

ON THOSE FIVE AT&T PHONES MANAFORT WANTED TO LEARN ABOUT

Yesterday, Amy Berman Jackson rejected Paul Manafort's effort to get the last of the affidavits used to get warrants against him unsealed. The challenge started as an effort to get seven warrant affidavits unsealed; along the way, Manafort got a completely unredacted copy of the affidavit behind the search of his condo (which would have been the first one reflecting the government's knowledge of his role in the June 9 meeting), and the name of a confidential source – actually a known former employee of his – behind the warrant to search his storage facility.

Along with some other government disclosure, that left two affidavits. A warrant to search his email account.

In the Matter of the Search of
Information Associated with Email
Account pmanafort@dmpint.com (D.D.C.)
(17-mj-00611).

Based on the DC docket, I think this warrant would have been obtained sometime between August 14 and 18 of last year. This is the email address that Mueller's team caught Manafort using to conduct ongoing discussions with Konstantin Kilimnik last November (though Kilimnik's side would have been accessible via a Section 702 served on Google).

The other warrant is one to obtain information relating to five AT&T phones.

In the Matter of the Search of
Information Associated with Five
Telephone Numbers Controlled by AT&T
(D.D.C.) (18-sc-609).

In her order, ABJ explained that the government is only withholding the names of confidential sources and stuff pertaining to investigations other than the money laundering investigations currently pending against Manafort.

The government argues that the information that is currently being withheld fell within two categories: the names of confidential sources who had provided information to the government, and information relating to ongoing investigations that does not bear upon the allegations in either of the two cases now pending against Manafort.

An earlier filing explained that the second, AT&T, affidavit was obtained on March 9 and it covers “ongoing investigations that are not the subject of either of the current prosecutions involving Manafort.”

On April 4, 2018, the government produced in redacted form, and for the first time, an affidavit supporting a search warrant that had been obtained on March 9, 2018. That affidavit likewise contains redactions—albeit more substantial ones—relating to ongoing investigations that are not the subject of either of the current prosecutions involving Manafort.

As I believe others pointed out at the time, this would put it just a few weeks after Rick Gates pled on February 23, and so might reflect information obtained with his cooperation.

In her ruling, ABJ cited the last week’s hearing, suggesting that the phones still redacted in the affidavit materials might not be Manafort’s.

THE COURT: What if – I think one of them is about phone information. What if the redacted phones are not his phone?

MR. WESTLING: I don't have a problem with that. I think we're talking about things that relate to this defendant in this case.

Since just before this phone data was obtained, Mueller's team has focused closely on Roger Stone, starting with the Sam Nunberg meltdown on March 5, including a retracted claim that Trump knew of the June 9 meeting the week beforehand (there's a phone call Don Jr placed on June 6 that several committees think may have been to Trump, something Mueller presumably knows). Ted Malloch was stopped at the border and interviewed (and had his phone seized) on March 30, and scheduled for a since aborted grand jury appearance on April 13. Stone assistants John Sullivan and Jason Kakanis were subpoenaed earlier in May. Of particular interest, Michael Caputo was interviewed about meetings he and Stone had with Gates before and during the campaign. Stone's finances have been probed. Stone says he expects an indictment, but claims it would pertain to issues unrelated to colluding with Russia.

These details may, of course, be entirely unrelated. But Mueller sure has focused closely on Stone in the wake of obtaining information on those phones that don't belong to Manafort.

Meanwhile, Manafort has started a fund to pay what must be astronomical legal bills. He may make bail this week, or Mueller's team may move the goalposts.

Update: Jason Sullivan appeared before the grand jury today (Friday June 1), though he was originally subpoenaed to appear on May 18. That, plus the Ted Malloch detail, suggests Mueller is juggling the Stone witnesses.