

MAIN JUSTICE NOW LOOKING FOR THE EVIDENCE IN PLAIN SIGHT THEY IGNORED IN AUGUST

Along with more background about Rudy Giuliani's legal troubles, Politico reports that Main Justice is now getting more involved in SDNY's investigation of Rudy's sleazy influence peddling.

According to a person close to the investigation, DOJ's criminal division and SDNY have been pressed to more proactively work together in light of public confusion surrounding the department's past statements on the campaign finance non-charging decision and the Giuliani meeting. This "happens all the time at DOJ, just usually not in such a high-profile case," the person said. "It will lead to a natural decision to bring the resources together and to make sure they act at least in parallel and probably in coordination and not antagonistic to each other."

A DOJ spokesperson declined to comment when asked about SDNY and the criminal division working in tandem.

A move to bring department headquarters – "Main Justice" as its widely known – deeper into the Giuliani probe is causing heartburn at SDNY, which is widely known for its autonomy and reputation as the "Sovereign District of New York."

"You lose a certain amount of nimbleness and a certain amount of independence because now you are answering to someone above you," explained a former senior

SDNY official who said there's "no way that Main Justice is not involved."

As the quote from SDNY makes clear, this is probably partly an attempt by Bill Barr and Brian Benczkowski to limit the damage that the Lev Parnas and Igor Fruman prosecution can do to the President, even though it's crystal clear their crimes tie to the extortion the President was engaged in on his July 25 call with Volodymyr Zelensky. The focus on Rudy suggests he may be the scapegoat, who must be aggressively prosecuted as a way to avoid prosecuting the President, which probably explains why the man who, 18 months ago, was brokering a pardon to keep Michael Cohen silent, is now publicly campaigning for his own pardon.



RudyGiuliani ✓

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With all the Fake News let me make it clear that everything I did was to discover evidence to defend my client against false charges. Dems would be horrified by the attacks on me, if my client was a terrorist. But they don't believe @realDonaldTrump has rights. Justice will prevail

But Main Justice's bigfooting into SDNY probably serves another purpose: it helps Benczkowski and others avoid obstruction charges for actions they took to ensure that the August assessment of the whistleblower complaint wouldn't discover the obvious ties between the crimes that SDNY was about to charge and the President's behavior.

As I have laid out, if the people at Main Justice had followed the protocols put into place after 9/11 – which includes a search of FBI's existing holdings every time it gets a tip, particularly if the tip might indicate a tie to national security, as this one did – they would have found all the evidence of an influence campaign in DOJ's possession.

Date	Location	Information
Prior to February	SDNY	March 3, 2018: Igor Fruman attends event April 11, 2018: GEP created Early May, 2018: Fruman and Parnas attend White House event May 17, 2018: GEP donates \$325,000 to American First Action June 21, 2018: GEP donates \$50,000 to Ron DeSantis June 25, 2018: Fruman and Lev Parnas max out to Pete Sessions
After February 14	Barr	Briefing on SDNY investigation
May	Unknown	Rudy dossier including anti-Yovanovitch material sent from White House to Mike Pompeo, including draft John Solomon column emailed to Joe DiGenova, Victoria Toensing, and Lev Parnas
June 20	SDNY	Parnas vehicle Aaron Investments receives \$1,260,329.80 wire transfer, marked GEP, from a Miami real estate attorney named Russell Jacobs who specializes in laundering foreign money
August 15	John Demers (NSD), then Jeffrey Rosen, Brian Benczkowski	Multiple people had raised concerns about Mr. Trump's call Contents of transcript, including Trump's invocation of Bill Barr and Rudy Giuliani and requests for dirt on 2016 and Biden
Late August	Public integrity	Complete whistleblower complaint, including concerns about OMB withholding aid and repeated references (though not by name) to profile on Parnas and Fruman
Unknown date (several weeks before October 18)	Brian Benczkowski Fraud prosecutors	Rudy and two other lawyers pitch bribery defendant

At the time DOJ reviewed the whistleblower complaint, DOJ knew:

- Lev Parnas and Igor Fruman were funded by big money from a lawyer who specializes in laundering money through real estate for foreigners
- They were spending those funds, via a shell company, to make big donations to Republicans (including \$325,000 to Trump's SuperPAC)
- Those donations were tied to specific asks about Ukraine
- Rudy was working with Parnas and Fruman to share disinformation with multiple parts of government
- One goal of that disinformation – a successful one – was to get Marie Yovanovitch recalled

A search on Rudy's name (or that of Parnas and Fruman, who were not named in the complaint but were included by multiple references in it to a

profile on their operation), DOJ would have found all of this evidence, making it impossible to render the verdict – that no crime had been committed – that DOJ did. There’s simply no way a marginally competent assessment could have rendered that verdict.

And finding that evidence would have made it clear that Trump’s mention of Rudy’s shenanigans and Yovanovitch on the call tie his extortion to the crime SDNY was investigating (and has now charged).

Since that is public and obvious to anyone who knows how FBI is supposed to work, Main Justice has no choice but to show some interest in these crimes now or risk being part of the conspiracy.

Which is why DOJ is now telling Politico that the things they’ve previously said (which I’ve used to show that they affirmatively avoided connecting the dots in August) didn’t really mean what they obviously did mean at the time.

Additional attention to these issues has come from DOJ headquarters, which in August was tasked with examining Trump’s phone call asking Ukrainian President Volodymyr Zelensky to dig up dirt on the American leader’s political rivals. A statement released by DOJ spokeswoman Kerri Kupec in late September said the department’s criminal division reviewed the official record of the call “and determined, based on the facts and applicable law, that there was no campaign finance violation and that no further action was warranted.”

“All relevant components of the department agreed with this legal conclusion, and the department has concluded the matter,” Kupec said at the time.

A senior Justice Department official who spoke on condition of anonymity said Kupec’s Sept. 25 statement was limited to the campaign finance issue raised by

a referral from the Intelligence Community Inspector General and was not intended to rule in or out the possibility of Justice officials examining any other legal issues related to the Trump-Zelensky call, if warranted.

If I were HJC, I'd submit a document request around the actions (not) taken in August – including DOJ's failure to share the whistleblower complaint with the FEC, the same kind of conspiracy to prevent FEC from doing its job that the Russian trolls and Parnas and Fruman are being prosecuted for – and ask Michael Horowitz to review them. Because the efforts Main Justice is making now cannot undo the actions taken and not taken in August to prevent a thorough investigation of that complaint.