

WHAT PROSECUTORS NEED TO SHOW TO PROVE ROGER STONE GUILTY

There has been some absolutely shitty coverage in advance of Roger Stone's trial that doesn't even understand the indictment. So to try to minimize the bad coverage, I'm going to lay out what the prosecutors need to prove to show that Roger Stone is guilty.

Stone is accused of telling 5 lies to the House Intelligence Committee, plus intimidating Randy Credico in an attempt to talk him out of testifying honestly. Together, those actions will prove the obstruction charges.

I've mapped out each of the lies, below, with what the government needs to do to prove they're lies, and the evidence the government has already said it'll offer to prove that. The italicized sentences come from the indictment; where I didn't otherwise replace it, Organization 1 is WikiLeaks.

Stone has emails with others mentioning Julian Assange and knew that when he testified

STONE testified falsely that he did not have emails with third parties about the head of Organization 1, and that he did not have any documents, emails, or text messages that refer to the head of Organization 1.

The government needs to show not only that he had emails with others (and documents and texts) talking about Julian Assange but that he knew that when he testified.

The emails and texts they'll use to prove this include:

- A July 25, 2016 email to Corsi with the subject line, "Get to [the head of Organization 1]." The body of the message read, "Get to [the head of Organization 1] [a]t Ecuadorian Embassy in London and get the pending [Organization 1] emails . . . they deal with Foundation, allegedly." On or about the same day, Person 1 forwarded STONE's email to an associate who lived in the United Kingdom and was a supporter of the Trump Campaign (GX35)
- A July 31, 2016 email to Corsi with the subject line, "Call me MON." saying that Ted Malloch, "should see Assange." (GX 36)
- An August 2, 2016 email from Corsi to Stone stating that, "Word is friend in embassy plans 2 more dumps. One shortly after I'm back. 2nd in Oct. Impact planned to be very damaging. ... Time to let more than [the Clinton Campaign chairman] to be exposed as in bed w enemy if they are not ready to drop HRC. That appears to be the

game hackers are now about. Would not hurt to start suggesting HRC old, memory bad, has stroke – neither he nor she well. I expect that much of next dump focus, setting stage for Foundation debacle.” (GX 37)

- An August 19, 2016 text from Credico saying, “I’m going to have [Assange] on my show next Thursday.” (GX 46)
- An August 21, 2016, text from Credico saying, “I have [Assange on Thursday so I’m completely tied up on that day.” (GX 46)
- An August 26, 2016 text exchange with Credico where Credico said, “[Assange] talk[ed] about you last night,” Stone asked what Assange said, and Credico responded, “He didn’t say anything bad we were talking about how the Press is trying to make it look like you and he are in cahoots.” (GX 47)
- August 27, 2016 text messages from Credico saying, “We are working on a [Assange] radio show,” and that, “[Assange] has kryptonite on Hillary.”
- A September 18, 2016, email to Credico asking, “Please

ask [Assange] for any State or HRC e-mail from August 10 to August 30—particularly on August 20, 2011 that mention [the subject of the article] or confirm this narrative.” (GX 48)

- A September 19, 2016, text to Credico writing, “Pass my message . . . to [Assange].” Credico responded, “I did.” (GX 49-57)
- An October 1, 2016, text from Credico claiming, “big news Wednesday . . . now pretend u don’t know me . . . Hillary’s campaign will die this week.” (GX 58)
- An October 2, 2016, email from Stone to Credico saying “WTF?,” linking an article saying that Assange was canceling “highly anticipated Tuesday announcement due to security concerns.” Credico responded, “head fake.” (GX 59)
- An October 2, 2016, text to Credico stating, “Did [Assange] back off.” On October 3, 2016, Credico responded, “I can’t tal[k] about it.” Then said, “I think it[']s on for tomorrow.” Credico added later that day, “Off the

Record Hillary and her people are doing a full-court press they [sic] keep [the head of Organization 1] from making the next dump . . . That's all I can tell you on this line . . . Please leave my name out of it." (GX 58)

- An October 3, 2016 email or text, probably to Erik Prince, stating, "Spoke to my friend in London last night. The payload is still coming."
- An October 3, 2016 email from Matthew Boyle asking, "Assange – what's he got? Hope it's good." Stone responded, "It is. I'd tell [Bannon] but he doesn't call me back." (GX 31)
- An October 4, 2016 email between Bannon and Stone asking what Assange had. (GX 32)
- An October 4 2016 text, probably from Prince, saying "hear[d] anymore from London," to which Stone replied, "Yes – want to talk on a secure line – got Whatsapp?" (GX 32)
- An October 7, 2016 text from Bannon assistant Alexandra Preate saying "well done." (GX44)

The government also has to prove that Stone knew he had all these comms. One way they'll do so is by showing they were still in Stone's possession when they searched his home. Another way they'll prove it is by showing that Stone shared many of them, on the record, with reporters as he was trying to walk back his story.

Stone's references to an intermediary are not to Credico

STONE testified falsely that his August 2016 references to being in contact with the head of WikiLeaks were references to communications with a single "go-between," "mutual friend," and "intermediary," who STONE identified as Credico.

The government has to prove that 1) Credico could not have been the intermediary Stone referred to publicly in early August and 2) there was at least one other person that Stone was using as an attempted intermediary to Assange.

To prove this, first of all, the government will show that there were no communications between Credico and Stone until Credico told Stone that he was going to have Assange on his show on August 19, which was after Stone repeatedly claimed to have an intermediary.

The government will also show that Stone had communications with Corsi that amount to treating him as an intermediary. It will do this by showing the following communications:

- A July 25, 2016 email to Corsi with the subject line, "Get to [the head of Organization 1]." The body of the message read, "Get to [the head of Organization 1] [a]t Ecuadorian Embassy in

London and get the pending [Organization 1] emails . . . they deal with Foundation, allegedly.” On or about the same day, Person 1 forwarded STONE’s email to an associate who lived in the United Kingdom and was a supporter of the Trump Campaign

- A July 31, 2016 email to Corsi with the subject line, “Call me MON.” saying that Ted Malloch, “should see Assange.”
- An August 2, 2016 email from Corsi to Stone stating that, “Word is friend in embassy plans 2 more dumps. One shortly after I’m back. 2nd in Oct. Impact planned to be very damaging. ... Time to let more than [the Clinton Campaign chairman] to be exposed as in bed w enemy if they are not ready to drop HRC. That appears to be the game hackers are now about. Would not hurt to start suggesting HRC old, memory bad, has stroke – neither he nor she well. I expect that much of next dump focus, setting stage for Foundation debacle.”

The government will further show that Stone knew

Credico couldn't be the intermediary because he spoke to both Credico and Corsi about that. For example, they'll show

- On January 6, 2017, Credico texted Stone, "Well I have put together timelines[] and you [] said you have a back-channel way back a month before I had [the head of Organization 1] on my show . . . I have never had a conversation with [the head of Organization 1] other than my radio show . . . I have pieced it all together . . .so you may as well tell the truth that you had no back-channel or there's the guy you were talking about early August." (GX 61)
- On November 30, 2017, after Stone asked Corsi to write something about about Credico, Corsi asked, "Are you sure you want to make something out of this now? Why not wait to see what [Person 2] does. You may be defending yourself too much—raising new questions that will fuel new inquiries. This may be a time to say less, not more." (GX 41)

The government may show there was another intermediary (probably the source Corsi refused to give up when he stopped cooperating) – and in

fact, this prosecution may be an attempt to force Stone to admit that.

Stone asked for favors from his intermediaries to Assange

STONE testified falsely that he did not ask the person he referred to as his "go-between," "mutual friend," and "intermediary," to communicate anything to the head of Organization 1 and did not ask the intermediary to do anything on STONE's behalf.

The government will need to prove that he asked for favors from intermediaries. This will show, at least:

- The July 25, 2016 email to Corsi with the subject line, "Get to [the head of Organization 1]." The body of the message read, "Get to [the head of Organization 1] [a]t Ecuadorian Embassy in London and *get the pending [Organization 1] emails . . . they deal with Foundation, allegedly.*" On or about the same day, Person 1 forwarded STONE's email to an associate who lived in the United Kingdom and was a supporter of the Trump Campaign. This was a request not for information about emails, but the emails themselves.
- A September 18, 2016, email to Credico asking, "Please

ask [Assange] for any State or HRC e-mail from August 10 to August 30—particularly on August 20, 2011 that mention [the subject of the article] or confirm this narrative.”

- A September 19, 2016, text to Credico writing, “Pass my message . . . to [Assange].” Credico responded, “I did.”

The government will prove he remembered that when he testified because *after* he testified, he threatened Margaret Kunstler, through whom Credico asked Assange for help. I suspect they have additional proof on this front.

Stone communicated with an intermediary about Assange

STONE testified falsely that he and the person he referred to as his “go-between,” “mutual friend,” and “intermediary” did not communicate via text message or email about WikiLeaks.

The government can prove this with both the Credico and Corsi communications (though I suspect it knows of more). As above, they can prove Stone knew he had these communications because he offered them up to people and indicated he knew of them in real time to Corsi.

Stone discussed his outreach via an intermediary with the Trump campaign

STONE testified falsely that he had never discussed his conversations with the person he

referred to as his "go-between," "mutual friend," and "intermediary" with anyone involved in the Trump Campaign.

The government needs to show Stone passed on information he represented as coming from an intermediary to Assange to the Trump campaign. To prove this the government will show:

- Starting in June, Stone told Trump campaign officials that emails were coming.
- Around July 18, Stone called Trump at his Trump Organization phone (patched through via Rhona Graff) and told Trump the emails would be coming out that week.
- Sometime after the July 22 release, Stone called Trump on his cell phone and told him more emails were coming; after Trump hung up, he told Rick Gates (who was driving with him to Laguardia) that more emails were coming.
- In October, Stone claimed to have information from WikiLeaks to both Bannon and Erik Prince.

The government will prove Stone remembered this with comms with Credico and Corsi, making it clear he was protecting Trump (any one of his pleading emails telling Trump he was protecting him since then would do the trick, as well).

The government will also show that Stone was discussing his campaign finance shenanigans with the campaign, and lied about that to HPSCI, before he cleaned up his testimony.

Stone tried to prevent Credico from telling HPSCI that he was not Stone's intermediary

The government will show abundant communications, including from third parties, to document the pressure Stone put on Credico to lie for him. That includes:

- A November 19, 2017 text instructing Credico to, “‘Stonewall it. Plead the fifth. Anything to save the plan’ . . . Richard Nixon.” (GX 63)
- Multiple texts, starting on December 1, 2017, instructing Credico to do a Frank Pentangeli.” (GX 69)
- On December 1, 2017, Stone texted Credico stating, “And if you turned over anything to the FBI you’re a fool.” Later that day, Credico responded, “You need to amend your testimony before I testify on the 15th.” Stone responded, “If you testify you’re a fool. Because of trump I could never get away with a certain [sic] my Fifth Amendment rights but you can. I guarantee you you are the one who gets indicted for perjury if you’re stupid

enough to testify.” (GX 69)

- On or about December 24, 2017, Credico texted Stone, “I met [the head of Organization 1] for f[i]rst time this yea[r] sept 7 . . . docs prove that. . . . You should be honest w fbi . . . there was no back channel . . . be honest.” Stone replied approximately two minutes later, “I’m not talking to the FBI and if your smart you won’t either.” (GX 69)
- On April 9, 2018, emailed Credico, “You are a rat. A stoolie. You backstab your friends-run your mouth my lawyers are dying Rip you to shreds.” Stone also threatened to take Bianca away: “take that dog away from you,” and then added, “I am so ready. Let’s get it on. Prepare to die [expletive].” (GX 112-114)
- When Credico emailed Stone on May 21, 2018, “You should have just been honest with the house Intel committee . . . you’ve opened yourself up to perjury charges like an idiot.” Stone replied, “You are so full of [expletive]. You got nothing. Keep running your

mouth and I'll file a bar
complaint against your
friend [Margaret Kunstler]."
(GX 124-126)

The government will also show that when Stone
got in trouble for 2007 for leaving a threat for
Eliot Spitzer's father, he blamed it on Credico.