THE MUELLER SUBPOENA STARTS AT THE MOMENT A REAL ESTATE DEAL IN MOSCOW MIGHT GET TRUMP ELECTED

Axios got a copy of a subpoena someone got from Robert Mueller last month. It asks for all communications (including handwritten notes) "this witness sent and received regarding the following people." The list of people includes a lot of people you'd expect, but it's missing a few:

> 1. *Carter Page*
> 2. *Corey Lewandowski*
> 3. *Donald J. Trump*
> 4. *Hope Hicks*
> 5. *Keith Schiller*
> 6. *Michael Cohen*
> 7. *Paul Manafort*
> 8. *Rick Gates*
> 9. *Roger Stone*
> 10. *Steve Bannon*

Cooperating witnesses George Papadopoulos and Mike Flynn aren't on this list, but cooperating witness Rick Gates is (which may date the subpoena to before Gates flipped on February 23). The order is of particular interest (or, maybe they're just alpha order by first name): Page, the long term suspected Russian asset, followed immediately by Lewandowski, who was in the loop on the stolen email offer, followed by the President and those closest to him, followed by Manafort and his closest aide. Then Stone and then — in the same month he gave 20 hours of

testimony — Bannon.

Neither Don Jr nor Kushner is on this list. Given the emphasis on communications "regarding" the listed people, and given the way that Abbe Lowell purposely avoided giving "about"communications to Congress (and possibly to Mueller), and also given that Jonathan Swan is Axios' key White House scoopster, I actually don't rule out the witness being Jared. Or, as I joked on Twitter, like Flynn and Papadopoulos, maybe he has already flipped and so isn't on this list.

Whoever it is, the absences on the list are probably a function of who is legitimately in this person's circle.

Perhaps most telling, however, is the timing: November 1, 2015, to the present. Recall that on November 3, sometime FBI informant Felix Sater sent Michael Cohen (on the list) an email promising that a real estate deal in Moscow might lead to Trump becoming President. (Here's the original WaPo scoop on the story.)

> On November 3, 2015, two months before the GOP primary started in earnest and barely over a year before the presidential election, mobbed up real estate broker and sometime FBI informant Felix Sater emailed Trump Organization Executive Vice President and Special Counsel to Trump, Michael Cohen. According to the fragment we read, Sater boasts of his access to Putin going back to 2006 (when the Ivanka incident reportedly happened), and said "we can engineer" "our boy" becoming "President of the USA."
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> [snip]
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> Mr. Sater, a Russian immigrant, said he had lined up financing for the Trump Tower deal with VTB Bank, a Russian bank that was under American sanctions for involvement in Moscow's efforts to undermine democracy in Ukraine. In

> another email, Mr. Sater envisioned a ribbon-cutting ceremony in Moscow.
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> "I will get Putin on this program and we will get Donald elected," Mr. Sater wrote.

That's the start date Mueller uses for potential communications among people including Trump's closest aides, including Cohen (but not including Sater) in the Russian investigation.

Update: Adding, we know that on October 21, 2016, the FBI had investigations into Manafort, Page, Stone, and possibly Gates. Is it possible this list is the sum of all those against whom sub-investigations have been opened (or were at the time this subpoena was issued)?