

EXHIBIT 1

SILVERMAN THOMPSON

Silverman Thompson Slutkin White

ATTORNEYS AT LAW

A Limited Liability Company
201 N. Charles Street
26th Floor
Baltimore, Maryland 21201
Telephone 410-385-2225
Facsimile 410-547-2432
silvermanthompson.com
Baltimore | Towson | New York | Washington, DC

Writer's Direct Contact:

Evan Corcoran

410-385-2225

ecorcoran@silvermanthompson.com

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VIA – ELECTRONIC DELIVERY

Amanda Vaughn, Esquire
J.P. Cooney, Esquire
Molly Gaston, Esquire
U.S. Attorney's Office
555 4th Street, N.W.
Washington, D.C. 20530

Re: *United States v. Stephen K. Bannon*, Criminal No. 21-670 (CJN)

Dear Counsel:

It has come to our attention that the prosecution team in this matter has engaged in investigative activities that carried the potential to interfere with the attorney-client relationship between Stephen K. Bannon and Robert J. Costello, Esquire.

Given the important Sixth Amendment right involved, please provide the following information:

- (1) Identify all individuals who were involved in the decision to obtain information relating to Robert J. Costello, Esquire;
- (2) Identify the date(s) on which any communication(s) took place, between and among the individuals who were involved, about the decision to obtain information relating to Robert J. Costello, Esquire;
- (3) Identify, by name and title, the person(s) who authorized obtaining information relating to Robert J. Costello, Esquire;
- (4) Provide us with all communications regarding the decision to obtain information relating to Robert J. Costello, Esquire;
- (5) Provide us with all notes, memoranda, or other writings by all individuals who were involved in the decision to obtain information relating to Robert J. Costello, Esquire;

- (6) In communications pertaining to the decision to seek information relating to Robert J. Costello, Esquire, what consideration was given to the potential effects upon the attorney-client relationship between Mr. Costello and his client, Stephen K. Bannon?
- (7) What was the *specific law enforcement purpose* in seeking information relating to Robert J. Costello, Esquire?
- (8) What *specific information* was the Government hoping to obtain in seeking information relating to Robert J. Costello, Esquire?
- (9) How was the *specific information* that the Government was hoping to obtain in seeking information relating to Robert J. Costello, Esquire, reasonably needed for the successful completion of a Government investigation or prosecution?
- (10) What attempts were made to obtain the *specific information* that the Government was hoping to obtain in seeking information relating to Robert J. Costello, Esquire, without the use of a subpoena?
- (11) Identify all individuals – to include attorneys, agents, and legal staff – who reviewed any information or materials relating to Robert J. Costello, Esquire, including but not limited to telephone records;
- (12) Identify all steps that the prosecution team took to follow the U.S. Department of Justice guidelines when seeking authorization, evaluation, and approval of the request to seek information relating to Robert J. Costello, Esquire, and provide all documents reflecting the request(s) for authorization, evaluation, and approval;
- (13) What written justification was provided for obtaining records for the telephone numbers associated with the home, cellphone, and office phone of Robert J. Costello, Esquire?
- (14) Identify any subpoenas or requests for information that were issued, or considered, and sought information related to *any attorney* representing Mr. Stephen K. Bannon;
- (15) Identify any investigative measure related to this investigation and prosecution that was undertaken by any member of the prosecution team – to include attorneys, agents, and legal staff – and that was not in strict compliance with U.S. Department of Justice guidelines;
- (16) Were grand jury subpoenas used to obtain information relating to Robert J. Costello, Esquire?

- (17) Provide all documents that reflect the request for and/or return to the grand jury of any materials or information obtained pursuant to subpoena relating to Robert J. Costello, Esquire; and
- (18) Was the grand jury informed about the use of subpoenas to try to obtain information relating to Robert J. Costello, Esquire?
- (19) Provide all documents and information obtained by the Government in response to any subpoena or investigative request relating to Robert J. Costello, Esquire, or any other attorney for Mr. Stephen K. Bannon.

We are setting forth our requests on this specific topic in a separate letter. We will send you another discovery letter on other matters, consistent with the Court's pre-trial scheduling order.

Thank you for your attention to this request.

Sincerely,



David I. Schoen
Robert J. Costello
M. Evan Corcoran

Counsel for Stephen K. Bannon

EC/dmc