

WHERE'S RUDY?

There's an interesting passage in this Daily Beast article, one of several articles in the last day describing the snowballing madness in the Oval Office. For the last day or so, Rudy Giuliani has gone missing.

Meanwhile, Trump, whose rhetoric helped incite the Jan. 6 rioting, is increasingly cut off from once-loyal senior officials, some of whom have resigned in recent days. Instead, the president is focused on managing the fallout, both legally and reputationally, from the attack and the deaths that resulted from it. **Even the president's personal attorney and close confidant, Rudy Giuliani, has been somewhat absent in the last 24 hours, caught up with his own personal problems,** including the New York Bar Association's move to open an inquiry into his removal from its membership, according to one individual with direct knowledge of the situation. [my emphasis]

It doesn't actually make sense that the Bar Association challenge is that pressing a problem. It'll go forward regardless of what he does, and it's not actually the legally meaningful challenge to his bar membership (though a NY State Senator's request to the state courts could be). Aside from some ill-fated appearances in voter fraud cases, though, Rudy's not actually practicing courts anymore so much as influence-peddling.

Which may explain two graver threats to Rudy. Last Friday, Dominion Voting Systems sued Sidney Powell for \$1.3 billion. Dominion has said they plan to follow up that lawsuit with others, potentially targeting Wood, the media that magnified Powell's claims (including Fox, OANN, and Epoch Times), and Rudy himself.

Meanwhile, yesterday Treasury sanctioned Rudy's buddies from Ukraine. The statement on the designation includes a shout-out to meetings involving Rudy (and implicating Devin Nunes and other Republican lawmakers).

Since at least 2019, Derkach and his associates have leveraged U.S. media, U.S.-based social media platforms, and influential U.S. persons to spread misleading and unsubstantiated allegations that current and former U.S. officials engaged in corruption, money laundering, and unlawful political influence in Ukraine.

Former Ukrainian Government officials Konstantin Kulyk, Oleksandr Onyshchenko, Andriy Telizhenko, and current Ukraine Member of Parliament Oleksandr Dubinsky have publicly appeared or affiliated themselves with Derkach through the coordinated dissemination and promotion of fraudulent and unsubstantiated allegations involving a U.S. political candidate. They have made repeated public statements to advance disinformation narratives that U.S. government officials have engaged in corrupt dealings in Ukraine. These efforts are consistent with and in support of Derkach's efforts, acting as an agent of the Russian intelligence services, to influence the 2020 U.S. Presidential election.

Kulyk, a former prosecutor for the Prosecutor General's Office of Ukraine, formed an alliance with Derkach to spread false accusations of international corruption. Onyshchenko, a fugitive from Ukrainian justice due to charges of corruption, provided edited audio tape copies of purported audio recordings of conversations between former Ukrainian and U.S. officials, which Derkach released between May and

July 2020 to discredit U.S. officials and influence the U.S. elections. Telizhenko, a former low-level Ukrainian diplomat, **orchestrated meetings between Derkach and U.S. persons** to help propagate false claims concerning corruption in Ukraine. Dubinsky, who serves alongside Derkach in Ukraine's parliament, joined Derkach in press conferences designed to perpetuate these and other false narratives and denigrate U.S. presidential candidates and their families.

Kulyk, Onyshchenko, Telizhenko, and Dubinsky are being designated pursuant to E.O. 13848 for having directly or indirectly engaged in, sponsored, concealed, or otherwise been complicit in foreign influence in a United States election.

Effectively, the sanctions make it clear – Rudy's denials notwithstanding – that the people whose dirt he has been peddling for years was disinformation seeded by Russia.

And that couldn't come at a worse time.

For years, Rudy has been operating as if he had impunity. And he probably did, as it has become clear for some time that Trump would pardon him.

Except now that Trump's incitement of sedition has complicated pardoning his troubles away, Trump has started wailing that if he's not allowed to self-pardon, then no one else can have a pardon either.

The President had been warned, David, by some of his lawyers that if he goes ahead and pardons himself, he could be more vulnerable to civil lawsuits, including from some of those injured in the Capitol riot because a self-pardon would be seen as an admission that he did something wrong that he would need to be pardoned for. The President is

angry. He has not taken that well. And I am told that he is now saying that he doesn't want to see pardons for *anybody*. So the attitude seems to be, if I can't get a pardon, then nobody else should get one either.

This actually isn't a bad legal decision. It has always been true that if Trump pardoned his co-conspirators of stuff they've protected him on so far, then they could be forced to testify against him. This was, at least, he and his co-conspirators all go down together.

But that would be a very bad thing for Mr. Giuliani, because he has been wracking up crimes with abandon, with the apparent belief that they would all be wiped away before January 20.

It's unclear whether that has driven Rudy away ... or whether he's making a belated attempt to clean up his exposure.