

IN THE SUPERIOR COURT OF FULTON COUNTY

STATE OF GEORGIA

IN RE:

SPECIAL PURPOSE GRAND JURY

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2022-EX-000024

Judge Robert C. I. McBurney



**DISTRICT ATTORNEY'S RESPONSE IN OPPOSITION TO
RUDOLPH WILLIAM LOUIS GIULIANI'S EMERGENCY MOTION TO
CONTINUE HEARING/GRAND JURY APPEARANCE
PURSUANT TO O.C.G.A. § 24-13-26**

COMES NOW District Attorney Fani T. Willis, Atlanta Judicial Circuit, and responds in opposition to Rudolph William Louis Giuliani's motion for continuance of his scheduled grand jury appearance on August 9, 2022, and in support says as follows:

1. On August 6, 2022, Rudolph William Louis Giuliani (hereinafter, the "Witness") submitted a motion to the Court asking that his appearance before the special purpose grand jury, which had previously been set by Hon. Thomas Farber of the Supreme Court of the State of New York for August 9, 2022, be continued to an unspecified future date.
2. In support of his motion, the Witness relies in part on two letters written by Eric Neibart, MD, and submitted to the District Attorney by counsel for the Witness. The first, dated August 2, 2022, states that the Witness "is not yet cleared for travel" due to a "recent invasive procedure." After receiving this letter, the District Attorney informed counsel for the Witness that it had determined that the witness had traveled outside of the State of New York after his medical procedure. *See @RudyGiuliani* Tweet from August 1, 2022, "**Exhibit A.**" Counsel for the Witness then submitted a

second letter, also dated August 2, 2022, that states that the Witness “is not yet cleared for *air travel*” and that his status would be reevaluated in four weeks.

3. Additionally, the District Attorney has obtained records that indicate that between July 19, 2022, and July 21, 2022, the Witness purchased multiple airline tickets with cash, including tickets to Rome, Italy, and Zurich, Switzerland, for travel dates ranging between July 22, 2022, and July 29, 2022. All of these dates were after the Witness’s medical procedure.
4. Finally, in light of the letter provided to the District Attorney suggesting that the Witness is not cleared for air travel, the District Attorney offered to provide alternative methods of travel for the Witness, including bus or train fare. *See* E-mail from Will Wooten to Robert J. Costello dated August 2, 2022, “**Exhibit B.**”

WHEREFORE, based on the foregoing, the District Attorney respectfully requests that the Court deny Rudolph William Louis Giuliani’s motion and order him to comply with both the order of this Court and the order of the Supreme Court of the State of New York commanding his appearance before the special purpose grand jury instantter.

Respectfully submitted this the 8th day of August, 2022,


**FANI T. WILLIS
DISTRICT ATTORNEY
ATLANTA JUDICIAL CIRCUIT**



Georgia Bar No. 223955
136 Pryor Street Southwest
Third Floor
Atlanta, Georgia 30303

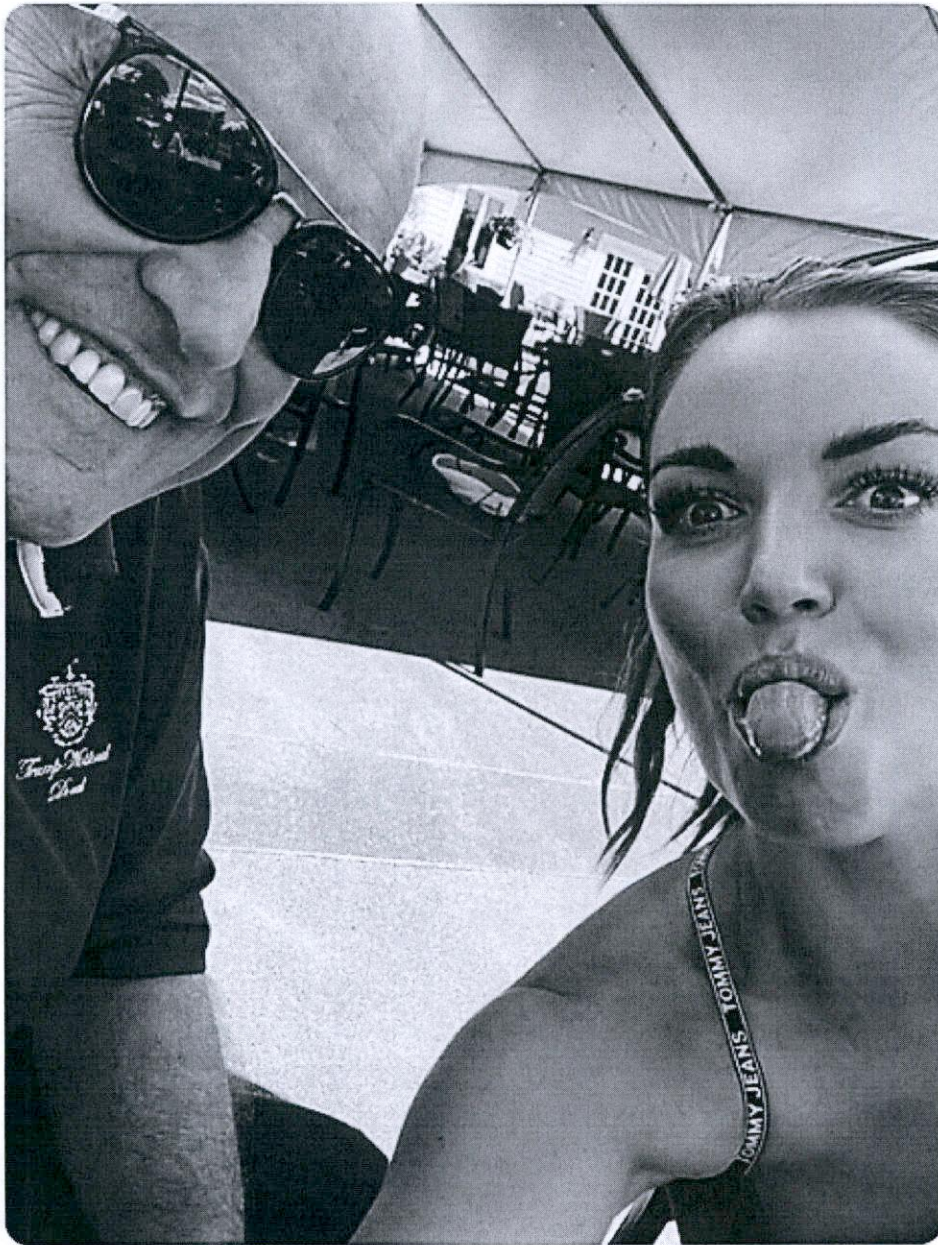
Exhibit A



Rudy W. Giuliani 
@RudyGiuliani



Having fun in #603 with the best entertainment reporter @conlin_lauren



6:06 PM · Aug 1, 2022 · Twitter for iPhone



Exhibit B

Wooten, Will

From: Wooten, Will
Sent: Tuesday, August 2, 2022 5:22 PM
To: Costello, Robert J.
Subject: Re: Giuliani

Mr. Costello,

We do not consent to change the date. We expect to see your client before the grand jury on August 9, 2022, here in Atlanta. We will provide alternate transportation including bus or train if your client maintains that he is unable to fly.

Best regards,

Will Wooten (He/Him)
Deputy District Attorney
White Collar Crime Unit
DA's LGBTQ+ Advisory Committee Co-Chair
Fulton County District Attorney's Office
136 Pryor Street SW
Atlanta, GA 30303
[REDACTED]

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On Aug 2, 2022, at 16:09, Costello, Robert J. [REDACTED] wrote:

This Message Is From an External Sender

This message came from outside Fulton County Government. Use caution with links/attachments.

Report Suspicious

Mr. Wooten,

Here is the latest letter from Dr. Neibart which specifies no air travel. I am certain you have no contrary evidence as you have offered none. If you are still uncertain please note Dr. Neibart has invited your office to reach out with any questions.

Let me have your earliest response.

Robert J. Costello

Sent from my iPhone

IMPORTANT NOTICE:Beware of Cyber Fraud. You should never wire money to any bank account that our office provides to you via email without first speaking with our office. Further,do not accept emailed wiring instructions from anyone else without voice verification from a known employee of our office. Even if an email looks like it has come from this office or someone involved in your transaction. Please call us first at a number you know to be correct for this office to verify the information before wiring any money. Be particularly wary of any request to change wiring instructions you already received.

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing State's Response in Opposition to Rudolph William Louis Giuliani's Emergency Motion to Continue Hearing/Grand Jury Appearance Pursuant to O.C.G.A. § 24-13-26 has been served upon William H. Thomas, Jr., counsel for Rudolph William Louis Giuliani, via electronic mail, this the 8th day of August, 2022,

**FANI T. WILLIS
DISTRICT ATTORNEY
ATLANTA JUDICIAL CIRCUIT**



Georgia Bar No. 223955
136 Pryor Street Southwest
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Atlanta, Georgia 30303