

MUELLER IS CLOSE TO DONE, BUT THE ANDREW WEISSMANN DEPARTURE IS OVERBLOWN

As my docket tracker of the Mueller and related investigations shows, around August 1, 2018, after finalizing the GRU indictment, Ryan Dickey returned to his duties elsewhere at DOJ.

Around October 1, 2018, after submitting a filing saying Mike Flynn was ready to be sentenced, Brandon Van Grack moved back to his duties elsewhere at DOJ (though he continues to be named in documents in the case, as he was Tuesday). He is now starting a prosecutorial focus on FARA.

Around October 15, 2018, Kyle Freeny, who had worked the money laundering angle on the GRU and Manafort cases, moved back to her duties elsewhere at DOJ.

Around December 31, 2018, after successfully defending the Mystery Appellant challenge in the DC Circuit, Scott Meisler moved back to his duties elsewhere at DOJ.

Today, after getting Paul Manafort sentenced to 7.5 years in prison, imposing a \$24 million restitution payment, and an \$11 million forfeiture (including of Manafort's Trump Tower condo), multiple outlets are reporting that the guy in charge of prosecuting Manafort's corruption, Andrew Weissmann, is moving to a job at NYU.

After each prosecutor has finished their work on the Mueller team, he or she has moved on. Weissmann's departure is more final, since he's leaving DOJ. But his departure continues a pattern that was set last summer. Finish your work, and move on.

Nevertheless, his departure is being taken as a surefire sign the Mueller investigation is closing up.

Let me be clear: I do agree Mueller is just about done with the investigation. He's waiting on Mystery Appellant, possibly on Andrew Miller's testimony; he may have been waiting on formal publication of Jerome Corsi's book yesterday. Multiple other details suggest that Mueller expects to be able to share things in a month that he's unable to share today.

None of that tells us what will happen in the next few weeks. There is abundant evidence that Trump entered into a quid pro quo conspiracy with Russia, trading dirt and dollars for sanctions relief and other policy considerations. But it's unclear whether Mueller has certainty that he'd have an 85% chance of winning convictions, which is around what he'd need to convince DOJ to charge it. There is also abundant evidence that Trump and others obstructed the investigation, but charging *Trump* in that presents constitutional questions.

If Mueller does charge either of those things, I'd still expect him to resign and either retire or move back to WilmerHale and let other prosecutors prosecute it. That's what Leon Jaworski did in Watergate.

The far more interesting detail from Carrie Johnson's Weissmann report is that just some of Mueller's team are returning to WilmerHale.

WilmerHale, the law firm that Mueller and several other prosecutors left to help create the special counsel team, is preparing for the return of some of its onetime law partners, three lawyers have told NPR in recent weeks.

I'm far more interested in the plans of James Quarles (who has been liaising with the White House and so presumably has a key part of the obstruction investigation) or Jeannie Rhee (who seems to have been overseeing the conspiracy

investigation) than Mueller or his Chief of Staff, Aaron Zebley. Their plans might tell us more about what to expect in the next month (though Rhee appeared in Roger Stone's status hearing today, and may be sticking around for his prosecution, which just got scheduled for November 5).

In any case, though, we don't have long to wait, so it's not clear that misreading the departure of Weissmann – which is better understood as part of the normal pattern of Mueller's prosecutors leaving when they're done – tells us anything useful.

As I disclosed last July, I provided information to the FBI on issues related to the Mueller investigation, so I'm going to include disclosure statements on Mueller investigation posts from here on out. I will include the disclosure whether or not the stuff I shared with the FBI pertains to the subject of the post.