elective, public office, a political party, or a campaign organization, arising from service as a principal adviser thereto or a principal official thereof; and

(2)*Personal relationship* means a close and substantial connection of the type normally viewed as likely to induce partiality. An employee is presumed to have a personal relationship with his father, mother, brother, sister, child and spouse. Whether relationships (including friendships)

> of an employee to other persons or organizations are "personal" must be judged on an individual basis with due regard given to the subjective opinion of the employee.
>
> **(d)** This section pertains to agency management and is not intended to create rights enforceable by private individuals or organizations.
>
> [Order No. 993-83, 48 FR 2319, Jan. 19, 1983. Redesignated at 61 FR 59815, Nov. 25, 1996]

Special Counsel Mueller has been charged with investigating whether or not Russia interfered in the U.S. presidential election in the 2015-2016 election cycle, and if so to what extent and in what ways and whether in collusion with any U.S. campaigns or institutions.

But Mueller's office has a conflict of interest in exploring all of the alternatives and following the evidence where it leads. If the evidence shows that Russia intervened in the election in relation to Hillary Clinton's support for the sale of twenty percent (20%) of the uranium mining reserves of the United States to the Russian Federation as the leading member of the inter-governmental decision-making body the Committee on Foreign Investment in the United States (CFIUS), Mueller and his team would be ethically prohibited from honestly investigating and exploring the truth.

Special Counsel Mueller's investigation turns on the credibility and personal interests of Mueller's long-term colleague and close friend former FBI Director James Comey. Not only will the investigation impact Comey, but Mueller must judge his own friend's credibility as a witness.

> A Republican congressman is calling on Special Counsel Robert Mueller to resign from his role leading the Russia investigation, citing the investigator's friendship with former FBI Director James B. Comey.

> Rep. Trent Franks said Mr. Mueller's relationship with Mr. Comey should make him ineligible to lead a probe of Russian interference in the presidential election and any possible coordination with the Trump campaign the investigation includes whether the president fired the FBI director in an effort to undermine the investigation.
>
> "Those who worked under them have attested he and Jim Comey possess a close friendship, and they have delivered on-the-record statements effusing praise of one another," Mr. Franks, Arizona Republican, said in a statement issued Tuesday. "No one knows Mr. Mueller's true intentions, but neither can anyone dispute that he now clearly appears to be a partisan arbiter of justice."
>
> Mr. Franks, a member of the House Judiciary Committee, cited federal law that prevents the special counsel from serving in the role if the person has a conflict of interest. In Mr. Mueller's case, the lawmaker said that conflict is "a personal relationship with any person substantially involved in the conduct that is the subject of the investigation."

Andrea Noble, "[Congressman] Trent Franks: Mueller must resign from Russia probe because of long friendship with Comey," The Washington Times, August 1, 2017

> Just over a week after President Donald Trump fired James Comey as FBI director, the Department of Justice appointed Comey's predecessor, former FBI Director Robert Mueller, as special counsel for the investigation into Russian attempts to influence the 2016 election.
>
> The two former FBI chiefs have a unique relationship, stemming in large part from working side by side during a major confrontation with the Bush administration.
>
> By sheer coincidence, this week marked 10 years since Comey gave his bombshell testimony before the Senate Judiciary Committee about the showdown with President George W. Bush's White House. It began in 2004, when Comey refused to reauthorize an NSA spying program.
>
> Comey was deputy attorney general at the time, and was serving as the acting head of the Justice Department while Attorney General John Ashcroft was in the hospital.

Eli Watkins, "Mueller and Comey have a history," CNN Politics, May 17, 2017, accessible at: http://www.cnn.com/2017/05/17/politics/james-comey-robert-mueller/index.html

As recently as 2009, then Director of the FBI Robert Mueller personally carried samples of highly-enriched uranium to Moscow, as shown in official diplomatic cables that have been publicly released. While Mueller's involvement in transporting uranium samples to the Russian Federation may have been proper [2] the task of the Special Counsel is to give public confidence and the appearance of enhanced integrity in the Russian collusion investigation. Compared with the professional permanent staff of the FBI and DoJ, Mueller cannot offer public confidence in the investigation having personally worked with Russia on such high level issues.

> 6. (S/Rel Russia) Action request: Embassy Moscow is requested to alert at the highest appropriate level the Russian Federation that FBI Director Mueller plans to deliver the HEU [Highly-Enriched Uranium] sample once he arrives to Moscow on September 21.

"Robert Mueller delivering highly enriched stolen Uranium to Russia WikiLeaks cable," Voice of the People Today, May 18, 2017, accessible at: https://voiceofpeopletoday.com/robert-mueller-delivering-highly-enriched-stolen-uranium-russia-wikileaks-cable/

Mr. Mueller knowingly hired an attorney who had previously -- within the last year -- represented the Clinton Foundation of whom Hillary Clinton and Bill Clinton are principals. Attorney Jeannie S. Rhee, D.C. Bar No. 464127 was ethically required to

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[2] "(S/NF) Background: Over two years ago Russia requested a ten-gram sample of highly enriched uranium (HEU) seized in early 2006 in Georgia during a nuclear smuggling sting operation involving one Russian national and several Georgian accomplices. The seized HEU was transferred to U.S. custody and is being held at a secure DOE facility. In response to the Russian request, the Georgian Government authorized the United States to share a sample of the material with the Russians for forensic analysis."

decline a position that places her in a conflict of interest as a staff attorney for Mr. Mueller. Having previously represented the Clinton Foundation as an attorney, including its Board of Directors and principals Hillary Clinton, Bill Clinton, Chelsea Clinton, and Former Counselor of the U.S. Department of State Cheryl Mills, Rhee cannot investigate, work on, or prosecute the topics related to the investigation of collusion by the Russian Federation with the presidential campaign of Donald Trump running against Hillary Clinton. Rhee's involvement contaminates the entire investigation by Mueller's office.

Furthermore, as her supervisor and a supervising attorney, Robert Mueller is committing ethical violations by directing an attorney to violate the ethical requirements of the Department of Justice and of the District of Columbia Bar. Mueller's hiring of Rhee -- and others -- is in itself an ethical violation of DoJ standards and professional rules. However, Mr. Mueller's refusal to correct this unethical conduct speaks volumes and loudly proclaims the true nature of Mueller's intentions and undertakings.

As recently as 2016, Rhee represented the Clinton Foundation against my lawsuit's allegations, "Larry Klayman: RICO Lawsuit Against Clintons Is Set," Newsmax, May 29, 2015, http://www.newsmax.com/Newsmax-Tv/larry-klayman-racketeering-lawsuit-bill-clinton/2015/05/29/id/647620/ that Hillary Clinton sold government favors in return for bribes, including by approving the sale of 20% of America's uranium mine reserves to Russia, and concealed the racketeering enterprise with her private email server. Josh Gerstein, "Clinton Foundation: Toss 'fatuous' racketeering lawsuit," Politico, June 10, 2015, accessible at: http://www.politico.com/blogs/under-the-radar/2015/06/clinton-foundation-toss-fatuous-racketeering-lawsuit-208595.

Now, Jeannie Rhee is investigating Donald Trump's alleged Russian collusion with Russia during the 2016 presidential campaign as one of Mueller's top lawyers. With Mueller's experience, he knows that the lawyers he is hiring will be legally prevented from following the evidence wherever it leads. One must infer that Mueller intends a hatchet job on President Trump in retaliation for James Comey's firing from head of the FBI.

Legally Rhee can only investigate Trump, even if the evidence might show that Hillary Clinton -- through Rhee's former (recent) client the Clinton Foundation -- actually colluded with Russia instead or that leaked emails from Hillary Clinton's campaign were leaked by DNC employee Seth Rich. Rhee is not ethically or legally allowed to look into alternative theories or any of the outrageous leaks from the deep state defending Hillary Clinton's loss, the disclosure of Clinton campaign emails to Wikileaks, etc.

Two other lawyers on Mueller's team gave the maximum $2,700 donation to Hillary Clinton in last year's election. Three of Mueller's team Weissmann, Rhee, and Quarles alone donated more than $50,000 to Democrats, Marshall Cohen, "Special counsel team members donated to Dems, FEC records show," CNN, June 13, 2017, accessible at: http://www.cnn.com/2017/06/12/politics/robert-mueller-donations-democrats-fec/index.html, and almost exclusively to Democrats, according to Federal Election Commission campaign finance reports.

All told, more than half of Mueller's massive team of lawyers are donors to the Democrat party investigating the presidential campaign of a Republican Donald Trump. Alexi McCammond, "Meet Bob Mueller's team tackling the Russia probe," AXIOS, June 18, 2017, accessible at:https://www.axios.com/meet-bob-muellers-dream-team-tackling-

the-russia-investigation-2443472267.html

This behavior is the most egregious example of ethically-questionable behavior that I can recall in the DoJ's history, at least since the tongue-lashing from Judge Emmet G. Sullivan of the United States District Court for the District of Columbia on April 7, 2009, in the bungled prosecution of former Senator Ted Stevens, not to mention other egregious violations of ethics in other cases of late. Anna Stolley Persky , "A Cautionary Tale: The Ted Stevens Prosecution," republished *Washington Lawyer* (publication of the District of Columbia Bar), October 2009

Simply put, after a swift and thorough bona fide investigation one that is not whitewashed by the establishment if not so called "Deep State" within the DoJ -- Special Counsel Mueller must be removed as Special Counsel, as well as his conflicted staff, and this matter referred back to DoJ for the appointment of a new and ethical Special Counsel who will uphold his or her oath of office, rather than playing sleazy partisan politics with secret grand jury proceedings and this serious and important matter in general. In addition, other appropriate remedies much be considered and then implemented and imposed, such as prosecution of those directly and indirectly responsible for the grand jury leaks, including but not limited to Special Counsel Mueller and his equally conflicted staff.

An investigation into this extraordinary flow of leaks from criminal prosecutors, almost unprecedented in the history of the U.S. government is of paramount importance. The public already cynical and distrusting of the government, with a society appearing to be on the verge of civil unrest or even civil war, needs to know that their government can be trusted to follow its own rules and live by integrity and ethics in carrying out these

important duties. No matter what the outcome Special Counsel Mueller's investigation, no one will trust anything Mr. Mueller's office says or does under these unethical and illegal circumstances.

The Office of Professional Responsibility and Inspector General must thoroughly investigate these leaks and patent conflicts of interest and political bias, and discipline, terminate, and/or prosecute those responsible.

Mr. Klayman, personally and as the General Counsel and Chairman of Freedom Watch, will fully cooperate with the requested investigation and respectfully requests a meeting expeditiously with both the OPR and the IG to further this Complaint and the ensuing investigation.

Sincerely,

Larry Klayman, Esq.

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Cc:

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VIA FEDERAL EXPRESS

EXPEDITED PROCESSING AND TREATMENT REQUESTED

September 13, 2017

Hon. Robin C. Ashton
Chief
Office of Professional Responsibility
950 Pennsylvania Avenue, NW #3266
Washington, DC 20530

Hon. Michael E. Horowitz
Inspector General
U.S. Department of Justice
950 Pennsylvania Ave, NW, #4706
Washington, DC 20530

RE: SUPPLEMENT TO COMPLAINT AGAINST SPECIAL COUNSEL ROBERT MUELLER AND STAFF AND REQUEST FOR EXPEDITED INVESTIGATION INTO GROSS PROSECUTORIAL MISCONDUCT OF PROSECUTING ATTORNEYS

Dear Ms. Ashton and Mr. Horowitz:

Freedom Watch, Inc. and I hereby submit the following supplement to its Complaint and Request for The Office of Professional Responsibility and Inspector General must thoroughly investigate the torrent of leaks, and to the extent Department of Justice ("DoJ") or Federal Bureau of Investigation ("FBI") personnel are leaking investigative and/or grand jury evidence, presentations, witness testimony, or proceedings, discipline, terminate, and/or prosecute those responsible, which was recently filed with your offices.

The enclosed disclosure from NBC News shows that the leaks set forth in detail in

the Complaint are still ongoing, as the perpetrators are targeting anyone in or around President Donald J. Trump. Now, it has been revealed that even the son of Michael G. Flynn, President Trump's former national security advisor, is under "federal investigation federal investigation into Russian meddling in the presidential election and possible collusion between Moscow and the Trump campaign, according to four current and former government officials." It is obvious that these illegal grand jury leaks are coming from the office of Special Counsel Mueller, who act and think that they are above the law. This comes just a few days after we filed our complaint and underscores the brazen illegal conduct of Mueller and his staff, who are a disgrace if not affront to the U.S. Department of Justice and its traditions, practices and ethical and legal policies policies.

It is indisputable that these harmful leaks are occurring nearly every single day and are carefully calculated to target victims and to serve the perpetrators' political agendas. This illegal conduct cannot be allowed to continue, and as such, a full and thorough investigation must be immediately performed and the perpetrators must be punished to the fullest extent of the law, including but not limited to the removal of Special Counsel Mueller and his conflicted staff, as well as referral of this matter to the U.S. Attorney for the District of Columbia for criminal prosecution.

Sincerely,

Larry Klayman, Esq.

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EXCLUSIVE NEWS SEP 13 2017, 5:00 PM ET

Mike Flynn's Son Is Subject of Federal Russia Probe

by CAROL E. LEE, JULIA AINSLEY and KEN DILANIAN

WASHINGTON — Michael G. Flynn, the son of President Donald Trump's former national security adviser, is a subject of the federal investigation into Russian meddling in the presidential election and possible collusion between Moscow and the Trump campaign, according to four current and former government officials.

The inquiry into Flynn is focused at least in part on his work with his father's lobbying firm, Flynn Intel Group, three of the officials said. It's unclear when the focus on Flynn began.

Barry Coburn, who said he is serving as the younger Flynn's legal counsel, said he couldn't comment on the matter.

Flynn's status as a subject of the Russia investigation widens the publicly known scope of the probe. NBC News has reported that those under investigation have included the elder Flynn and former Trump campaign manager Paul Manafort. Others under scrutiny by special counsel Robert Mueller include Carter Page, a Trump campaign ally; Jared Kushner, the president's son-in-law and senior White House adviser; and the president's son, Donald Trump Jr.

Trump Jr. may be called to appear before the Senate Judiciary committee sometime this fall. He, Kushner, Manafort and Page have all denied any collusion with Russia during the campaign.

Ty Cobb, an attorney for President Trump, said that the younger Flynn's status as a subject of the probe "does not impact the White House to any extent with regard to its continuing cooperation with the special counsel."

The elder Flynn's lawyer, Robert Kelner, declined to comment Tuesday when asked how his client responds to allegations of collusion with Russia. On Twitter, Michael G. Flynn appeared to call the report that he is a subject of the Russia probe a "#Nothingburger": "#FakeNews Media: 'We're done covering those "pesky hurricanes' right????...Back to Russia!' #Nothingburger."

The president also has come under scrutiny for possible obstruction of justice and has denied colluding with Russia.

The younger Flynn worked closely with his father, whose connections to foreign governments, including Russia and Turkey, have been a subject of federal and congressional investigations.

Michael G. Flynn accompanied his father, for instance, on a trip to Moscow in December 2015 for the elder Flynn to deliver a paid speech at a 10th anniversary celebration for the state-sponsored Russian television network RT. The younger Flynn can be seen in video from an associated event.

Document ID: 0.7.5411.6578-000002 20201221-0050700

The elder Flynn, a retired Army lieutenant general and a former director of the Defense Intelligence Agency, was seated at the same table as Russian President Vladimir Putin during the dinner. Records released by the House Oversight Committee show he was paid nearly $34,000 for his speech; RT also paid for Flynn and his son's airfare to Moscow and lodging at a luxury hotel from Dec. 9 to Dec. 12.

Flynn Intel Group also was paid $530,000 in 2016 for work the Justice Department has said benefited the government of Turkey. The elder Flynn did not register as a foreign lobbyist at the time, but did so retroactively this year. According to his filing with the Justice Department, he was hired by a Turkish businessman to gather information about Fethullah Gülen, a Turkish cleric residing in Pennsylvania whom the Turkish government accuses of orchestrating an attempted coup there in July 2016.

Related: Obama Warned Trump Against Hiring Mike Flynn

The elder Flynn was fired as Trump's national security adviser in February after it became public that he had misled Vice President Mike Pence about his conversations with the Russian ambassador to the U.S.

A former business associate of Michael Flynn's said the younger Flynn had a heavy hand in the day-to-day operations of Flynn Intel Group and served as his father's chief of staff. Those responsibilities included attending meetings with his father and communicating with prospective clients, the former business associate said.

Several legal experts with knowledge of the investigation have told NBC News they believe Mueller, following a classic prosecutorial playbook, is seeking to compel key players, including Flynn and Manafort, to tell what they know about any possible Trump campaign collusion with Russia. Mueller has brought onto his team a federal prosecutor known for convincing subjects to turn on associates. Any potential criminal liability for Michael G. Flynn could put added pressure on his father, these legal experts said.

"Any time a family member is identified as a subject that does increase pressure," said Peter White, a former federal prosecutor. "In the typical parent-child relationship the last thing any parent would want is for their child to get in trouble for something they initiated."

That pressure appeared to mount Wednesday, when House Democrats released information they said confirmed that the elder Flynn omitted from his security clearance renewal application in 2016 that he had traveled to the Middle East in 2015 to meet with foreign leaders about a proposal to partner with Russia in a plan to build nuclear reactors in Saudi Arabia.

In a letter to Flynn's former business partners who had turned over documents to Congress, Democratic Reps. Elijah Cummings of Maryland and Eliot Engel of New York also accuse Flynn of concealing the trip from background check investigators who interviewed him during that 2016

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process. The congressmen, ranking members on the House Oversight and House Foreign Affairs committees respectively, told the former business partners that because "it appears that General Flynn violated federal law" they are turning over their documents to Mueller.

Related: Flynn, Manafort Are Key Figures in Russia Probe

Peter Carr, the spokesman for Mueller, declined to comment. Kelner, the elder Flynn's lawyer, did not respond to a request for comment on the Cummings-Engel letter.

The younger Flynn, 34, has a bachelor's degree from the University of North Carolina-Charlotte and an associate degree in golf course management. He is married, has one son and lives in Northern Virginia. He worked for a golf company and then a healthcare management firm between 2008 and 2015, and since 2014 has worked for the Flynn Intel Group, according to LinkedIn. He was a registered Republican in Charlotte, N.C., from 2004 to 2008, according to public records.

He was a controversial figure during the presidential campaign and during the Trump transition, known for writing inflammatory comments on Twitter and circulating conspiracy theories.

He perpetuated a so-called "pizzagate" conspiracy theory that surfaced in the days before the November election alleging Democratic candidate Hillary Clinton had used the Comet Ping Pong pizzeria in Washington to run a child sex-trafficking operation. About a month later, in December 2016, a North Carolina man fired gunshots in the pizzeria allegedly in response to the false "pizzagate" story. At the time, Flynn wrote on Twitter: "Until #Pizzagate proven to be false, it'll remain a story."

During the Trump transition there were questions about whether Flynn had an official role. He had a government transition email address and was said to be helping his father, who had been named national security adviser. But after the shooting at the "pizzagate" restaurant, Pence, who was in charge of the transition, said Flynn "has no involvement in the transition whatsoever."

The younger Flynn continues to express political opinions on social media, tweeting in support of former Trump adviser Steve Bannon and tweeting criticism of Black Lives Matter.

Document ID: 0.7.5411.6578-000002 20201221-0050702