

HUNTER BIDEN: WHICH CAME FIRST, THE CHICK SELLING SEX OR THE EXTORTION OF CAMPAIGN DIRT?

Darren Samuelsohn had a hilarious passage in his version of a story contemplating the prospect of Trump *using his second term* to seek revenge.

To his credit, unlike the NYT and WaPo versions of this story, he acknowledges that Trump *already did this*. He even manages to address maybe a quarter of the times when Trump did so, though always missing key details. For example, he describes that Trump fired Jim Comey as revenge, which led to the Mueller investigation.

Consider the firing of James Comey, who the president ousted less than four months into his first term following the FBI director's public testimony that confirmed an active bureau investigation on potential collusion between Russia and the 2016 Trump campaign. The president's move there ignited a chain of events leading to Special Counsel Robert Mueller's appointment, which kept Trump's White House stuck playing defense for a giant chunk of their four-year term and resulted in a costly series of guilty pleas, legal trials and court convictions for Trump associates that gave way to a series of controversial presidential pardons.

Samuelsohn even mentions "controversial" pardons! – if only in passing. But he doesn't mention Trump's concerted demand to prosecute Comey as a result, or the IRS investigation of Comey and Andrew McCabe that the IRS claims was just a wild coincidence.

The funny part is where Samuelsohn describes Rudy Giuliani's efforts to dig up dirt on Joe Biden as something that, like the Comey firing, led to backlash: impeachment.

Another Trump personal lawyer, Rudy Giuliani, sparked the first House impeachment of the president in the aftermath of his mission to conjure up an investigation of the Biden family in Ukraine.

But then two topics – the Durham investigation and Trump's revenge against Tom Emmer for voting to certify the 2020 election – and two paragraphs later, Samuelsohn introduces Abbe Lowell's attempt to subpoena Trump as "another front."

Or on another front, Hunter Biden's lawyers earlier this month asked for a federal court's permission to subpoena Trump, Barr and other senior Trump-era DOJ officials as they argue against "a vindictive or selective prosecution arising from an unrelenting pressure campaign beginning in the last administration, in violation of Mr. Biden's Fifth Amendment rights under the Constitution."

This is not "another front"! This is confirmation that the effort attributed here to Rudy continues to this day, is a central factor in the 2024 election to return to the White House.

As I noted, the requested subpoenas specifically ask for communications with, "attorney for President Trump (personal or other)," and the request for communications, "discussing any formal or informal investigation or prosecution of Hunter Biden," should cover any copy of the Perfect Phone Call to Volodymyr Zelensky that Trump might have in his personal possession.

The subpoena is a request for records showing

the tie between Rudy's efforts and the still ongoing investigation into Hunter Biden, which has since morphed into the rationale for Republicans' own impeachment stunt.

The tie is not imagined. Among other things, Lowell points to records showing then-PADAG Richard Donoghue scheduling a briefing with David Weiss's team on October 23, 2020. The briefing transferred the FD-1023 created as a result of Bill Barr's effort to set up an intake process for the dirt Rudy obtained from Russian agents and others.

In fact, all the details of the investigation that Joseph Ziegler has shared raise questions whether there would ever have been a Hunter Biden grand jury investigation were it not for the dirt Ukrainians – possibly downstream of and ultimately directly tied to Rudy's efforts to obtain dirt on Hunter Biden – shared with DOJ in 2019.

To be sure, Ziegler claims credit.

In his original testimony to House Ways and Means, Zeigler described that he decided to investigate the former Vice President's son based off a Suspicious Activity Report tied to a social media site involving sex workers. From there, he read about Hunter's contentious divorce. And from that he decided to launch a criminal investigation.

I started this investigation in November of 2018 after reviewing bank reports related to another case I was working on a social media company. Those bank reports identified Hunter Biden as paying prostitutes related to a potential prostitution ring.

Also included in those bank reports was evidence that Hunter Biden was living lavishly through his corporate bank account. This is a typical thing that we look for in tax cases – criminal tax cases, I should say.

In addition, there was media reporting related to Hunter Biden's wife, ex-wife, divorce proceedings basically talking about his tax issues. And I wanted to quote some of the things that were said in her divorce filing which was public record.

"Throughout the parties' separation, Mr. Biden" – referring to Hunter Biden – "has created financial concerns for the family by spending extravagantly on his own interests, including drugs, alcohol, prostitutes, strip clubs, gifts for women with whom he had sexual relationships with, while leaving the family with no funds to pay legitimate bills.

"The parties' outstanding debts are shocking and overwhelming. The parties have maxed-out credit card debt, double mortgages on both real properties they own, and a tax debt of at least \$300,000."

This is all the information that I had in my hand in November when I wanted to open this investigation.

His supervisor, Matt Kutz, treated the investigation of the former Vice President's son as a sensitive matter and demanded more evidence before letting Ziegler open the investigation.

After discussing the case with my previous supervisor at the time, Matt Kutz, he made a decision to look into the case further before sending it – sending the case up for referral.

[snip]

My manager at the time told me, "No, you cannot do that. That's a tax disclosure issue." I didn't agree with him because there's been multiple instances where we do that. That's a normal part of our

job. But he was my manager, and I wasn't going to fight him on it, and he told me that I had to open this up the normal tax administrative way that we would do [for] these cases.

[snip]

[H]e said a political family like this, you have to have more than just an allegation and evidence related to that allegation. In order for this case to move forward, you basically have to show a significant amount of evidence and similar wrongdoing that would basically illustrate a prosecution report.

So he's basically telling me that I have to show more than just non-[filed] tax returns and the information from the ex-wife in the divorce proceedings.

During Democrats' questioning, Ziegler described how persistent were his efforts to find some basis to open an investigation into Hunter Biden.

Mr. [Ziegler]. My initiation packet, so sending the case forward to get – we call it subject case. It's an SCI. It's elevating the case to actually working the investigation.

My first one showed the unfiled returns and the taxes owed for 2015 and that was it on my first package. So that was the wrongdoing that we were alleging.

And my supervisor goes: You don't have enough. You need to find more.

So I kept digging for more and more. And even after that point, he goes: You haven't found enough.

So I ended up searching bank reports that [I] ran on the periphery of what we were looking at.

So I ran bank reports for Burisma, and in those bank reports I had found additional payments that Hunter had received. And then at that point I had found that Hunter did not report the income for 2014 related to Burisma.

So now I had a false return year. So that alone – it was basically so much evidence that I put in there – allowed us to elevate the case.

It took Ziegler three attempts before he was able to show enough evidence of wrong-doing that Kutz would agree to send the referral to DOJ Tax. That's what led to the decision – at first, Ziegler attributed the decision to Bill Barr personally, though subsequently retracted that claim – to merge his IRS investigation with one Delaware had opened in January 2019.

So after three of these initiation packages, he finally allowed me to push this forward to DOJ Tax for their review.

So the way that our grand jury cases – or the way – I'm sorry. The way that our cases work is when the case is referred from IRS to DOJ Tax, the case has to go through our ASAC and SAC, and then it goes to DOJ Tax where they review and approve it and send it to the appropriate venue or jurisdiction.

So in [or] around March or April of 2019, the case went up to DOJ Tax.

And at that time we were told that William Barr made the decision to join two investigations together. **So at that point in time I had found out that Delaware had opened up an investigation related to the bank reports and that that occurred in January of 2019, so 2 months after I started mine.**

So when I found out about their case and

was told that we had to merge the two, I did a venue analysis. I showed them that, “Hey, the venue’s in D.C. It’s not in Delaware. We need to work this in D.C.” But, ultimately, I was overruled, and it was determined to send the case, join the two case together, and work everything under Delaware. [my emphasis]

Here and elsewhere, Ziegler (working from memory) obscures details of this timeline: about when he came to learn of the Delaware investigation and when he submitted his finalized package for DOJ Tax.

In an email Ziegler sent in April 2019, though, he memorialized that, “Approx. February 2019 – My SSA advised me about the Delaware USAO looking into Robert Doe subsequent to the [Suspicious Activity Report]” on which Ziegler himself had predicated his investigation. That same email described submitting the package to DOJ Tax on April 12, 2019.

Two weeks later, his supervisor relayed the news that the case would end up in Delaware.

Jason Poole telephoned me and advised after inter-department discussions well above his level, it is highly likely the Robert Doe case will go to the Delaware USAO for investigation.

So while Ziegler may have decided to pursue the former Vice President’s son based on payments to sex workers and divorce records before Delaware opened an investigation, DOJ Tax had not even considered whether this merited a criminal investigation until April 2019, at which point someone high up – possibly even the Attorney General himself – decided Delaware would oversee the case.

By that point, Delaware had been investigating for up to three months, and Ziegler had known that for two months.

That's important because, if we can believe Johnathan Buma (I raised some cautions about his claims here), the FBI got a tip about Hunter Biden from two Ukrainians with ties to that country's Prosecutor General's Office in January 2019.

In January, 2019, DYNAMO, ROLLIE and THE ECONOMIST were taken to the US Attorney's Office in downtown Los Angeles, where they presented several of these schemes to an Assistant United States Attorney (AUSA), who was interested in pursuing money laundering cases in violation of the FCPA, which implicated US entities or persons. THE ECONOMIST's presentation included detailed information concerning several multi-million and multi-billion dollar schemes. The information was based on an extrapolation of open-source information from Ukraine, as well as insight from THE ECONOMIST's consulting work in the PGO and ROLLIE's foundation. One of the described scenarios alleged Hunter Biden (Hunter) had been given a lucrative position on the board of directors of the energy company, Burisma Holdings Limited (Burisma), and was likely involved in unreported lobbying and/or tax evasion.

This approach from people affiliated with Ukraine's Prosecutor General's Office (my earlier post provides descriptions of those ties) came months after Rudy Giuliani first tasked Lev Parnas with finding this dirt in November 2018 and after Trump had gotten personally involved.

Later that month [on December 6], I attended a Hanukkah celebration at the White House where Giuliani and Trump were both present. Trump approached me briefly to say, "Rudy told me good things. Keep up the good work." Then he gave me a thumbs-up in approval.

By January 2019, Parnas was in communications with both Viktor Shokin and Yuri Lutsenko, both of whom might have had ties to Rollie and the Economist. On January 26, Lutsenko shared a package of information on Burisma that, again, has similarities to what Rollie shared that same month.

According to Buma, sometime after the January 2019 presentation Rollie and The Economist made to the Los Angeles US Attorney's Office, Buma submitted an FD-1023 about their package and spoke to two FBI case agents located in Baltimore on the already ongoing investigation into Hunter Biden about it.

After receiving the presentation from ROLLIE and THE ECONOMIST, THE ECONOMIST provided me a thumb drive with some supporting documentation, much of which was in the Ukrainian language, which I do not speak. After I submitted my FD-1023 reports on this information, I was put in touch with two agents working out of the Baltimore office on a case based in Delaware involving Hunter. I spoke on the phone with these agents, who were very interested in the information due to its relation to their ongoing investigation that was mostly involving allegations of Hunter's involvement with drugs and prostitution. Information derived from ROLLIE and THE ECONOMIST had previously been found to be credible, so this was handled carefully and quickly transferred over to the agents in Baltimore and was serialized in their case file.

As Buma described it, by the time this information showed up in the press, it had become clear that Rollie and the Economist shared the information for influence purposes tied to Joe Biden's run for the presidency, not law enforcement.

[T]he derogatory information concerning

the Bidens and Burisma quickly emerged in domestic US. media, suggesting that it was being provided for political influence rather than law-enforcement purposes.

But that didn't prevent the Ukrainians from being invited, some time after June 26, 2019, to attend an event associated with the White House at which Rollie gave Mike Pompeo the same package of derogatory information on Hunter Biden. And somewhere along the line, Buma's primary source who introduced them to the Los Angeles US Attorney's Office had direct contact with Rudy Giuliani.

The precise relationship between Rollie and The Economist and Rudy's efforts, started month earlier, remains obscure. But both had begun well before Ziegler's pitch to DOJ Tax to investigate Hunter Biden criminally, and it's likely that Delaware had the FD-1023 from the Ukrainians before DOJ Tax approved the investigation.

And by that point, in April 2019, Ziegler's supervisor – the same guy who insisted he needed more than payments to sex workers to open an investigation into a politically sensitive figure – started documenting the demands for just such an investigation.

Around the same time in 2019, I had emails being sent to me and the Hunter – and the prosecutors on the case, the Hunter Biden prosecutors, from my IRS supervisor. So this was Matt Kutz still.

From what I was told by various people in my agency, my IRS supervisor, Matt Kutz, created memos which he put in the investigative files regarding the investigation potentially violating the subject's Sixth Amendment rights. He also referred to Donald Trump's tweets at the time.

[snip]

Q Okay. You're talking about 2019. You were mentioning the fact that there was a George Murphy that was writing memos or emails and documenting some of his conclusions that were on the other side regarding this case.

Could you tell us more about him? What's his title and who is he and how does he relate to you in terms of your chain of command?

A So it was actually Matthew Kutz. He was my supervisor at the time and from the articles that he was sending me, I would say he had more of a liberal view than I had and it was pretty obvious from the things he would send me and discuss. And that's just me making an observation.

So I later found out about these memos that were put in the file regarding the issues that he saw with the investigation, the fact that we even had it opened. So I only learned about those after. And then it came to a point to where he's sending us so many media articles about different issues that I had to tell him stop, please.

And I had to go around him. And that's when I went to my ASAC at the time, George Murphy, who was above him.

MAJORITY COUNSEL 2. Off the record.

MAJORITY COUNSEL 1. Off the record.
[Discussion off the record.]

MAJORITY COUNSEL 1. On the record.

Mr. [Ziegler]. So these articles were a lot about – were a lot of articles regarding Trump and getting a fair investigation and things related to that, Trump's tweets and stuff like that. So, that's what drew me to my conclusion.

BY MINORITY COUNSEL 1: Q What was the purpose behind him sending you the Trump tweets? What was he trying to get at, or was he trying to give you more information for your case? Why would he send those, or do you know?

A Yeah, I think he was bringing up concerns with potentially us prosecuting the case down the road, potential issues we're going to incur. I don't remember the exact email that he sent that caused me to be – that he had to stop sending me some of the news articles, because it wasn't even the fact that he was sending me these news articles. It was the opinion he was providing in those emails that I did not agree or that I did not – not agree with but did not think was appropriate.

Gary Shapley replaced Kutz in 2020 – possibly *because* Kutz insisted on documenting the demands from the President for Ziegler's thinly-predicated investigation – around the same time Bill Barr set up a means to ingest Rudy's dirt.

But in 2019, Kutz was documenting in real time the problem with pursuing the son of Donald Trump's opponent while Donald Trump demanded such investigations via Tweet.

It's in the case file.

Trump's demands for an investigation into Hunter Biden were deemed by the IRS SSA to be problematic influence on the case in 2019. Yet that investigation continues, now bolstered by Special Counsel status, and is the basis for the GOP impeachment pitch.

Samuelsohn's rag has a reporter, Stephen Neukam, covering the GOP impeachment stunt almost half time (though Neukam apparently hasn't bothered to cover the Scott Brady testimony that lays out even more details of how Barr set up a means to filter Rudy's dirt into the Hunter Biden

investigation, evidence that – contra Ziegler – Barr was “weigh[ing] in, or seek[ing] updates on the investigation after those cases were joined”). Barr has confirmed, on the record, knowledge of how information was shared from Brady to Weiss.

Yet Samuelsohn describes Rudy’s intervention as something past, something unrelated to the future prospect of Trump ordering up investigations into his rivals.

You cannot understand the GOP impeachment pitch – you cannot claim to be doing journalism on the Republican effort to impeach Hunter Biden’s father – unless you understand the ties between Rudy’s efforts and the Hunter Biden investigation.

You can write all you want about how institutional guardrails might stymie Trump’s efforts to politicize DOJ *in the future*. But if you gloss over evidence that those guardrails failed in Trump’s past Administration, if you ignore how Trump’s success at politicizing DOJ continues to have repercussions to this day – indeed, continues to be a central issue in the election – then you’re not really addressing the threat Trump poses, past and future.

Update: Fixed date of October 23 briefing.