

WHY ROGER STONE THREATENED TO SUE EMPTYWHEEL!

Remember when Roger Stone threatened to sue me? It was in response to this post, in which I noted that Don McGahn had been helping Stone rat-fuck for Trump for years.

Well, it turns out that that's the topic of something the government would like to introduce as evidence about why he lied to HPSCI.

As I noted, a debate over whether the government can introduce 404(b) evidence at trial – often used to show motive – has been going on under seal. But a snippet of the topic got aired in yesterday's hearing on such issues. And one of the things the government wants to introduce under 404(b) is that, in addition to all the lies Stone told HPSCI laid out in his indictment, he also told further lies about his coordination with the Trump campaign.

Separately, Jackson also held off in ruling on Stone's bid to block DOJ from talking about other alleged false statements he made before the House committee during the September 2017 testimony that led Mueller to press charges.

During Wednesday's hearing she fretted that raising Stone's statements could prolong the trial and confuse jurors over allegations that the government didn't choose to prosecute.

DOJ attorney Michael Marando argued that the government's allegations needs to be heard in the context of Stone's overall motivations.

"He went in with a calculated plan to lie, to separate himself from the campaign in order to shield the lie

about his connections to WikiLeaks. He had to create that space,” Marando said.

One of those lies pertains to Stone’s communication with the campaign about the activities of his PAC.

Assistant U.S. Attorney Michael J. Marando argued that Stone falsely denied communicating with Trump’s campaign about his political-action-committee-related activities, and that the lie revealed his calculated plan to cover up his ties to the campaign and obstruct the committee’s work.

Rogow disagreed, calling the allegation more prejudicial than revealing and saying that it would divert jurors into a matter that Stone was not charged with.

Note, this is likely why he wants to call Steve Bannon, which other news outlets are inexplicably quite surprised about; Stone asked Bannon for funding from Rebekah Mercer for this stuff. And, as I noted in the post in question, Don McGahn helped Stone avoid charges for voter intimidation for his PAC activities. So I guess Stone wanted to sue me because I laid out proof that he lied to HPSCI about something that served the larger purpose of distancing his rat-fucking from the campaign.

Amy Berman Jackson ruled on most of the motions in limine as follows:

Government motion to introduce two categories of 404(b) evidence: Under advisement

Government motion to introduce two newspaper articles related to such evidence: Denied, with the opportunity to submit redacted versions if the evidence is submitted

Government motion to exclude claims of prosecutorial misconduct: Granted, but Stone can introduce impeachment information

Government motion to exclude evidence of Russian interference: Granted

Stone motion to introduce evidence challenging claims that WikiLeaks obtained stolen documents from Russia: Denied

Stone motion to subpoena CrowdStrike for its reports to the DNC: Denied

Stone motion for a recording of his HPSCI testimony: Moot

Government motion to introduce upload dates for videos: Granted

Government motion to introduce an excerpt of Godfather II: Deferred

Government motion to partially redacted a grand jury transcript: Granted, along with permission to file a motion in limine to limit the same witnesses' court testimony

ABJ ordered the two sides to figure out what portion of the HPSCI report they need to submit at trial, as well as what communications between Randy Credico and Stone should be excluded