

RAT-FUCKER RASHOMON: TRUMP'S DIRECT LINE TO THE RAT-FUCKING

Two months before the Roger Stone trial, prosecutors submitted a list of phone numbers and emails to which both sides had stipulated the users (meaning no witness from the phone company would have to testify to confirm the subscriber ID). The list included four direct lines for Donald Trump, two lines to his assistants, and the phone of his bodyguard, Keith Schiller.

(Donald Trump cell)

(Donald Trump residence (NYC))

(Donald Trump work)

(Donald Trump work)

(Assistant to Donald Trump, such as Kelli Rose or Jacki

(Assistant to Donald Trump, such as Rhona Graff)

(Keith Schiller)

Prosecutors had the ability, then, to lay out Stone and Trump communicating via at least seven different channels at trial.

They didn't, though.

Ultimately, prosecutors presented specific details about just six to eight conversations between Stone and Trump at the trial:

1. An unanswered June 14, 2016 call from Stone's cell to Trump's home phone
2. A 2:25 long call on June 14, 2016 from Trump's cell to Stone's cell at 9:53PM

3. A 1:53 long call on June 14, 2016 from Trump's cell to Stone's cell at 9:56PM
4. A 2:37 long call on June 30, 2016 from Stone's cell to Trump's cell at 2:20PM
5. A 5:09 long call on July 31, 2016 from Stone's cell to Trump's cell at 9:25PM
6. A 4:43 long call on July 31, 2016 from Trump's home phone to Stone's cell at 9:35PM
7. A text from Stone to Rick Gates on August 2, 2016 claiming, "Spoke to Trump a cpl of times"
8. Rick Gates' testimony about witnessing a Stone call to Trump alerting him that more information would be coming

For all but the last, prosecutors made clear that they were not making claims to know about the content of the calls.

This limited list means prosecutors didn't even present all the references to Stone discussing WikiLeaks with Trump included in the Mueller Report. For example, they made no mention of the call Michael Cohen claims he witnessed, just days before the DNC emails dropped, predicting they were coming.

To be clear, prosecutors didn't need to prove that Stone talked to Trump about WikiLeaks *at all* to win their case, much less include seven communications that don't definitively prove that Stone and Trump discussed WikiLeaks. All they had to do was prove that Stone talked to the campaign or those close to it. They had Gates and Steve Bannon's testimony and communications with Paul Manafort and Erik

Prince to do that.

Still, the scope of contacts between the two described in the SSCI Report only serves to magnify how much the other stories – the prosecution, definitely, but also the Mueller Report, and, especially, the affidavits – left out. For example, SSCI provides worthwhile context to several of the calls presented at trial. It describes the June 14 and June 30 calls, but also reveals a longer call, placed through Rhona Graff, earlier in the day on June 30. It also describes the many different methods Stone would use to connect with Trump.

On June 14, 2016, only two days after Assange's interview, the DNC announced that it had been compromised by Russian government hackers.¹⁴⁶² That evening, at 9:03 p.m., Stone called Trump at Trump's home number. ¹⁴⁶³ Trump returned Stone's call from his cell phone two times, at 9:53 p.m. and 9:56 p.m.: the calls lasted about two-and-a-half minutes and two minutes, respectively. ¹⁴⁶⁴ The Committee does not know the substance of these conversations, but the pattern and timing of Stone's calls with Trump and others during this period suggest that the two could have discussed the DNC hack and WikiLeaks.

[snip]

Though the records obtained by the Committee are limited, they show numerous phone calls throughout June and July between Trump and Stone.¹⁴⁸⁰ In addition to the June 14 phone call, Stone received brief calls from a Trump Organization number on June 21 and 28, although these calls did not appear to connect ¹⁴⁸¹ Shortly after the June 28 call, Stone called Michael Cohen for nine minutes.¹⁴⁸² On June 30 (another day that Guccifer 2.0 posted commentary on line), Stone called Rhona Graff's line at the Trump Organization for eight

minutes. 1483 Later that same day, he traded missed calls with Trump at various numbers, culminating in a four-minute call from Stone to Trump's direct line. 1484

1464 (U) Ibid. The calls from Trump were made from a blocked number, which the Committee was able to identify as Trump's based on corresponding information admitted as evidence in the trial against Roger Stone. Trump's use of a blocked number generally made it difficult for the Committee to identify all of the pertinent contacts between the two. The blocked number was likely Trump's cell phone; other Trump Org. phones, including Trump's direct line, appeared in both the Stone and Trump Org. records that the Committee obtained.

[snip]

1480 (U) According to Stone's cell phone call records and call records from the Trump Organization, in addition to records obtained by the SCO, Trump and Stone had multiple calls in June and July 2016, all before the July 22 release, either between Stone and Trump or Stone and another Trump Organization phone number. See generally AT&T toll records, Roger Stone/Drake Ventures; Trump Corp., Outbound Call Detail, Invoices of July 1, 2016– August 1, 2016 (TRUMPORG_73_000005-8); United States v. Roger Stone, Gov. Ex. 167 (summary chart of Stone/Campaign phone calls). These data points only represent what the Committee could confirm from Stone's cell phone call records and Trump Organization document productions, as supplemented by information presented by the United States in the trial against Roger Stone. In addition, the Trump Organization used a "trunk line" system,

so its records reflected outgoing calls to Roger Stone from a central line, but did not identify the individual or extension making the call and did not include incoming calls at all. See Email, Trump Organization to Committee, April 9, 2019. However, the Committee could infer from witness testimony and contemporaneous communications that calls made by Stone to Trump Org. numbers other than Trump's direct line generally reflected communications or attempted communications from Stone to Trump. For example, Tom Barrack noted that Trump "was easily accessible" through his assistant, Rhona Graff, "who Roger knew well." Barrack Tr., p. 45. In addition, multiple witnesses testified that it was commonplace for Trump to make and receive calls on others' phones, records for which the Committee does not possess. For example, Trump may have tried to hide his communications with Stone from campaign advisors by using others' phones, such as Keith Schiller's. Nunberg Tr., p. 73.

1481 (U) Trump Corp., Outbound Call Detail, Invoice of July 1, 2016 (TRUMPORG _ 73 _ 000006).

1482 (U) A. T&T toll record~r Stone/Drake Ventures (ATTSSCI00032); see also AT&T Mobility, Cohen phone records (number ending in- · 1

1483 (U) AT&T toll records, Roger Stone/Drake Ventures (ATTSSCI00033). · ·

1484 (U) See *ibid*; Trump Corp., Outbound Call Detail, Invoice of July 1, 2016 (TRUMPORG 73 000007); *United States v. Stone*, Gov. Ex. 148.

Crazier still, SSCI provides a really damning description that – during the key period when Stone was pitching Manafort on what was

happening with further releases of stolen documents – Stone was scripting pro-Russian Tweets for the candidate.

(U) On Sunday July 31, at 9:15 p.m., the day after speaking at length with Manafort, Stone called Gates.¹⁵⁵⁰ Ten minutes later, Stone had two phone calls with Trump that lasted over ten minutes.¹⁵⁵¹ Stone then emailed Jessica Macchia, one of Trump's assistants, eight draft tweets for Trump, under the subject line "Tweets Mr. Trump requested last night."¹⁵⁵² Many of the draft tweets attacked Clinton for her adversarial posture toward Russia and mentioned a new peace deal with Putin, such as "I want a new detente with Russia under Putin."¹⁵⁵³

(U) At 10:45 p.m. that same evening, Stone emailed Corsi again with the subject line "Call me MON[day]" and writing that "Malloch should see Assange."¹⁵⁵⁴

(U) The next morning, August 1, Stone again spoke twice with Trump. ¹⁵⁵⁵ Stone later informed Gates of these calls. ¹⁵⁵⁶ According to an email that morning from Stone to Macchia, Trump had "asked [Stone] for some other things" that Stone said he was "writing now."¹⁵⁵⁷

Four days after Trump appeared to ad lib a request for Russia to dump more emails, "Russia are you listening?" thereby acknowledging awareness of a connection between Russia and the released emails that Gates said in testimony might have come from Stone, Trump's rat-fucker left a digital trail showing himself scripting tweets for Trump to adopt a pro-Russian stance.

SSCI is silent about whether Trump actually used any of those draft tweets, though the three Russian or Ukrainian tweets Trump did post in this period (one, two, three) were clean-up from

the “Russia are you listening” comment, suggesting that Trump did not use what Stone drafted (though Stone appears to have posted versions of the tweets to his own Twitter feed).

SSCI also provides compelling evidence that the call Gates witnessed was not – as his trial testimony suggested – in late July, but instead in late September, via Keith Schiller’s phone.

On September 29, a call took place between Stone and Trump while Trump and Gates were on the way to LaGuardia Airport. After the call ended, Trump told Gates that “more releases of damaging information would be coming.”¹⁶¹⁹ Phone records show that this was not the first phone call between them that day. Trump called Stone three times just before 10:00 a.m. on the morning of September 29, but could not connect.¹⁶²⁰ Stone returned the call to a Trump Organization number two hours later, but the call lasted only two minutes. ¹⁶²¹ Then, at approximately 1:40 p.m., Stone received a one-minute call from Keith Schiller’s phone number, which records show originating from East Elmhurst, New York—in proximity to LaGuardia Airport.¹⁶²² Stone returned the call to Schiller at 1:51 p.m. for three minutes. ¹⁶²³ This call matches the conversation between Stone and Trump that Gates remembered.

¹⁶¹⁹ (U) SCO Report, Vol. I, p. 54; Testimony of Rick Gates, United States v. Stone, p. 946.

¹⁶²⁰ (U) See United States v. Stone, Gov. Ex. 148.

¹⁶²¹ (U) AT&T toll records, Roger Stone/Drake Ventures (ATTSSCI00053).

¹⁶²² (U) Invoice, Call Detail for Keith Schiller (TRUMPORG_73_000020).

1623 (U) Ibid.; AT&T toll records, Roger Stone/Drake Ventures (ATTSSCI00053).

Prosecutors had all these September 29 call records available in their Stone toll record exhibit at trial, available to introduce had Stone challenged whether the call occurred. So it's clear they knew when the call happened. But the timing wasn't important for the story they were telling at trial.

This timing would put the Laguardia call much closer to when the Podesta emails actually did drop, making the call potentially more damning. Especially when you consider the call that SSCI shows Schiller's phone placed to Stone one day before the Podesta dump, a call not mentioned at trial.

On the afternoon of October 6, Stone received a call from Keith Schiller's number. Stone returned the call about 20 minutes later, and spoke—almost certainly to Trump—for six minutes. 1663 The substance of that conversation is not known to the Committee. However, at the time, Stone was focused on the potential for a WikiLeaks release, the Campaign was following WikiLeaks's announcements, and Trump's prior call with Stone on September 29, also using Schiller's phone, related to a WikiLeaks release. Given these facts, it appears quite likely that Stone and Trump spoke about WikiLeaks.

1663 (U) Ibid; Trump Org. call records, Keith Schiller (TRUMPORG 73 000021). As noted above, Trump would use Schiller's phone to make and receive calls, including with Stone, as also illustrated by the September 29 phone calls.

SSCI also includes the last-minute meeting with Trump that Stone told Corsi he had the day after

the Podesta dump, the latter of which shows up in affidavits.

Gates also spoke with Stone shortly after the release, and Stone confirmed that this was the information he had said would be coming out. 1680 On October 8, Stone messaged Corsi: "Lunch postponed – have to go see T," referring to Trump. 1681

1680 (U) Testimony of Rick Gates, United States v. Roger Stone, pp. 946-947. Gates did not recall Stone saying that he had orchestrated the timing of the release, although Stone told Gates that the release would "help." FBI, FD-302, Gates 10/25/2018. 1681 (U) Affidavit in Support of an Application for a Search Warrant, Case 1:18-sc-02524, July 27, 2018, , r 66. It is unknown if Stone and Trump in fact met

At the trial, prosecutors presented just a handful of contacts between Stone and Trump in advance of this Podesta dump, leaving out the ones that book-end the release. By placing the October 6 call and the October 8 meeting together, the SSCI Report raises the stakes on Stone's efforts to get those emails released considerably.

The details in the SSCI Report describing the many different ways Stone spoke by phone to Trump also makes clear that a chart prosecutors introduced at trial, purporting to show how many phone calls occurred between Stone and Trump campaign officials, understated how many happened between Stone and Trump (because they don't account for ones placed through Schiller).

And that, too, changes the import of all this for the Mueller Report. As I laid out, that story mostly had to explain three things with respect to the Stone story: why Mueller didn't charge Stone for soliciting illegal campaign donations from a foreigner, why Mueller charged

Stone for lying to cover up his calls with Trump and the campaign, and why Trump's dangle of a pardon to keep Stone lying about all that amounted to obstruction.

The Mueller Report doesn't lay out these conversations, or others identified publicly.

What it does do, however, is lay out that even *dangling* a pardon for Stone – much less commuting Stone's sentence at a time when the rat-fucker was dropping very public reminders about the 29 or 36 calls with Trump he had refused to tell prosecutors about – would amount to obstruction of justice.

On November 20, 2018, the President submitted written answers to questions that had been provided to the Special Counsel's Office, and the President's legal team announced that he had done so. Several questions addressed the President's communications with Stone during the campaign, including "Did Mr. Stone ever discuss WikiLeaks with you or, as far as you were aware, with anyone else associated with the campaign?" And "Did Mr. Stone at any time inform you about contacts he had with WikiLeaks or any intermediary of WikiLeaks, or about forthcoming releases of information?" In his written answers, the President stated: "I spoke by telephone with Roger Stone from time to time during the campaign. I have no recollection of the specifics of any conversations I had with Mr. Stone between June 1, 2016 and November 8, 2016. I do not recall discussing WikiLeaks with him, nor do I recall being aware of Mr. Stone having discussed WikiLeaks with individuals associated with my campaign, although I was aware that WikiLeaks was the subject of media reporting and campaign-related discussion at the time.

[discussion describing the very limited

information included in the report proving that Trump did have such conversations, Trump's celebration of Stone's declarations he would never testify against the President, and Stone's indictment for lying about discussions he had with the campaign]

After making an initial court appearance on January 25, 2019, Stone told reporters, "There is no circumstance whatsoever under which I will bear false witness against the president, nor will I make up lies to ease the pressure on myself. ... I will not testify against the President, because I would have to bear false witness."

That evening, Stone appeared on Fox News and indicated he had knowledge of the President's answers to this Office's written questions. When asked if he had spoken to the President about the allegation that he had lied to Congress, Stone said, "I have not" and added, "When the President answered the written interrogatories, he correctly and honestly said Roger and I never discussed this and we never did."

[snip]

When asked whether he would pardon Stone, the President said, "I have not thought about it. It looks like he's defending himself very well. But you have to get rid of the Russia witch hunt because it is indeed."

Trump's obstruction ties directly to Stone's own cover-up (and may be why Stone's own cover-up was an appropriate charge).

But rather than laying out the stakes – rather than laying out precisely what Trump was obstructing with his pardon dangles (and, since then, his clemency for Stone) – the Mueller Report instead just makes clear that the things

Stone is hiding on Trump's behalf are substantive. The SSCI Report, with few tools to get at that substance, provides a glimpse of how substantial it is.

The movie Rashomon demonstrated that any given narrative tells just one version of events, but that by listening to all available narratives, you might identify gaps and biases that get you closer to the truth.

I'm hoping that principle works even for squalid stories like the investigation into Roger Stone's cheating in the 2016 election. This series will examine the differences between four stories about Roger Stone's actions in 2016:

- *The Mueller Report*
- *The Stone prosecution*
- *The SSCI Report*
- *The affidavits from the investigation*

As I noted in the introductory post (which lays out how I generally understand the story each tells), each story has real gaps in one or more of these areas:

- *While the Mueller Report made it clear Trump's pardon dangles to keep details of his conversations with Roger Stone secret amounted to obstruction, it didn't tell just just how many conversations they had*
- *Rather than telling us whether, how, and why Roger Stone optimized the release of John Podesta's emails on October 7, 2016, the Mueller*

Report instead gave us Jerome Corsi slapstick

- *Just one story presents the significant amounts of evidence suggesting that on August 14, 2016, when he started a file called "Podesta," Jerome Corsi had or knew the contents of the Podesta files that would become public on October 11, 2016*
- *The later stories focus on Podesta, rather than the evidence that Stone learned of the hack-and-leak while the burglary was still ongoing*
- *Stone pitched both Manafort and Bannon on a way to win ugly—but none of the Stone stories tell us what that was*
- *Trolling for Russia*
- *The "highest levels of government" attempt to shut down an investigation into Julian Assange*
- *Guccifer 2.0 as go-between*

My hope is that by identifying these gaps and unpacking what they might say about the choices made in crafting each of these stories, we can get a better understanding of what actually happened – both in 2016 and in the investigations. The gaps will serve as a framework for this series.