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1 THE COURT: First thing I want to do is call the  
2 case.

3 THE COURTROOM DEPUTY: Your Honor, we have Criminal  
4 Case Number 19-18, the *United States of America v. Roger J.*  
5 *Stone, Jr.* Mr. Stone is present in the courtroom.

6 Will counsel for the parties please approach the  
7 lectern, identify yourself for the record.

8 MR. KRAVIS: Good morning, Your Honor. Jonathan  
9 Kravis for the United States. With me at counsel table are  
10 Michael Marando, Aaron Zelinsky, Adam Jed, and Amanda Rohde  
11 from the D.C. U.S. Attorney's Office, and Special Agent  
12 Christopher Keefe from the FBI.

13 THE COURT: Good morning.

14 MR. BUSCHEL: Good morning, Judge. Robert Buschel,  
15 Tara Champion, Grant Smith, Bruce Rogow on behalf of Robert  
16 Stone.

17 THE COURT: All right. Good morning. Can I see  
18 counsel at the bench very briefly?

19 (Bench discussion:)

20 THE COURT: I just want to make sure Mr. Stone is  
21 ready to go this morning. He's okay?

22 MR. BUSCHEL: He is.

23 THE COURT: All right. What we're going to do then  
24 is I'm going to have Mr. Haley just call the roll to ensure  
25 that our 34 jurors are here -- but they are here -- and then

1 we'll proceed immediately to the process of exercising the  
2 preemptory strikes.

3 After we seat them in the box, Mr. Haley will take  
4 them out and orient them to the jury room and the procedures  
5 we're going to follow before we bring them back in, at which  
6 point I'll give the preliminary instructions that I shared with  
7 you yesterday, and then we'll open.

8 MR. KRAVIS: Very well.

9 THE COURT: Thank you.

10 MR. KRAVIS: Thank you.

11 MR. BUSCHEL: Thank you.

12 (Open court:)

13 THE COURT: All right. Mr. Haley, can you call the  
14 roll by jury number of the jurors who are present?

15 THE COURTROOM DEPUTY: Ladies and gentlemen of the  
16 jury, potential juror, as your juror number is called, please  
17 rise and say, Here.

18 Juror Number 1576.

19 THE PROSPECTIVE JUROR: Here.

20 THE COURTROOM DEPUTY: Juror Number 0972.

21 THE PROSPECTIVE JUROR: Here.

22 THE COURTROOM DEPUTY: Juror Number 1089.

23 THE PROSPECTIVE JUROR: Here.

24 THE COURTROOM DEPUTY: Juror Number 0938.

25 THE PROSPECTIVE JUROR: Here.

1 THE COURTROOM DEPUTY: Juror Number 0685.  
2 THE PROSPECTIVE JUROR: Here.  
3 THE COURTROOM DEPUTY: Juror Number 0014.  
4 THE PROSPECTIVE JUROR: Here.  
5 THE COURTROOM DEPUTY: Juror Number 0560.  
6 THE PROSPECTIVE JUROR: Here.  
7 THE COURTROOM DEPUTY: Juror Number 0048.  
8 THE PROSPECTIVE JUROR: Here.  
9 THE COURTROOM DEPUTY: Juror number 1201.  
10 THE PROSPECTIVE JUROR: Here.  
11 THE COURTROOM DEPUTY: Juror number 1261.  
12 THE PROSPECTIVE JUROR: Here.  
13 THE COURTROOM DEPUTY: Juror Number 1650.  
14 THE PROSPECTIVE JUROR: Here.  
15 THE COURTROOM DEPUTY: Juror Number 0910.  
16 THE PROSPECTIVE JUROR: Here.  
17 THE COURTROOM DEPUTY: Juror Number 1070.  
18 THE PROSPECTIVE JUROR: Here.  
19 THE COURTROOM DEPUTY: Juror Number 1598.  
20 THE PROSPECTIVE JUROR: Here.  
21 THE COURTROOM DEPUTY: Juror Number 0706.  
22 THE PROSPECTIVE JUROR: Here.  
23 THE COURTROOM DEPUTY: Juror Number 0617.  
24 THE PROSPECTIVE JUROR: Here.  
25 THE COURTROOM DEPUTY: Juror Number 0772.

1 THE PROSPECTIVE JUROR: Here.

2 THE COURTROOM DEPUTY: Juror Number 0394.

3 THE JUROR: Here.

4 THE COURTROOM DEPUTY: Juror Number 1126.

5 THE PROSPECTIVE JUROR: Here.

6 THE COURTROOM DEPUTY: Juror Number 0998.

7 THE PROSPECTIVE JUROR: Here.

8 THE COURTROOM DEPUTY: Juror Number 0172.

9 THE PROSPECTIVE JUROR: Here.

10 THE COURTROOM DEPUTY: Juror Number 0686.

11 THE PROSPECTIVE JUROR: Here.

12 THE COURTROOM DEPUTY: Juror Number 0900.

13 THE PROSPECTIVE JUROR: Here.

14 THE COURTROOM DEPUTY: Juror Number 1048.

15 THE PROSPECTIVE JUROR: Here.

16 THE COURTROOM DEPUTY: Juror Number 1498.

17 THE PROSPECTIVE JUROR: Here.

18 THE COURTROOM DEPUTY: Juror Number 0721.

19 THE PROSPECTIVE JUROR: Here.

20 THE COURTROOM DEPUTY: Juror Number 1586.

21 THE PROSPECTIVE JUROR: Here.

22 THE COURTROOM DEPUTY: Juror Number 1224.

23 THE PROSPECTIVE JUROR: Here.

24 THE COURTROOM DEPUTY: Juror Number 0030.

25 THE PROSPECTIVE JUROR: Here.

1 THE COURTROOM DEPUTY: Juror Number 1466.

2 THE PROSPECTIVE JUROR: Here.

3 THE COURTROOM DEPUTY: Juror Number 1694.

4 THE PROSPECTIVE JUROR: Here.

5 THE COURTROOM DEPUTY: Juror Number 0944.

6 THE PROSPECTIVE JUROR: Here.

7 THE COURTROOM DEPUTY: Juror Number 1218.

8 THE PROSPECTIVE JUROR: Here.

9 THE COURTROOM DEPUTY: Juror Number 0705.

10 THE PROSPECTIVE JUROR: Here.

11 THE COURTROOM DEPUTY: All present, Your Honor.

12 THE COURT: Okay. Mr. Haley, I have a question for  
13 you.

14 (Off-the-record discussion.)

15 THE COURT: All right. I apologize. Can I have  
16 counsel return briefly.

17 (Bench discussion:)

18 THE COURT: Yesterday, as the jury left, we finished  
19 the voir dire process, one of the jurors expressed to Mr. Haley  
20 concerns that he hadn't been asked about changes in his  
21 schedule.

22 Mr. Haley, could you just come and tell us which  
23 juror it is and what he said?

24 THE COURTROOM DEPUTY: Juror Line Number 49, 0944, is  
25 a gentleman in the back row, blue shirt, light pants.

1 THE COURT: 1498?

2 THE COURTROOM DEPUTY: 0944, Line Number 49.

3 THE COURT: 49. Oh, I'm sorry. I thought you said  
4 39. Okay.

5 THE COURTROOM DEPUTY: 0944. He indicated to me,  
6 when they were actually leaving for the day, when we excused  
7 everybody else, he says, When will I tell the Judge that I have  
8 got business meetings on the 15th and the 20th?

9 And I said, Probably when you were on the stand.

10 And he said, Well, she didn't ask me.

11 I don't remember that. All I know is he said he has  
12 business meetings on the 15th and 20th.

13 I said, I will bring it up to the Judge, and she will  
14 take care of it tomorrow morning.

15 THE COURT: All right. So, one question is, we do  
16 have more than the number of people we need, and we may not  
17 have gotten this far down the list anyway, but should we just  
18 skip over him? Or do you want to question him further?

19 MR. BUSCHEL: He's pretty far down. Do you want to  
20 wait and see?

21 MR. KRAVIS: I don't want to wait until we get into  
22 the strikes to --

23 THE COURT: Well, you do have the right to strike  
24 from anywhere on the list. So, I think we should decide  
25 whether he's coming or going. We can bring him up to the bench



1 and ask the questions.

2 MR. BUSCHEL: Okay.

3 THE COURT: And then we can decide whether he's to be  
4 excused. So why don't we stay here.

5 Mr. Haley, can you ask him to come to the bench?

6 MR. KRAVIS: I'm sorry. While we're at the bench, I  
7 just wanted to confirm, when the clerk called the roll, that  
8 the clerk called Juror 1047, the third from the end. I just  
9 didn't hear the number.

10 THE COURTROOM DEPUTY: She's not on the panel.

11 THE COURT: She's been --

12 MR. KRAVIS: She's excused. Okay.

13 MR. BUSCHEL: Oh, Mr. Rogow doesn't have a headset  
14 and he likes to feel like he's part of --

15 MR. KRAVIS: I get it. I feel the same way.

16 (Prospective juror approaches bench.)

17 THE COURT: Can you come stand here, so the  
18 microphone can pick you up?

19 Good morning.

20 THE PROSPECTIVE JUROR: Good morning.

21 THE COURT: We understand that after you left the  
22 witness stand, you had indicated to Mr. Haley that you might  
23 have some scheduling issues. So, we wanted to make sure we  
24 knew what they were before we complete the process of jury  
25 selection this morning. I don't mean to call you out in front

1 of everyone.

2 THE PROSPECTIVE JUROR: That's fine.

3 THE COURT: But what is the nature of the conflict?

4 THE PROSPECTIVE JUROR: I've got a briefing to some  
5 senior people at Defense Department, my director of my  
6 division, as well as the third in command at Cyber Com, on the  
7 15th. And then on the 20th, we've had a meeting that we were  
8 trying to schedule for about seven months, and we finally got  
9 it scheduled on the 20th -- morning of the 20th.

10 THE COURT: And would it be a hardship for you? Or  
11 could anybody cover for you at the first meeting?

12 THE PROSPECTIVE JUROR: Not the same qualifications.  
13 I mean, there are other people who could help deliver the  
14 brief, but I'm the actual project manager on the brief.

15 THE COURT: So, if you were here on that day, is that  
16 something that would distract you from sitting here and  
17 participating in the trial?

18 THE PROSPECTIVE JUROR: No. I mean, that ship would  
19 have sailed by then. If I was here, then the briefing would be  
20 going on without me then.

21 THE COURT: I'm just trying to figure out -- I mean,  
22 are you, essentially, asking that you be excused because of  
23 these conflicts? We're trying -- we want to make sure that you  
24 get to do your job, but we also want to make sure that anyone  
25 that's qualified to be a juror is available to be a juror.

1           So, do you feel that these really make you  
2           unavailable or --

3           THE PROSPECTIVE JUROR: I think I need to be there  
4           for those meetings, but I understand it's your discretion what  
5           constitutes, so --

6           THE COURT: Okay. Do you have any questions?

7           MR. KRAVIS: I do not.

8           THE COURT: Do you have any questions?

9           MR. BUSCHEL: No.

10          THE COURT: Okay. You can go back to your seat.

11          And, counsel, stay here.

12          Thank you.

13          (Juror leaves the bench.)

14          THE COURT: Does anybody have a point of view about  
15          what we should do with this gentleman?

16          MR. KRAVIS: I think it's reasonable to excuse the  
17          prospective juror at this point. As the Court noted, we  
18          qualified more jurors than we need. And I noticed that the  
19          prospective juror hesitated several times when the Court asked  
20          questions about whether he could fully be here, whether he  
21          would be focused, and whether it was a hardship. And I think  
22          his last answer was sufficiently equivocal that it warrants  
23          removing him.

24          THE COURT: I think he is a person who has a sense of  
25          duty, and that was reflected in both his desire to be at the

1 meeting and his desire to fulfil the demands of the justice  
2 system. But, he certainly did seem to hesitate, and I would  
3 favor excusing him, as well.

4 MR. BUSCHEL: Whatever the Court pleases.

5 THE COURT: All right. That's what we'll do.

6 MR. BUSCHEL: Can I get his number again, please?

7 THE COURT: It's 0944. Okay. So he can just sit  
8 there for now, but we're not going to include him.

9 And so we're going to proceed with the strikes at  
10 this time.

11 All right. Thank you.

12 MR. BUSCHEL: Thank you, Your Honor.

13 (Open court:)

14 THE COURT: All right. Members of the potential jury  
15 panel, we're now about to begin the final process of selecting  
16 who the jurors in this case will be. We do that in a manner  
17 that makes it look like we're not doing anything at all, except  
18 handing pieces of paper around the courtroom. But, in fact, a  
19 tremendous amount of work is going to be done at counsel table,  
20 but we're doing it in a way that enables you to remain in your  
21 seats, rather than coming and going from the jury box.

22 So it will look like secret signals and pieces of  
23 paper are being handed around for the next however long it  
24 takes, but I can assure you that we are now all about to engage  
25 in a very serious and important part of the trial and the jury

1 selection process.

2 (Pause.)

3 THE COURT: All right. Can I have counsel for both  
4 sides at the bench?

5 (Bench discussion:)

6 THE COURT: According to my records and those of  
7 Mr. Haley, you've both exhausted your preemptory strikes, and  
8 the following people will be seated in this order in the jury  
9 box:

10 Seat Number 1, for Juror Number 1, will be the second  
11 person on the list, 0972.

12 Juror Number 2 would be the third person on the list,  
13 1089.

14 And we skip down several lines, to Juror Number 0560.  
15 That would be Juror Number 3.

16 MR. KRAVIS: Juror 0560?

17 THE COURT: Juror 560 is line 10.

18 MR. KRAVIS: Okay.

19 THE COURT: Then, we go down to line 13, 1201, would  
20 be Juror Number 4.

21 The one immediately under that, on line 14, 1261,  
22 would be Juror Number 5.

23 Skip a line, and then go to line 16. Juror Number  
24 1650 is Number 6.

25 And immediately below her, 0910 is Juror Number 7.

1           Then you drop all the way down to line 27, and 0617  
2 is Juror Number 8.

3           And on the next page, the second line, line 30, 0394  
4 is Juror Number 9.

5           Immediately under him, 1126 is juror 10.

6           Skip a line, down to line 33. 0998 is Juror Number  
7 11.

8           And Juror Number 12 is on line 35, 0172.

9           We would seat, as Alternate Number 1, line 37, 0900.

10          And the other alternate would be 1224, on line 45.

11          And you each will have an opportunity to exercise one  
12 strike of the alternates. And if they are stricken, we'll  
13 continue to move down in order. And, again, you have the  
14 opportunity to either strike an alternate or strike from the  
15 list. So, I'll give you both the opportunity to exercise those  
16 strikes.

17          We'll come back to the bench, just to confirm that we  
18 all agree as to who the alternates are, and then they will be  
19 seated in the jury box and won't be told who the alternates  
20 are.

21          MR. BUSCHEL: Okay.

22          THE COURT: And then we'll excuse everyone else.

23          MR. BUSCHEL: Sounds good.

24          MR. KRAVIS: Thank you, Your Honor.

25          THE COURT: Thank you.

1 (Open court:)

2 (Pause.)

3 THE COURT: All right. Just to confirm that the  
4 process is complete, could I have counsel briefly at the bench?

5 (Bench discussion:)

6 THE COURT: We're going to sit the Juror Number 37,  
7 0900, in Seat Number 13.

8 Seat Number 14 will be occupied by Number 0030 on  
9 line 46.

10 MR. KRAVIS: I agree.

11 MR. BUSCHEL: Yes.

12 THE COURT: Okay. Okay. We're going to seat them  
13 now, and we'll excuse the rest. And then Mr. Haley will take  
14 them out and we'll take a break.

15 And then during the break, whoever is going to give  
16 the opening, if they want to get the body mic and get that  
17 ready so that when I finish my instructions we can go straight  
18 into that, you can do that, if you're planning to leave the  
19 lectern.

20 All right. Thank you.

21 MR. KRAVIS: Thank you.

22 MR. BUSCHEL: Thank you.

23 (Open court:)

24 THE COURTROOM DEPUTY: Ladies and gentlemen of the  
25 potential jury, as your four-digit juror number is called,

1 please bring all of your belongings and come forward. I will  
2 seat you in the jury. This will be Seat 1 through 7, and 8  
3 through 14 on the back row.

4 So, in Seat Number 1, please bring your belongings  
5 and bring your things, Juror Number 0972.

6 In Seat Number 2, will be Juror Number 1089.

7 In Juror Seat Number 3, please bring your belongings  
8 and come forward, Juror Number 0560.

9 In Juror Seat Number 4, Juror Number 1201.

10 In Juror Seat Number 5, Juror Number 1261.

11 In Juror Seat Number 6, Juror Number 1650.

12 In Juror Seat Number 7, Juror Number 0910.

13 In the last row, going back that way, in Juror Seat  
14 Number 8, Juror Number 0617.

15 Juror Seat Number 9, Juror Number 0394.

16 In Juror Seat Number 10, Juror Number 1126.

17 Juror Seat Number 11, 0998.

18 Juror Seat Number 12, Juror Number 0172.

19 In Juror Seat Number 13, Juror Number 0900.

20 And in Juror Seat Number 14, Juror Number 0030.

21 Remaining jurors, you may return to the jury office  
22 on the fourth floor to get any documentation that you need.

23 You can tell them you've been excused from this panel.

24 THE COURT: Mr. Haley got one step ahead of me.

25 I do want to thank you for your participation in the



1 process. Being here yesterday, being candid with us in your  
2 answers, coming back this morning on time, all of those played  
3 on important role in our system of justice, and we appreciate  
4 your service.

5 And as I said yesterday, if you were not selected,  
6 it's not because we didn't like you or found something wrong  
7 with you, but as you can see, we have no more seats in the jury  
8 box.

9 Thank you very much.

10 Before we swear the jury or continue this morning's  
11 proceedings, I'm going to ask Mr. Haley to show you where  
12 your -- I know you know where the jury room is. You were in  
13 there yesterday. But, he's going to take you back and show you  
14 how you're going to come and go.

15 And then when we're ready to start, he'll bring you  
16 back in. I'll have some introductory instructions, and then  
17 we'll begin with the trial.

18 THE COURTROOM DEPUTY: You can leave the notebooks on  
19 your chair, but you can bring everything else with you.

20 (Jurors leave the courtroom.)

21 THE COURT: All right. For the rest of you, we're  
22 going to take approximately a ten-minute recess. You can  
23 remain seated or you can be excused. And we'll resume in about  
24 ten minutes.

25 (Recess.)

1           THE COURTROOM DEPUTY: Your Honor, recalling Criminal  
2 Case Number 19-18, the United States of America v. Roger Stone,  
3 Jr.

4           THE COURT: All right. Good morning. It's my plan  
5 to bring the jury in, swear the jury, give them some  
6 preliminary instructions about how the trial will proceed, and  
7 then to move to opening statements.

8           I want to say to the many people who are in the  
9 gallery: This is a public proceeding and you are entitled to  
10 be here. There is, on the court's docket, Number 242, an order  
11 about maintaining fair and orderly proceedings in this  
12 courtroom.

13           So one thing everybody needs to understand is that  
14 beyond the members of the defense team and the members of the  
15 government's team, no one is guaranteed a seat. We try to seat  
16 as many of you as we can. There is an overflow courtroom where  
17 these proceedings are being broadcast. And there is a media  
18 room for members of the media who wish to take advantage of it.

19           If during the course of these proceedings you would  
20 like to react, talk among yourselves, come and go, then we  
21 encourage you to take advantage of the overflow courtroom.

22           Here, we expect everyone in the audience to  
23 demonstrate appropriate demeanor. We're not going to have  
24 visible or audible reactions to what transpires in the  
25 courtroom. You're not going to be talking among yourselves or

1 attempting to communicate with or signal any of the  
2 participants of the trial. If that takes place, then you will  
3 be directed to enjoy the proceedings from the overflow  
4 courtroom.

5 Also, as is noted on the door and in the order,  
6 electronic devices, including your phones, have to be turned  
7 off while you're in the courtroom. Anyone who enters the  
8 courtroom and gives the court security officers resistance on  
9 that point will also be directed to enjoy the overflow  
10 courtroom.

11 We're not going to debate that point at the door  
12 because, as you can see, there are a lot of people who are  
13 willing to follow the rules for the opportunity to have a seat  
14 in the courtroom.

15 Phones also have to be turned off, though, in the  
16 overflow courtroom, as well. We're not going to be  
17 photographing or live streaming what's going on in that room  
18 either.

19 Members of the media who wish to be transmitting to  
20 their organizations in real time what's going on can listen to  
21 the proceedings in the media room, which is established for you  
22 for that purpose.

23 Finally, I want to point out that our order regarding  
24 the orderly proceedings in this courtroom specifically notes  
25 that attempts to contact or identify jurors are strictly

1 prohibited.

2 It is possible that that line has already been  
3 crossed by someone who was in the courtroom yesterday.  
4 Fortunately, the information that was publicly disseminated,  
5 either explicitly or implicitly, was riddled with inaccuracies,  
6 including the supposed occupation of the potential juror, the  
7 name of the potential juror, and what had actually happened.  
8 But -- because no one was actually selected to serve on this  
9 jury yesterday; they were selected today.

10 But, that rule remains in effect. You know jurors'  
11 numbers. They are Juror Number 1, Juror Number 2. But, no  
12 other efforts to communicate with them, to contact them, to  
13 identify them, to speak to them outside this courtroom will be  
14 condoned.

15 With that, I'm going to ask Mr. Haley to bring the  
16 jurors in.

17 (Jurors enter the courtroom.)

18 THE COURTROOM DEPUTY: Jury panel, Your Honor.

19 All present, Your Honor.

20 THE COURT: All right. Thank you.

21 Can you swear the jurors?

22 THE COURTROOM DEPUTY: Members of the jury, will you  
23 all please rise and raise your right hands?

24 (Whereupon, the juror panel was duly sworn.)

25 THE COURT: All right. Good morning, again, to all

1 of you.

2 Before we begin the trial, I'm going to explain how  
3 the trial will work and what some of the legal rules are that  
4 will be important during the trial. I want to emphasize that  
5 these remarks aren't meant to be a substitute for the detailed  
6 instructions that I'll give at the end of the trial, just  
7 before your deliberations. The preliminary instructions are  
8 intended to give you a sense of what's going to be going on in  
9 the courtroom and what your responsibility as a juror will be.

10 As I said at the beginning of jury selection, this is  
11 a criminal case that began when the grand jury returned an  
12 indictment against the defendant, Roger Stone. As I said at  
13 the jury selection process, in January 2017 the United States  
14 House of Representatives Permanent Select Committee on  
15 Intelligence, the HPSCI, announced an investigation into  
16 Russian interference in the 2016 U.S. presidential election,  
17 which included investigation of links between Russian  
18 individuals associated with political campaigns.

19 In the summer of 2016, an organization called  
20 WikiLeaks released tens of thousands of documents stolen from  
21 the Democratic National Committee, and the personal email  
22 account of the chairman of the U.S. presidential campaign of  
23 Hillary Clinton. The HPSCI investigation examined Russian  
24 cyber activity and other active measures directed at the 2016  
25 U.S. election.

1           On or about September 26, 2017 Stone testified before  
2           the HPSCI in Washington, D.C. The grand jury has charged  
3           Mr. Stone in a seven-count indictment.

4           Count 1 alleges that from May 17th to December 2017  
5           Mr. Stone obstructed the HPSCI investigation by testifying  
6           falsely at the HPSCI hearing, by making false statements about  
7           the existence of records relevant to the committee's  
8           investigation, by submitting a false and misleading letter to  
9           the committee, and by tampering with another witness in the  
10          investigation named Randy Credico.

11          Counts 2 through 6 allege that Mr. Stone knowingly  
12          and willfully made false statements to the committee in his  
13          September 2017 testimony.

14          Count 7 alleges that Mr. Stone knowingly and  
15          intentionally corruptly persuaded another witness in the  
16          investigation, named Randy Credico, by attempting to persuade  
17          Credico to testify falsely before the committee or not to  
18          testify at all.

19          The indictment returned by the grand jury is not  
20          evidence. It is merely the way a person is charged with a  
21          crime in order to bring him to trial.

22          The defendant has pleaded not guilty to all charges  
23          in the indictment. He is presumed to be innocent of the  
24          charges filed against him. The government is required to prove  
25          that Mr. Stone committed the crimes with which he's charged

1 beyond a reasonable doubt.

2 At the end of the trial, you will have to decide  
3 whether or not the evidence presented has convinced you beyond  
4 a reasonable doubt that the defendant committed any of the  
5 offenses with which he has been charged.

6 I will provide you with more detailed instructions  
7 about the legal elements of the charges against the defendant  
8 at the end of the presentation of all the evidence. But, for  
9 now, I do want to give you a brief summary of some of the legal  
10 concepts.

11 First of all, every defendant in a criminal case is  
12 presumed to be innocent. This presumption of innocence remains  
13 with the defendant throughout the trial unless and until he's  
14 proven guilty beyond a reasonable doubt.

15 The burden is on the government to prove the  
16 defendant guilty beyond a reasonable doubt, and that burden of  
17 proof never shifts throughout the trial. The law does not  
18 require the defendant to prove his innocence or to produce any  
19 evidence.

20 If you find that the government has proven beyond a  
21 reasonable doubt every element of an offense with which the  
22 defendant is charged, it's your duty to find him guilty of that  
23 offense. On the other hand, if you find that the government  
24 has failed to prove any element of a particular offense beyond  
25 a reasonable doubt, you must find the defendant not guilty of

1 that offense.

2 As the first step in the trial, the government -- the  
3 government and the defense will each have an opportunity to  
4 make opening statements. The defendant may make an opening  
5 statement immediately after the government's opening statement  
6 or he may wait until the beginning of the defendant's case or  
7 he may choose not to make an opening statement at all. You  
8 should understand that the opening statements are not evidence.  
9 They are only intended to help you understand the evidence that  
10 the lawyers expect will be introduced.

11 After the opening statement or statements, the  
12 government will put on what is called its case-in-chief. This  
13 means that the lawyers for the government will call witnesses  
14 to the witness stand and ask them questions. This is called  
15 direct examination.

16 When the government is finished, the defense may ask  
17 the witnesses questions. This is called cross-examination.

18 When the defense is finished, the government may have  
19 brief redirect examination.

20 After the government presents all of its evidence,  
21 the defense may present evidence, but he's not required to do  
22 so. The law does not require the defendant, as I said, to  
23 prove his innocence or to produce any evidence in the case.

24 At the end of all the evidence, each side will have  
25 an opportunity to make a closing argument in support of its



1 case. The lawyers' closing arguments, just like their opening  
2 statements, are not evidence in the case. They're only  
3 intended to help you understand the evidence.

4 Finally, at the end of the evidence, and after both  
5 sides have finished closing arguments, I will tell you in  
6 detail about the rules of law that you must follow when you  
7 consider what your verdict should be. Your verdict must be  
8 unanimous. That means all 12 jurors must agree on the verdict.

9 Right now, I want to also go on and briefly describe  
10 what my responsibilities are as the judge in this case, and  
11 what your responsibilities are as the jury.

12 My responsibility is to conduct the trial in an  
13 orderly, fair, and efficient manner, to rule on legal questions  
14 that come up in the course of the trial, and to instruct you  
15 about the law that applies to this case.

16 It's your sworn duty as jurors to accept and apply  
17 the law as I state it to you. Your responsibility as jurors is  
18 to determine the facts in this case. You and only you are the  
19 judges of the facts. You alone determine the weight and the  
20 credibility and the value and the effect of the evidence, as  
21 well as the credibility or believability of the witnesses.

22 You must consider and weigh the testimony of all  
23 witnesses who appear before you. You alone must decide the  
24 extent to which you believe any witness. You must pay very  
25 careful attention to the testimony of all the witnesses,

1 because you won't have transcripts or summaries of the  
2 testimony available to you during deliberations. You're going  
3 to have to rely on your memory.

4 During this trial I may rule on motions or objections  
5 by lawyers, make comments to lawyers, even ask a question to  
6 the witnesses, or instruct you on the law. You shouldn't take  
7 any of my statements or actions as any indication of my opinion  
8 about how you should decide the facts.

9 If you think that somehow I've expressed, even hinted  
10 at any opinion as to the facts in this case, you should  
11 disregard it. The verdict in this case is your sole and  
12 exclusive responsibility.

13 When you reach your verdict, you can only consider  
14 the evidence properly admitted in this case. Evidence includes  
15 the sworn testimony of witnesses and exhibits admitted in  
16 evidence. Sometimes the lawyer's question suggests the  
17 existence of a fact, but the lawyer's question alone is not  
18 evidence. If the evidence includes anything other than  
19 testimony or exhibits, I will instruct you about those other  
20 types of evidence when they're admitted during the trial.

21 During the trial if I or a lawyer makes a statement  
22 or asks a question that refers to evidence and you remember the  
23 evidence differently, you should rely on your memory of the  
24 evidence during your deliberations.

25 Lawyers may object when the other side asks a

1 question, makes an argument, or offers evidence that the  
2 objecting lawyer believes is not properly admissible. You  
3 shouldn't hold those objections against the lawyer who makes  
4 them or the party that he or she represents. It's the lawyer's  
5 responsibility to object to evidence that they believe is not  
6 admissible.

7           If I sustain an objection to a question asked by a  
8 lawyer, that means the question must be withdrawn, and you  
9 can't guess or speculate what the answer to the question would  
10 have been.

11           If a question is asked and answered, and then I rule  
12 that the answer should be stricken from the record, you have to  
13 disregard both the question and the answer in your  
14 deliberations. And you should follow this same rule if I  
15 instruct you that an exhibit has been stricken.

16           Now, let's talk about your conduct during the trial.  
17 As I've been telling you all along, you are not permitted to  
18 discuss this case with anyone until the case is submitted to  
19 you for your decision at the end of my final instructions.  
20 That means, until the case is submitted to you, you may not  
21 talk about it, even with your fellow jurors. This is because  
22 we don't want you making decisions until you've heard all the  
23 evidence and my instructions.

24           In addition, you may not talk about the case with  
25 anyone else, including people at home or at work. This is

1 because you must decide the case based on what happens here in  
2 the courtroom, and not what someone else may tell you outside  
3 the courtroom.

4 I'm sure that at some point you may need to inform  
5 people at home or at work that you've been selected for a jury.  
6 They will undoubtedly ask you, Well, what kind of case is it?  
7 You may tell those who need to know that you've been picked for  
8 a jury and that it's a criminal case and how long it may take.  
9 However, you shouldn't give anyone any information about the  
10 case itself or the people involved in the case.

11 You must also warn people not to try to say anything  
12 to you or to write to you about your jury service or the case.  
13 When the case is over, you may discuss any part of it with  
14 anyone you wish, but until then, you may not do so.

15 And when I tell you that you can't discuss the case,  
16 that also means that you must not use electronic devices, such  
17 as phones or computers, to communicate or talk about the case.  
18 You may not send an email or on instant message or text about  
19 it or write or Tweet about the case electronically through any  
20 blog, posting, chat room, instant message, or other  
21 communication, including social networking sites, such as  
22 Facebook, Twitter, LinkedIn, Instagram, Snapchat, YouTube, or  
23 anything that's been invented that I haven't heard of yet until  
24 you have delivered your verdict and the case is over.

25 Do not send or accept any messages, including email

1 and text messages, about your jury service. You must not  
2 disclose your thoughts about your jury service or ask for  
3 advice about how to decide the case.

4 What about while you're in the courtroom --  
5 courthouse? Although it's a natural human tendency to talk  
6 with people with whom you may come in contact, you must not  
7 talk to any of the parties, their attorneys, or any witnesses  
8 in this case during the time that you serve on this jury. If  
9 you encounter anyone connected with the case outside the  
10 courtroom, you should avoid having any conversation with them,  
11 overhearing their conversation, or having any contact with them  
12 at all.

13 For example, if you find yourself in a courthouse  
14 corridor, elevator, or any other location where the case is  
15 being discussed by attorneys, parties, witnesses, or anyone  
16 else, you should immediately leave the area to avoid hearing  
17 the discussion. If you do overhear a discussion about the  
18 case, you should report that to me, through Mr. Haley, as soon  
19 as you can.

20 Finally, if you see any of the attorneys or witnesses  
21 involved in the case and they turn and walk away from you,  
22 they're not being rude. They're merely following the same  
23 instruction that I gave to them.

24 It is very unlikely, but if someone tries to talk to  
25 you about the case, you should refuse to do so. And you should

1 immediately let me know by telling Mr. Haley or the marshal  
2 that you've been approached. Don't tell the other jurors.  
3 Just let us know, and we'll bring you in individually to  
4 discuss it.

5 You must decide the facts based on the evidence  
6 presented in court and according to the legal principles that  
7 I'm going to instruct you about. You're not permitted, during  
8 the course of the trial, to conduct any independent  
9 investigation or do research about the case.

10 That means, as I've told you before, you can't use  
11 the internet or newspapers to do research about the facts or  
12 the law or the people involved in the case. Research includes  
13 something even as simple or seemingly harmless as using the  
14 internet to look up a legal term or address. You might want to  
15 search the web or recent newspapers to get some background you  
16 may have missed, but I'm specifically instructing you not to do  
17 that.

18 And there's a reason why we have this rule. All  
19 parties have the right to have the case decided based only on  
20 the evidence and the legal rules that they know about and that  
21 they have a chance to respond to. Relying on information you  
22 get outside the courtroom is unfair because the parties  
23 wouldn't have a chance to refute, correct, or explain it. And  
24 it's also unfair because not all jurors would have the same set  
25 of information, and that's very important in a trial.

1           Also, unfortunately, information that we get over the  
2 internet or from other sources may be incomplete or misleading  
3 or just plain wrong. It's up to you to decide whether to  
4 credit any evidence presented in court. And only the evidence  
5 presented in court may be considered. If evidence or legal  
6 information has not been presented in court, you can't rely on  
7 it.

8           Moreover, if any of you do your own research about  
9 the facts of the law, this may result in different jurors  
10 basing their decision on different information. Each juror  
11 must make his or her own decision, but it has to be based on  
12 the same evidence and under the same rules.

13           In some cases, there may be reports in the newspaper  
14 or on the radio or the internet or television concerning the  
15 case while the trial is ongoing. In the event there's media  
16 coverage in this case, you may be tempted to read it or listen  
17 to it or watch it. But, you must not read or listen to or  
18 watch those reports because you must decide this case solely on  
19 the evidence presented in the courtroom.

20           If any publicity about the trial inadvertently comes  
21 to your attention during the trial, please don't discuss it  
22 with other jurors or anyone else. Just let me or Mr. Haley  
23 know as soon as it happens, and then we can briefly discuss it  
24 with you.

25           Now, when you all took your seats, you probably

1 noticed -- unless you're still sitting on them -- that each of  
2 you had a notebook and a pencil waiting for you. That's  
3 because I permit jurors to take notes during the trial, if they  
4 wish. Whether you take notes or not is entirely up to you.  
5 Many people find that note-taking helps them remember testimony  
6 and evidence. Others find it distracts them from listening to  
7 the witnesses.

8           You'll be permitted to take your notebooks back with  
9 you into the jury room during deliberations. You should  
10 remember, however, that your notes are only an aid to your  
11 memory. They're not evidence in the case, and they shouldn't  
12 replace your own memory of the evidence. Those jurors who do  
13 not take notes should rely on their memory of the evidence and  
14 shouldn't be influenced by other people's notes.

15           Other than during your deliberations, the notebooks  
16 are going to remain locked in the courtroom during recesses and  
17 overnight. You'll not be able to take the notebooks with you  
18 as you come and go, and you will not be permitted to take them  
19 home with you overnight.

20           At the end of the trial, when you come back to the  
21 courtroom to deliver your verdict, your notebooks will be  
22 collected, the pages torn out and destroyed. No one, including  
23 myself, will ever look at the notes you have taken.

24           You've probably noticed that there are 14 of you  
25 sitting in the jury box. Only 12 of you will retire to



1 deliberate in this manner. I'm not going to disclose who the  
2 alternate jurors are until the end of my final instructions,  
3 just before you begin your deliberations.

4 As any seat might turn out to be an alternate seat,  
5 it's important that each of you think of yourself as regular  
6 jurors throughout the trial, and that all of you give this case  
7 your full and serious attention.

8 At the beginning of the jury selection process, we  
9 gave you names of individuals that might be called to testify  
10 in this case. If at any time during the trial you suddenly  
11 realize that you recognize or might know a witness or lawyer or  
12 someone who's mentioned in the testimony or evidence or anyone  
13 else connected with this case in any way, you should raise your  
14 hand immediately and ask to speak to me.

15 After I submit the case to you, you may discuss it  
16 only when I instruct you to do so, only in the jury room, and  
17 only in the presence of all of your fellow jurors.

18 It's important that you keep an open mind and not  
19 decide any issue in the case until after I submit the entire  
20 case to you with my final instructions.

21 The schedule we're going to try to follow during the  
22 trial is that we'll try to start promptly at 9:30 a.m., take a  
23 short break at approximately 11:00 a.m., lunch break somewhere  
24 around 12:30 or 1:00 p.m., resume the trial in about an hour,  
25 take a short mid-afternoon break at approximately 3:00, and try

1 to end by approximately 4:30 or 5:00.

2 If you need a break at any other time, please feel  
3 free to raise your hand or give me some other signal, like a  
4 time-out, to let me know that you need a break, and we will be  
5 sure to take one.

6 You will spend most of your time during this trial  
7 either in the courtroom or in the two jury rooms that are going  
8 to be available to you. I urge you not to leave any valuables  
9 in the jury rooms. Please bring your purses, wallets, or  
10 anything with value with you as you come and go.

11 I want to thank you for your attention and your  
12 patience, and we're going to proceed with the opening  
13 statements after I briefly confer with counsel at the bench.

14 (Bench discussion:)

15 THE COURT: All right. Any objections or concerns  
16 about the preliminary instructions?

17 MR. KRAVIS: No objections.

18 MR. BUSCHEL: No.

19 THE COURT: Okay. Are we ready to proceed?

20 MR. BUSCHEL: Yes.

21 MR. KRAVIS: Yes, Your Honor.

22 THE COURT: All right. How long is your opening  
23 going to be?

24 MR. KRAVIS: Mr. Zelinsky is going to be delivering  
25 the opening. It will be approximately 40 minutes long.

1 THE COURT: Okay. We'll see. If he sticks with  
2 that, then I think it might be appropriate to go back-to-back,  
3 rather than having a lunch break in between.

4 How long do you anticipate the defense opening?

5 MR. ROGOW: 45 minutes to an hour. Mr. Zelinsky told  
6 me it could be 45 minutes to an hour for him, too, so --

7 THE COURT: All right. Well, we'll make a call about  
8 whether to keep going or we need a break when he's done. Okay.  
9 All right.

10 (Open court:)

11 THE COURT: All right. You can proceed.

12 MR. ZELINSKY: We are here today because one man  
13 obstructed Congress's investigation into Russian interference  
14 in the 2016 election. In a critical investigation of national  
15 importance, the defendant, Roger Stone, repeatedly lied under  
16 oath to a congressional committee, and then tampered with a  
17 witness to cover up his tracks.

18 Now, you'll hear that in 2016, the Democratic  
19 National Committee, which is the organization that runs the  
20 Democratic Party in the United States, announced that its  
21 computer system had been hacked by the Russian government. And  
22 you'll hear that not long after that, a website called  
23 WikiLeaks began to release thousands of emails related to the  
24 Democratic National Committee.

25 WikiLeaks, you'll hear, is an organization that

1 publishes nonpublic material, usually material that has been  
2 leaked or hacked. After WikiLeaks began releasing these  
3 emails, you'll also hear that the defendant, Roger Stone,  
4 started bragging that he was in contact with WikiLeaks and he  
5 knew what WikiLeaks's plans were.

6 At the time, the defendant's longtime confidant and  
7 friend -- I'm sorry -- the defendant's longtime friend and  
8 associate, Donald Trump, was running for president of the  
9 United States against Hillary Clinton. And the defendant  
10 thought that those emails would help his friend Trump and they  
11 would hurt Clinton.

12 So you'll hear in August of 2016, that Roger Stone  
13 proclaimed over and over and over again, that he was in contact  
14 with WikiLeaks, and that he had information about what was  
15 coming. And you'll hear that Mr. Stone publicly said that he  
16 knew this information because he had an intermediary, a  
17 go-between, somebody that he was talking to that was talking to  
18 the head of WikiLeaks.

19 One year later, you'll hear that the United States  
20 Congress, in particular, the House Intelligence Committee, was  
21 undertaking an investigation into Russian interference in the  
22 2016 election.

23 And because of the allegation that Russia was  
24 responsible for the hacking of the Democratic National  
25 Committee's server and the emails that were subsequently

1 released by WikiLeaks, the House Intelligence Committee focused  
2 on WikiLeaks, and they focused on Roger Stone. And the House  
3 Intelligence Committee wanted to know what information  
4 Roger Stone had gotten from WikiLeaks, how they had gotten it,  
5 and who he was talking to on the Trump campaign about it.

6 Now, Roger Stone, you'll hear, testified before the  
7 committee, under oath, on September 26th, 2017. And you will  
8 hear that when Mr. Stone testified, he told the committee five  
9 categories of lies.

10 The first category of lies that Mr. Stone told the  
11 House Intelligence Committee had to do with his emails.

12 Mr. Stone testified under oath that he didn't have  
13 any emails, any text messages, or any documents that related to  
14 Julian Assange, the head of WikiLeaks.

15 The second category -- and he had many, as you'll see  
16 in this trial, such documents.

17 The second category of lies that Mr. Stone told was  
18 about his intermediary. Mr. Stone told the House Intelligence  
19 Committee that he had only one intermediary, and that  
20 intermediary was a man named Randy Credico. But you will hear  
21 that Mr. Stone actually had two intermediaries during that time  
22 period to WikiLeaks. And the person that he was talking about  
23 in August, when Stone kept referring to his "back channel" that  
24 was providing him with information, that was not Randy Credico.  
25 That was another man named Jerome Corsi. And you will hear

1 that Roger Stone sought to cover up that Jerome Corsi was his  
2 back channel. And that, instead, he tried to pin everything on  
3 Randy Credico.

4 The third set of lies that Mr. Stone told the  
5 committee had to do with his requests. He was asked by the  
6 House Intelligence Committee whether he had made any requests  
7 of his intermediary, he had asked his intermediary to do  
8 anything on his behalf. Stone, again, lied. He said that he  
9 had made no requests for his intermediary to do anything.

10 But, you will hear, and the evidence will show, that  
11 Roger Stone requested that Jerome Corsi go to London and get  
12 the pending WikiLeaks emails from Julian Assange.

13 And you will hear that Roger Stone asked  
14 Randy Credico to confirm with Julian Assange that Assange had  
15 certain information related to Libya and then Secretary of  
16 State Hillary Clinton that Assange would be publishing.

17 The fourth lie that Roger Stone told to the House  
18 Intelligence Committee was that he had no records of any kind  
19 about his communications with his intermediary. And you will  
20 hear and you will see that Stone had hundreds and hundreds and  
21 hundreds of text messages, emails, written communications with  
22 both Jerry Corsi and with Randy Credico. And you will see that  
23 those written communications, if they had come out, would have  
24 unraveled all of the other lies that Roger Stone told.

25 So he said to the committee that he didn't have any

1 written communications of any kind.

2           The last lie that Roger Stone told the committee was  
3 about the Trump campaign. He was asked by the committee  
4 whether he had ever discussed what he learned from his  
5 intermediary and his intermediary with the Trump campaign, and  
6 Roger Stone told them he hadn't. You will hear that  
7 Roger Stone discussed what he was learning with the senior  
8 levels of the Trump campaign, both in regards to Jerome Corsi  
9 and in regards to Randy Credico.

10           And then you'll hear that when a witness to the House  
11 Intelligence Committee, Randy Credico, threatened to tell the  
12 truth, when it sounded like he might derail Roger Stone's  
13 plans, Roger Stone pressured the witness, he pressured  
14 Randy Credico, to stay quiet. Roger Stone threatened  
15 Mr. Credico. He threatened Mr. Credico's friend. You'll hear  
16 he even threatened Mr. Credico's dog.

17           Now, you might ask, Why didn't Roger Stone just tell  
18 the truth to the House Intelligence Committee?

19           The evidence in this case will show that Roger Stone  
20 lied to the House Intelligence Committee because the truth  
21 looked bad. The truth looked bad for the Trump campaign, and  
22 the truth looked bad for Donald Trump.

23           Today I'm going to walk you through some of the  
24 evidence you'll hear in this case and I'm going to tell you a  
25 little bit about what you'll hear and show you how Roger Stone

1 testified falsely before the House Intelligence Committee and  
2 how he obstructed justice and how he tampered with a witness.

3 But, before I jump into the evidence in more detail,  
4 I want to speak with you for a moment about what this case is  
5 not about.

6 This case is not about who hacked the Democratic  
7 National Committee's servers. This case is not about whether  
8 Roger Stone had any communications with any Russians. And this  
9 case is not about politics. This case is about Roger Stone's  
10 false testimony to the House Intelligence Committee in his  
11 efforts to obstruct the investigation and to tamper with a  
12 witness.

13 Now, I'm going to go through the facts with you in a  
14 little more detail.

15 As you'll hear, in June of 2016, the Democratic  
16 National Committee announced that it had been hacked. And at  
17 that time, Donald Trump was running against Hillary Clinton for  
18 president of the United States. And Julian Assange, the head  
19 of WikiLeaks, was living in the Ecuadorian embassy in London.

20 Now, you'll hear that on June 12th, 2016,  
21 Julian Assange announced that he had materials related to  
22 Hillary Clinton that WikiLeaks was planning to publish.

23 And you'll hear that two days after that, on June  
24 14th, 2016, the Democratic National Committee announced that  
25 its servers had been hacked earlier that year by Russian



1 government actors. And then you'll hear that same day, several  
2 hours after the Democratic National Committee's announcement,  
3 Roger Stone made a phone call. Now, you'll hear we don't know  
4 the content of that phone call. But we do know who he called.  
5 And we do know that the call went through. And we do know that  
6 there was a conversation.

7 Just after that evening when the Democratic National  
8 Committee had announced that it had been hacked by the Russian  
9 government, Roger Stone called his longtime friend and  
10 associate, then-candidate Donald Trump, and the two of them  
11 spoke on the phone.

12 Almost a week -- almost a month later, on  
13 July 22nd, 2016, WikiLeaks released thousands of emails related  
14 to the Democratic National Committee.

15 What comes next is an important three-week period in  
16 this case. Because this period, as you'll hear, was of  
17 particular interest to the House Intelligence Committee.  
18 Because when WikiLeaks started dumping those emails from the  
19 Democratic National Committee, Roger Stone saw an opportunity  
20 and he took it.

21 Stone emailed an associate of his, Jerry Corsi, and  
22 he asked him for help in getting to Julian Assange. Stone told  
23 Corsi -- you'll see this email -- that he needed to get to  
24 Assange at the Ecuadorian embassy in London and get the pending  
25 WikiLeaks emails.

1           You will hear that Julian Assange, as I said, is the  
2 head of -- I'm sorry -- is the head of WikiLeaks. You will  
3 hear that he was living in the Ecuadorian embassy in London.  
4 And you will hear that Roger Stone and others were interested  
5 in what information Assange might have. So, Stone was asking  
6 Corsi to get to Assange and to figure out what was happening  
7 and to get the pending WikiLeaks emails.

8           Now, you'll hear, also, that a few days later, on  
9 July 31, 2016, Roger Stone again contacted then-candidate  
10 Trump. And just like that call on June 14th, after the  
11 DNC's -- Democratic National Committee's -- announcement, we do  
12 not know the content of the call that took place on July 31st,  
13 2016. But, we do know that Roger Stone called then-candidate  
14 Trump and we do know that they spoke for approximately ten  
15 minutes on then-candidate Trump's personal lines.

16           And the other thing that we know is that about an  
17 hour after that call that Roger Stone had with then-candidate  
18 Donald Trump, Roger Stone sent another email. He emailed  
19 Jerry Corsi again, and he told Corsi that a friend of theirs  
20 living in London should see Julian Assange.

21           The next thing you'll hear is that approximately two  
22 days after Roger Stone dispatched Jerry Corsi, Jerry Corsi sent  
23 him an email back. On August 2nd, 2016, you'll see that  
24 Jerry Corsi wrote to Roger Stone, "Word is, friend in embassy  
25 plans two more dumps; one shortly after I'm back, second in

1       October. Impact planned to be very damaging. That appears to  
2       be the game hackers are now about."

3               Now, as you'll hear in the course of this trial, he  
4       said Julian Assange is living in an embassy.

5               "Two more dumps." Everyone wanted to know what  
6       Julian Assange was planning to do. And you'll hear that there  
7       was information indicating one of those dumps would be in  
8       October, and that Corsi told Stone that the impact of those  
9       dumps was planned to be very damaging, that Corsi knew about  
10      the plans for those dumps. They were planned to be damaging to  
11      then-candidate Clinton. And Corsi indicated that that was the  
12      game hackers were about now. Hackers, you'll hear, are people  
13      who gain unauthorized access to computer systems.

14              Now the very next day you'll hear that Roger Stone  
15      sent another email. Just after he got this message from  
16      Jerry Corsi, Roger Stone emailed the chairman of the Trump  
17      campaign, Paul Manafort. And you'll hear that Paul Manafort  
18      wasn't just the chairman of the Trump campaign, he was also a  
19      long-time friend of Roger Stone. And Roger Stone wrote to  
20      Manafort on August 3rd, that he had an idea, in his words, to  
21      save Trump's ass, and he asked that Manafort call him.

22              You'll also hear that Roger Stone emailed the Trump  
23      campaign's CEO, Steve Bannon. And when Stone emailed Bannon,  
24      he told Bannon that Trump could still win, but time was running  
25      out, and that he knew how to win this, but it ain't pretty.

1 Roger Stone knew how to win this and he was telling  
2 that to the Trump campaign CEO. But his way, in his own words,  
3 ain't pretty.

4 Now, at that same time in August, you'll hear  
5 Roger Stone was bragging, he was bragging publicly and he was  
6 bragging loudly and he was bragging repeatedly that he was in  
7 contact with WikiLeaks, that he had a go-between that was  
8 telling him information about what was coming, that he had an  
9 intermediary.

10 And you'll see those statements. The evidence will  
11 show that in a ten-day period in August, Roger Stone, on at  
12 least six public occasions, said that he had an intermediary to  
13 WikiLeaks, and that he was getting information, over and over  
14 and over again.

15 First, you'll see that Roger Stone, on  
16 August 8th, 2016, told an audience in Broward County that he  
17 actually had communicated with Julian Assange. And then you'll  
18 see that four days later, in an interview, he said that he  
19 wasn't at liberty to discuss what he had, but he had a, kind  
20 of, foreshadowing of what WikiLeaks planned to do. And then  
21 you'll see that on the 16th, he said that he had back-channel  
22 communications with WikiLeaks and Julian Assange.

23 And as I said before, these statements continued over  
24 that time period.

25 On the 16th, he said, again, he'd communicated with

1 Julian Assange through a mutual acquaintance.

2 On August 18th, he said he communicated through an  
3 intermediary. And on August 18th, he said, again, I don't  
4 think, I know -- I don't think, I know Mr. Assange has those  
5 emails because I have had a back-channel communication.

6 But, as we discussed before, when Roger Stone  
7 testified before the House Intelligence Committee about all of  
8 this and they asked him about many of these things, he  
9 straight-up lied to them.

10 Roger Stone wanted to hide what he'd done because the  
11 truth looked bad. And we're going to go through, now, his  
12 testimony in a little more detail, where you will see these  
13 five lies.

14 Now, first, Stone lied about his emails. He was  
15 asked by the committee, Do you have any discussions with third  
16 parties about Julian Assange? You have no emails, no text, no  
17 documents whatsoever, any kind of that nature?

18 And Stone responded, That is correct, not to my  
19 knowledge.

20 He's being asked this by Congressman Schiff in his  
21 sworn testimony in the House Intelligence Committee, and he is  
22 denying that he has any emails with any third parties about  
23 Julian Assange.

24 But, you will see at trial that Mr. Stone had many,  
25 many such emails, including the ones we just reviewed, where he

1 told Jerome Corsi to go, get to the embassy to get the pending  
2 WikiLeaks emails, where he then heard back from Corsi that, in  
3 fact, there would be, "Dump coming in October. Impact planned  
4 to be very damaging. That's word from friend in the embassy."

5 But, Stone denied all of that. He said he had no  
6 emails of any kind referring to Julian Assange, including that  
7 email about the game that hackers are now about.

8 In a second lie, Roger Stone lied about his  
9 intermediary to the committee. He was asked to identify his  
10 intermediary to the committee, and you'll hear that he would  
11 not in his original testimony. But then he sent a follow-up  
12 letter to them, saying that his intermediary is Randy Credico.

13 And, as you will hear, he was asked at the committee  
14 if there was only one person that he was referring to. And the  
15 committee explicitly asked about those August statements, the  
16 one that followed Jerome Corsi's email to him. And Roger Stone  
17 said no, there was only one person he ever referred to as his  
18 intermediary, and that was Randy Credico.

19 But you know that, in fact, as you'll see and the  
20 evidence will show, Roger Stone wasn't referring to  
21 Randy Credico at all in that August bragging, he was referring  
22 to Jerome Corsi, who had sent him the email telling him what  
23 the game that hackers were now about.

24 In his third lie, Roger Stone lied to the House  
25 Intelligence Committee in his sworn testimony about the request

1 that he'd made to his intermediary. He was asked by  
2 Congressman Quigley whether he'd ever asked his intermediary to  
3 do anything on Stone's behalf, and Stone said he did not. And  
4 then he was asked if his intermediary ever suggested he was  
5 going to do anything on his behalf, and Stone said he did not.

6 Stone was also asked, again by Congressman Quigley,  
7 whether he'd ever asked his intermediary to communicate  
8 anything else to Julian Assange, and Stone said he did not.

9 And then Stone was asked by Quigley, Did you ever ask  
10 him to do anything on behalf of the Trump campaign? And Stone  
11 said he did not.

12 But, the evidence will show that, in fact, Stone  
13 asked Jerry Corsi, as you saw, to do something very specific.  
14 He asked Jerry Corsi to get to London and to get the pending  
15 WikiLeaks emails.

16 The fourth lie that Roger Stone told was about his  
17 record. Roger Stone lied in his sworn testimony to the House  
18 Intelligence Committee, and claimed that he had no records, no  
19 written communications with his intermediary.

20 He was asked by Congressman Schiff if he ever texted  
21 his intermediary or emailed him, and Mr. Stone said he's not an  
22 email guy.

23 Mr. Schiff followed up. Congressman asked Stone:  
24 So, all your conversations with him were in person or over the  
25 phone?

1           And Stone said, Correct.

2           And you'll hear that Congressman Quigley, another  
3 member of the House Intelligence Committee, followed up. And  
4 he ask Stone: How did you communicate with the intermediary?

5           And Stone said: Over the phone.

6           And Quigley asked: Do you have any other means of  
7 communicating with the intermediary?

8           Roger Stone said: No.

9           Congressman asked: Any text messages? Anything  
10 else?

11          Roger Stone: No.

12          Nothing direct?

13          Roger Stone: No.

14          And what you'll hear and what you've already seen is  
15 that, in fact, Roger Stone communicated extensively in writing  
16 with Jerome Corsi. He texted. But, he also emailed those  
17 three emails that you just saw. Three emails that if the  
18 committee had seen them, would have disproven the other lies he  
19 just told. But, instead, Roger Stone pretended that the only  
20 way that he communicated with Jerry Corsi was over the phone.

21          Lastly, Roger Stone lied about his communications  
22 with Jerry Corsi in the Trump campaign. He was asked by  
23 Congressman Schiff if he ever discussed any conversation he had  
24 with the intermediary with anyone involved in the Trump  
25 campaign, and he said, No.



1           But, in fact, you saw that the day after getting that  
2 email from Jerome Corsi, Roger Stone emailed Campaign Chairman  
3 Paul Manafort about his plan to save, in Stone's words,  
4 "Trump's ass." And he emailed Bannon about a way that he had  
5 to win this, but it wasn't pretty.

6           Now, Stone testified falsely to cover up the truth,  
7 that he dispatched Jerry Corsi to WikiLeaks an hour after he  
8 spoke with then-candidate Trump, and that Corsi had provided  
9 him with information about what WikiLeaks was planning to do,  
10 about the game that hackers are now about, and that Stone had  
11 found that information to be credible.

12           Stone had written communications in his possession  
13 that showed this, and would have showed the House Committee the  
14 truth, but he lied about it. And Roger Stone's lies didn't  
15 just stop there. They didn't stop with Jerome Corsi.

16           Roger Stone also lied about what he tried to do with  
17 another person, with Randy Credico, and what he talked about  
18 with the campaign and WikiLeaks.

19           After everything I've just described to you, after  
20 Roger Stone had asked Corsi to get to Assange, and then after  
21 he'd asked Corsi to have someone else go see Assange, after  
22 Corsi had written back, after Stone had sent that email about  
23 his plans, after Stone was publicly bragging about all of this  
24 back-channel intermediary he had, you will hear that  
25 Randy Credico sent him a message.

1           In 2016, you'll hear Randy Credico was a political  
2           activist, a former comedian, an impressionist who was hosting a  
3           public access morning radio show in New York City. And you'll  
4           hear that Stone and Credico had a rocky relationship,  
5           tumultuous one that went back many, many years.

6           And you'll also see, when you see Randy Credico, that  
7           if you were looking for someone to pin something on,  
8           Randy Credico is a pretty good person to pick. Randy Credico  
9           will tell you that he has struggled in his past with alcohol.  
10          And Randy Credico will tell you that he is excitable. And  
11          Randy Credico will tell you that Roger Stone knew all of this.

12          So, a few weeks after Jerry Corsi sent that email,  
13          and after Stone was bragging everywhere about how he was in  
14          contact with WikiLeaks, Randy Credico sent Stone a message.  
15          Credico told Stone that he would be planning to have the head  
16          of WikiLeaks, Julian Assange, on his own radio show.

17          Assange, as you'll hear, gave interviews. He didn't  
18          leave the Ecuadorian embassy, but he could call in or Skype.  
19          And Credico told Stone that that's what he would be doing.  
20          And, in fact, Credico eventually did have Julian Assange on his  
21          radio show. But, the evidence will show that Credico didn't  
22          get any information from Assange at that point. They just  
23          discussed matters of general interest. He just interviewed  
24          Assange on the radio. He didn't get any inside information.

25          Then, almost a month later, Roger Stone sent

1 Randy Credico a request. Roger Stone asked Randy Credico to  
2 reach out to WikiLeaks and Julian Assange, and to see if  
3 Assange had information related to then-Secretary of State  
4 Hillary Clinton's involvement in Libya, back from when  
5 Hillary Clinton had been secretary of state years before.

6 Stone asked Credico to check with Assange and see if  
7 there were hacked emails, nonpublic emails that Assange had in  
8 his possession that he was planning to release about Libya and  
9 Secretary of State Clinton.

10 And you'll hear that, actually, Credico did pass  
11 along Stone's request to a person he knew that was associated  
12 with WikiLeaks.

13 And you'll hear that when Credico passed along that  
14 request on September 19th, 2016, he texted Roger Stone. And he  
15 told Roger Stone: Just remember, do not name me as your  
16 connection to Assange. You had one before that you referred  
17 to.

18 In other words, in September of 2016, when Stone was  
19 leaning on Credico to pass a message to Julian Assange, Credico  
20 was willing to do so, but he put down a marker: He was not the  
21 person Roger Stone was talking about in August. And he told  
22 that to Roger Stone.

23 And, in fact, you know and you will see why that was  
24 the case. It's because in early August, Roger Stone wasn't  
25 talking about Randy Credico; the evidence will show that he was

1 talking about Jerome Corsi. Randy Credico only came into the  
2 picture later.

3 Then, in early October, you'll hear that Credico flew  
4 to London for a comedy event. And you'll hear that while in  
5 London, Credico tried to meet Julian Assange; he didn't. And  
6 you'll hear that Credico told Stone that he had a meeting  
7 scheduled with Julian Assange; he didn't.

8 And you'll hear that Credico kept talking to  
9 Roger Stone about Julian Assange, and that Stone was being told  
10 by Credico that there would be information coming shortly. And  
11 Stone was very interested in what he was hearing from Credico.

12 Now, as you'll hear, Stone didn't just sit on this  
13 information that he was hearing from Randy Credico, just like  
14 he didn't sit on the information he'd heard in August from  
15 Jerry Corsi.

16 No. Stone regularly updated people involved in the  
17 Trump campaign about what he was hearing from Randy Credico.  
18 Stone regularly updated people on the Trump campaign, at the  
19 senior levels, about whatever information he thought he had  
20 about WikiLeaks.

21 And you'll see that in October, Roger Stone was going  
22 to the very top of the Trump campaign, the CEO of the Trump  
23 campaign, a man named Steve Bannon.

24 Right after Julian Assange gave a press conference on  
25 October 4th, 2016, where a lot of people, you'll hear,

1 including Steve Bannon and members of the Trump campaign, were  
2 very hopeful that Julian Assange would be releasing new,  
3 damaging information to Hillary Clinton.

4 You'll hear that that conference that Assange gave  
5 was a bust. He didn't release any new information. And it was  
6 very early in the morning, United States time. And a lot of  
7 people were actually pretty unhappy that they had to wait up in  
8 the morning for this much-hyped press conference that turned  
9 out to be a dud.

10 And you'll hear that when this press conference was a  
11 dud, when Julian Assange failed to release the information,  
12 that right after that press conference, Steve Bannon, the Trump  
13 campaign's CEO, sent an email, and he reached out to  
14 Roger Stone. And you'll see it there at the bottom.  
15 Steve Bannon said, "What was that this morning?"

16 And you'll hear that that was just after  
17 Julian Assange's dud of a press conference, where everyone had  
18 been hoping that Assange would release more information about  
19 Hillary Clinton.

20 And Stone wrote back. He wrote back that Assange was  
21 afraid, that he had a serious security concern, and that there  
22 would be a load every week going forward. That's what he sent  
23 to Steve Bannon.

24 And you will hear that a source of that information  
25 that Stone was passing on to Bannon was information he was

1 getting from his other intermediary, from Randy Credico.

2 And as you'll hear, Roger Stone didn't email the  
3 Trump campaign CEO about WikiLeaks out of the blue. You'll  
4 hear that he and Bannon had actually been talking all summer  
5 long about WikiLeaks, about Julian Assange. And that Stone had  
6 been telling Bannon the same thing he'd been telling other  
7 people publicly; that he had an intermediary, that he had  
8 inside information about what Julian Assange was planning and  
9 what Julian Assange was doing.

10 So, when Roger Stone told that to Bannon, it wasn't  
11 an isolated, off-the-cuff email that Bannon sent. You'll hear  
12 that, in fact, that was part of a longer conversation that had  
13 been taking place throughout the summer of 2016.

14 Now, you'll also hear that Roger Stone updated  
15 another person involved with the Trump campaign about what was  
16 going on with Julian Assange.

17 You'll hear that Roger Stone emailed a guy named  
18 Erik Prince about Julian Assange's plans. And you'll see that  
19 on October 3rd, Roger Stone told Prince that he'd spoken to his  
20 friend in London last night, and that the payload was still  
21 coming.

22 You'll also see that the next day, after that press  
23 conference that turned out to be a dud, Erik Prince wrote to  
24 Stone. He asked him, Did Julian Assange chicken out? And  
25 Stone wrote back he wasn't sure. That was set as of Monday,

1 but he would check.

2 Prince followed up. He asked Stone, Did you hear  
3 anything more from London?

4 And Stone wrote back, Yes. Want to talk on a secure  
5 line?

6 And then asked him to switch to another form of  
7 communication, WhatsApp.

8 Now, as you'll remember, at this time Julian Assange  
9 was living in London, the Ecuadorian embassy. And everyone was  
10 asking about whether he was going to release more information.

11 And just like Roger Stone lied to the House  
12 Intelligence Committee about Jerry Corsi in all those August  
13 communications we looked at, Roger Stone also lied to the House  
14 Intelligence Committee about Randy Credico and about these  
15 communications.

16 Stone had many messages with Randy Credico -- text  
17 messages, emails, a lot more than what you'll see here -- about  
18 Julian Assange. But, Stone lied, and he told the House  
19 Intelligence Committee that he didn't have any emails or any  
20 text messages or any documents that referred in any way to  
21 Julian Assange.

22 You just saw some of them. You will see a lot more  
23 that he had with Randy Credico, just like he lied about his  
24 messages with Jerry Corsi.

25 You'll also see that Stone lied to the House

1 Intelligence Committee about Randy Credico. He tried to pin  
2 all of the back-channel statements he was making, all of the  
3 times he said he had an intermediary, on Randy Credico. But,  
4 as you'll see, that intermediary in August, that was not  
5 Randy Credico. It was Jerry Corsi. Randy Credico came into  
6 the picture later. Stone lied and tried to use Randy Credico  
7 as the fall guy for everything.

8           The third lie that Roger Stone told is that he didn't  
9 make any requests to any intermediary. As you saw, he made a  
10 request to Randy Credico. He asked him to pass along  
11 information in a request -- he even says, Request to  
12 Julian Assange -- asking if Assange had information that he  
13 would be publishing about then-candidate Hillary Clinton and  
14 what she had done when she was secretary of state related to  
15 WikiLeaks. But, as you saw, Stone denied that he had ever made  
16 any such requests.

17           The fourth lie that Roger Stone told was about his  
18 records. He denied that he had any written communication with  
19 an intermediary. Except, you'll see Roger Stone and  
20 Randy Credico text and email each other all the time.

21           You will see that on the day Roger Stone testified,  
22 September 26th, 2017, that after Roger Stone walked out of the  
23 House Intelligence Committee hearing room, where he denied to  
24 Congress, under oath, that he had any written communications  
25 with his intermediary, and where he said he doesn't have any



1 text messages, he's not a guy that puts stuff in writing, you  
2 will see that Roger Stone and Randy Credico text each other 70  
3 times that day. 70 times after he walked out of that House  
4 Intelligence Committee hearing.

5 And you'll see that it wasn't like that was the first  
6 day that Randy Credico and Roger Stone learned to use text  
7 messages. You will see that there's voluminous records of  
8 Roger Stone and Randy Credico communicating in writing. But,  
9 Roger Stone did not want that information to see the light of  
10 day because it would have unraveled all of the other lies that  
11 he told.

12 It would have meant that messages, like the one that  
13 Randy Credico sent saying that he was not the back channel in  
14 August, that those could have come to light. And that wasn't  
15 good because that would have exposed Jerry Corsi.

16 And, finally, Roger Stone lied about his discussions  
17 with the Trump campaign. Roger Stone said he never discussed  
18 his intermediary with the Trump campaign. But, just like  
19 Roger Stone lied about having not discussed Jerry Corsi and  
20 what he learned with the Trump campaign, so, too, Roger Stone  
21 lied and claimed to the House Intelligence Committee he never  
22 discussed what he learned from Randy Credico.

23 But, you'll see those very emails we just went over,  
24 the ones where he's telling Steve Bannon there is a serious  
25 security concern, but don't worry, there's more coming. It

1 might have been a dud on October 4th, but, trust me, Assange is  
2 going to start dropping material.

3 Stone didn't tell the House Intelligence Committee  
4 that he had any of those messages or that he'd had any of those  
5 conversations.

6 And then, just as Roger Stone promised, on  
7 October 7th, 2016, WikiLeaks began releasing a massive amount  
8 of hacked emails belonging to Clinton campaign chairman  
9 John Podesta. And you will hear that those releases began on  
10 October 7th, 2016, and that they continued all the way up  
11 through election day.

12 And on Tuesday, November 8th, 2016, Donald Trump was  
13 elected president of the United States.

14 Now, you'll hear that in the months after the  
15 election, United States Congress, in particular, the Senate  
16 Select Committee on Intelligence and the House Intelligence  
17 Committee, launched investigations into Russian interference in  
18 the 2016 election.

19 And you'll also hear that the FBI announced that they  
20 had an investigation, as well, into Russian interference in the  
21 2016 election.

22 And you'll hear that these investigations focused, in  
23 large part, on the hacked emails released by WikiLeaks and the  
24 allegation that those emails had been hacked by the Russian  
25 government.

1           And you'll hear that those investigations, and in  
2 particular, the House Intelligence Committee investigation, was  
3 examining any possible links between WikiLeaks, who dumped that  
4 hacked information, and the Trump campaign.

5           And, as I said at the start, this trial is about  
6 Roger Stone's obstruction of the House Intelligence Committee's  
7 investigation.

8           Now, right around the same time that all these other  
9 investigations were announced, Roger Stone realized that he had  
10 a problem. And his problem was a man named Randy Credico.  
11 Because Randy Credico was worried that Roger Stone was saying  
12 things that weren't true.

13           Roger Stone was being asked who his back channel was  
14 to WikiLeaks. A lot of people were interested in that in  
15 January of 2017. Randy Credico asked Roger Stone, you will  
16 hear, who he was referring to in August, because Credico knew  
17 it wasn't him. But Roger Stone lied and told Credico that  
18 Credico was that August back channel.

19           You will hear Randy Credico has no idea, at this  
20 point, who Jerry Corsi is. He's never heard of him. But,  
21 Randy Credico knows one thing: He knows that he's not the guy  
22 Roger Stone's talking about in August. He knows that because  
23 he doesn't have Julian Assange on his radio show until later,  
24 after all of Stone's bragging.

25           And he knows that because he doesn't get the kind of

1 information that Stone is telling people that he's getting from  
2 his intermediary. Stone was getting that, as you saw, from  
3 Jerome Corsi.

4 So in January of 2017, Randy Credico tries to set the  
5 record straight. He tries to get Roger Stone to tell the  
6 truth. And what you'll hear is that Randy Credico sent  
7 Roger Stone an email after looking through his own written  
8 records. And Credico told Stone that he'd put together  
9 timelines, and that when Stone said he had a back channel a  
10 month before Credico had Assange on his show, that couldn't be  
11 the case.

12 Credico told Stone he'd pieced it all together.  
13 Stone might as well tell the truth. Either he didn't have a  
14 back channel in August, or there was somebody else, That other  
15 guy you were talking about.

16 But it surely wasn't Randy Credico.

17 Now, you will see that that was Jerome Corsi, because  
18 of the message we just saw. Randy Credico didn't know  
19 Jerry Corsi's name. At this point, he didn't even know if  
20 Jerry Corsi actually existed or if he'd sent any information.  
21 What Randy Credico did know in January 2017 was he was not the  
22 guy that was telling Stone this stuff back in early August.

23 Now, Roger Stone's response to this, you'll hear, was  
24 not hesitation or concern. It was an immediate response to  
25 Credico that nobody would care about what happened. Nobody

1 would believe Randy Credico and that Credico should just go  
2 along with Roger Stone's fake story.

3 That's what Roger Stone told Randy Credico in January  
4 of 2017, when he tried to set the record straight.

5 And then you'll hear, on September 26, 2017,  
6 Roger Stone testified under oath, before the House Intelligence  
7 Committee, in its investigation into Russian interference in  
8 the 2016 election.

9 And as you'll hear during the trial, the main focus  
10 of the House Intelligence Committee, a bipartisan investigation  
11 into Russian interference, were questions to Stone about  
12 WikiLeaks, about his intermediary, and about his claims that he  
13 had a back channel to Julian Assange, and what he told the  
14 Trump campaign.

15 Now, make no mistake, Roger Stone could easily have  
16 told the truth to the House Intelligence Committee.  
17 Roger Stone could have testified that he had many emails and  
18 messages and texts about Julian Assange, including the ones  
19 that you've seen here today.

20 He could have said he had many messages with  
21 Steve Bannon, with Paul Manafort, with Randy Credico, with  
22 Jerome Corsi about Julian Assange. And he could have said that  
23 his August references were not to Randy Credico; they were to  
24 Jerome Corsi.

25 And Roger Stone could have told the truth, that he

1 told Corsi to get to Assange to get the pending WikiLeaks  
2 emails, and that he then told Corsi to have an associate of  
3 theirs, living in London, get to Julian Assange.

4 And Roger Stone could have told the House  
5 Intelligence Committee the truth, that, in fact, Corsi had  
6 responded back to him and told him that there would be, "Dumps  
7 coming in October. Impact planned to be very damaging." That  
8 was the game hackers were about now. And Stone could have told  
9 the committee he had all of this in writing, in his email  
10 accounts, in his text messages, at the time of his testimony.

11 And Stone could have told the committee the truth  
12 about Randy Credico. He could have said that he asked  
13 Randy Credico to pass along a question to Julian Assange. That  
14 he requested information about whether or not Assange had  
15 emails concerning Hillary Clinton and Libya.

16 And Stone could have told the committee that he spoke  
17 with Steve Bannon and others about what he was learning  
18 regarding WikiLeaks.

19 And Stone could have truthfully stated that he had  
20 hundreds of messages, emails, texts that would show the truth  
21 of what happened in 2016. That he had many written records  
22 that could help the committee to establish what had actually  
23 happened.

24 But, Roger Stone didn't do that. He didn't even come  
25 close. Instead, he repeatedly lied to the House Intelligence

1 Committee. He did it because if he'd told the truth, as he  
2 said before, it wasn't pretty. It would look bad. And, so,  
3 instead, he told these five lies.

4 Now, you'll also see that Stone knew at the time of  
5 his testimony that these lies were important to the House  
6 Intelligence Committee's investigation. You'll see that Stone  
7 knew that because the congressmen tell Stone that explicitly.  
8 At one point they say, It's important. We need to know this.

9 And you'll see it's important because they asked  
10 about it in his sworn testimony, and they asked often about  
11 things repeatedly.

12 And you'll know it's important because the committee  
13 of the House Intelligence, that was investigating Russian  
14 interference in the 2016 election, saw fit to question a  
15 witness because they were looking into any links or  
16 coordination involving the Trump campaign and the individuals  
17 associated with the alleged Russian hacking.

18 Now, the evidence is going to show that after  
19 Roger Stone repeatedly lied to the House Intelligence Committee  
20 on September 26, 2017, he had one more loose end left to tie  
21 up. And that loose end was named Randy Credico, because Stone  
22 was concerned that Credico was going to tell the House  
23 Intelligence Committee the truth.

24 Credico was going to tell the House Intelligence  
25 Committee that he was not the August back channel. Credico was

1 going to tell the House Intelligence Committee that he had lots  
2 of written communications, and that those written  
3 communications would show that there was no way he could have  
4 been the person Stone was talking about in August.

5 And, so, you'll hear that Stone tried to get Credico  
6 to go along with his false testimony, that Stone wanted Credico  
7 to take up the lies that Credico -- that Stone told to the  
8 House Intelligence Committee as his own. But Randy Credico  
9 wasn't willing to do that. Randy Credico didn't want to commit  
10 perjury for Roger Stone.

11 So, you'll hear Stone tried to get Credico to pretend  
12 he didn't remember anything about that time period. You'll  
13 hear that Stone even told Credico to do a Frank Pentangeli, in  
14 writing.

15 I don't know if you know who Frank Pentangeli is.  
16 But, you'll hear at this trial that he's a character in the  
17 movie *The Godfather Part II*. And you'll hear when  
18 Frank Pentangeli is called before a congressional committee,  
19 Frank Pentangeli, in order to spare his associate a perjury  
20 charge, pretends he doesn't remember anything. And Stone put  
21 in writing that Randy Credico should do his Frank Pentangeli to  
22 the House Intelligence Committee.

23 And even that didn't work. Randy Credico didn't want  
24 to go along and claim he didn't remember anything. He didn't  
25 want to do his Frank Pentangeli, because pretending you don't



1 remember anything when you really do, that's also lying under  
2 oath.

3 So, instead, Stone tried to get Randy Credico to clam  
4 up, to stay quiet. You will see that Roger Stone started  
5 telling Randy Credico that he should assert his Fifth Amendment  
6 rights against self-incrimination, that he should stay quiet,  
7 that he should take the Fifth and not talk to the House  
8 Intelligence Committee. Because if Randy Credico spoke to the  
9 House Intelligence Committee, things weren't going to look very  
10 pretty for Roger Stone.

11 And, ultimately, you'll hear that Roger Stone kept  
12 pressing Credico. He kept pressing him to take the Fifth in  
13 front of the House Intelligence Committee. And you'll see that  
14 Stone even told him why he had to do it. Stone said to  
15 Randy Credico, Because of Trump -- Stone misspelled "Trump" in  
16 that message -- I could never get away with a certain --  
17 asserting my Fifth Amendment rights, but you can.

18 Roger Stone needed Randy Credico to take the fall,  
19 because if Roger Stone asserted his Fifth Amendment rights in  
20 front of the House Intelligence Committee, it wouldn't look  
21 pretty. It wouldn't look pretty for then-President  
22 Donald Trump.

23 Now, you will hear that Randy Credico eventually  
24 buckled, and he did assert his Fifth Amendment rights, and he  
25 didn't speak to the House Intelligence Committee.

1           And you'll hear that after that, whenever Credico  
2 threatened to go public, whenever he talked about telling what  
3 actually happened in the media, you'll hear that whenever he  
4 talked about saying he wasn't that August back channel, and  
5 that Roger Stone had lied in his congressional testimony, that  
6 Stone would tell Credico the same set of things: Who cares?  
7 No one will believe you.

8           Or, failing that, Stone would tell Credico that he  
9 should go on television and do his Frank Pentangeli; to pretend  
10 that he remembered nothing, and to make himself look like  
11 someone that could not be believed.

12           And Stone's actions, you'll hear, were not limited to  
13 the House Intelligence Committee's investigation. You'll hear  
14 that Special Counsel Robert Mueller was also investigating  
15 Russian interference in the 2016 election. And you'll hear  
16 that Robert Mueller's investigation was also looking at  
17 Roger Stone.

18           And what did Roger Stone tell Randy Credico to do  
19 about the Mueller investigation? Did Roger Stone tell him to  
20 tell the truth? To be forthcoming? To just say what he knew?

21           My guess is, you probably have a good guess as to  
22 what the answer to that question is. But, what he told  
23 Roger Stone, in his own words, Roger Stone told Randy Credico,  
24 on January 25th, 2018, that Randy Credico should tell  
25 Robert Mueller, in Stone's words, that "Robert Mueller could go

1       fuck himself."

2                       That was what Roger Stone told Randy Credico to do  
3       about the investigation.

4                       Now, as the spring wore on, you will hear that  
5       Roger Stone kept trying -- that Credico, I'm sorry, kept trying  
6       to get Stone to tell the truth in 2018, even after Stone tells  
7       him what Credico should do.

8                       You'll hear that Randy Credico kept trying to get  
9       Roger Stone to come clean about what had happened. You'll see  
10      that Credico told Stone, on 15 separate occasions, that he  
11      needed to do the right thing. He needed to tell the truth.  
12      And that Credico was not the person he'd been talking about in  
13      August.

14                      But, Stone continued to put pressure on  
15      Randy Credico. He continued to do that to try to get him to go  
16      on -- along with Stone's false testimony. Or, barring that, to  
17      go on national television and to do a Frank Pentangeli.

18                      And you'll hear that Roger Stone threatened  
19      Randy Credico. He threatened his friend. He even, as I said  
20      before, threatened his dog.

21                      And you'll hear that Stone's barrage of verbal  
22      attacks on Randy Credico in the spring of 2018 worked. As the  
23      spring wore on, Randy Credico got worn down by the threats and  
24      the lies and the verbal attacks of Roger Stone. And you're  
25      going to see that Randy Credico became angry and confused by

1 the awful position that Roger Stone had put him in.

2 Randy Credico will testify at this trial. You will  
3 see him on that witness stand. And you're going to hear him  
4 explain to you how Roger Stone tampered with him. And you're  
5 going to see a bunch of emails and text messages between  
6 Roger Stone and Randy Credico from 2016 and 2017 and 2018,  
7 messages Roger Stone lied and told the House Intelligence  
8 Committee didn't exist.

9 And Randy Credico is going to tell you, and the  
10 emails and texts are going to show, that as 2018 wore on,  
11 Roger Stone put him in an awful position. And he is going to  
12 tell you that Randy Credico just didn't know what to do.  
13 Sometimes he went along with Stone's lies, to try to get out of  
14 it. Sometimes he told some lies of his own to Roger Stone.  
15 And sometimes, you'll see, he called Roger Stone some pretty  
16 terrible names.

17 But, here's the thing: After you see all the  
18 evidence, what you will see is that what Randy Credico is  
19 telling you is backed up by the documents, the documents that  
20 you will review in this case. And it's backed up by the  
21 threats that Stone emailed him. And it's backed up by the text  
22 messages that Stone sent him about doing a Frank Pentangeli.

23 And in the days to come, you'll read documents, many,  
24 many documents, and they will show the story that I've just  
25 laid out for you. Because, amazingly, most of the evidence in

1 this case is in the written record. It's emails, it's text  
2 messages showing what really happened.

3 That's part of why Lie Number 4 is so critical.  
4 Because if those records would have come out, then the truth  
5 would have been exposed.

6 And you'll hear from witnesses in this case who are  
7 going to explain some of those documents to you. You're going  
8 to hear from Steve Bannon, the Trump campaign CEO.

9 You're going to hear from Rick Gates, the deputy  
10 chairman of the Trump campaign. And as you'll hear, Rick Gates  
11 pled guilty to a variety of financial crimes that Gates  
12 committed. And you'll hear that he also pled guilty to lying  
13 to the FBI in a separate case. And he's testifying here today  
14 under a cooperation agreement.

15 And you'll have a chance to learn more about what a  
16 cooperation agreement means during the trial. And you'll have  
17 a chance and an opportunity to assess for yourself what you  
18 think of Mr. Gates' testimony.

19 But, over and over and over again, what you will see  
20 is that the testimony in this case matches the documents that  
21 will be shown to you. Because the written record proves that  
22 Roger Stone testified falsely, that he obstructed the House  
23 Intelligence Committee's investigation into Russian  
24 interference in the 2016 election.

25 And, as I said at the beginning, this case boils down

1 to a few very clear facts:

2 Roger Stone told five types of lies to the House  
3 Intelligence Committee. He lied and said he had no emails,  
4 texts, or documents that referred to Julian Assange.

5 He lied and said that he had only one intermediary,  
6 and that intermediary was Randy Credico.

7 He lied and he said that he hadn't made any requests  
8 to his intermediary.

9 He lied and he said that he had no written  
10 communications of any kind, that his intermediary was not the  
11 kind of person that would send texts or emails, even though  
12 both Jerry Corsi and Randy Credico sent a lot of texts and  
13 emails to Roger Stone.

14 And then he lied about the discussions that he had  
15 with the Trump campaign about his intermediary.

16 Five categories of lies: Emails, intermediary,  
17 requests, records, Trump campaign.

18 And then you'll hear Roger Stone leaned hard on  
19 Randy Credico to get him to go along with his story. Or, if  
20 that didn't work, to do a Frank Pentangeli, or to take the  
21 Fifth.

22 Now, Roger Stone did all of this to obstruct an  
23 investigation by the House Intelligence Committee into Russian  
24 interference in the 2016 election. You will hear the committee  
25 was undertaking a critical investigation about an important

1 moment in our nation's history. The House Intelligence  
2 Committee was trying to learn the truth about what had happened  
3 in the 2016 election. And Roger Stone, he was doing his best  
4 to stop it.

5 And that is why, after you have listened to all of  
6 the evidence in this case and you have examined the documents  
7 and heard the witnesses, we are confident that you will return  
8 the only verdict justified on these facts, a verdict of guilty  
9 on all counts.

10 Thank you.

11 THE COURT: All right. Counsel, can you approach the  
12 bench briefly.

13 (Bench discussion:)

14 THE COURT: I assume you'd like to start after lunch?

15 MR. ROGOW: I need a break, yes.

16 THE COURT: You want to take a lunch break, not just  
17 a break, break?

18 MR. ROGOW: Probably a lunch. I'm not going to eat,  
19 but --

20 THE COURT: Well, that's a different issue.

21 MR. ROGOW: Right. So whatever you would like.

22 THE COURT: The question is whether you want the  
23 jurors to eat, rather than be hungry.

24 MR. ROGOW: I would say yes.

25 THE COURT: Okay. I would think so, too. So, we're

1 going to excuse everybody and say we will pick up again at  
2 2 p.m.

3 All right. Thank you.

4 MR. KRAVIS: Thank you, Your Honor.

5 MR. BUSCHEL: Before we go there, can we just invoke  
6 the rule, before I forget, about witness --

7 THE COURT: Are there any witnesses in the courtroom,  
8 besides the case agent?

9 MR. KRAVIS: No. Besides, I don't even think it's  
10 likely that Special Agent Keefe will testify.

11 THE COURT: All right. Thank you. All right.

12 (Open court:)

13 THE COURT: Members of the jury, as helpful as it  
14 might be to hear the two opening statements immediately, back  
15 to back, it's lunchtime. And so I would prefer to give you the  
16 opportunity to not be hungry while you listen to the next  
17 statement, since you've been here all morning.

18 So, we're going to take a break now. Your lunch is  
19 going to be brought to you. Mr. Haley will explain all of  
20 that. Because the cafeteria, otherwise, will be somewhat of a  
21 crowded gauntlet to get through. And we're going to resume at  
22 2 p.m.

23 I want to encourage you, once again, and I will tell  
24 you this, I can warn you now, every time you come and go from  
25 the courtroom, number one, you can leave your notebooks on your





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CERTIFICATE OF OFFICIAL COURT REPORTER

I, JANICE DICKMAN, do hereby certify that the above and foregoing constitutes a true and accurate transcript of my stenographic notes and is a full, true and complete transcript of the proceedings to the best of my ability.

Dated this 6th day of November, 2019

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Janice E. Dickman, CRR, CMR, CCR  
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