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1 THE COURTROOM DEPUTY: Your Honor, this is criminal  
2 case number 19-18, the United States of America v. Roger Stone.  
3 The defendant is present in the courtroom.

4 Parties, please approach the lectern, identify  
5 yourself for the record.

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

11 THE COURT: Good morning.

12 MR. BUSCHEL: Good morning, Judge. Robert Buschel,  
13 Chandler Routman, Tara Champion, Grant Smith, Bruce Rogow, on  
14 behalf of Roger Stone.

15 THE COURT: All right. And I note the defendant is  
16 present.

17 We received a note from the jury. Have both sides  
18 had an opportunity to see it?

19 MR. KRAVIS: Yes, Your Honor.

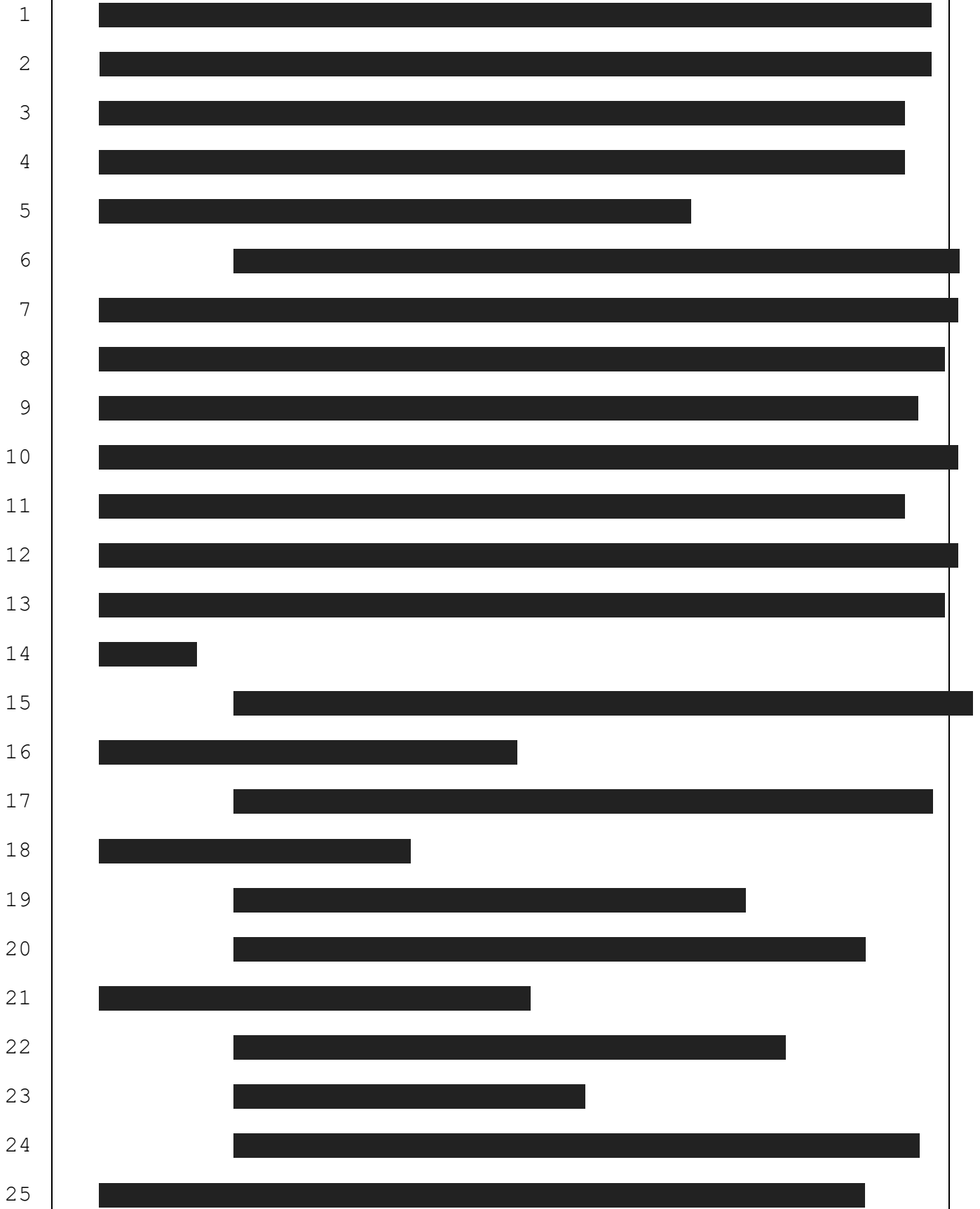
20 MR. BUSCHEL: Yes.

21 THE COURT: All right. Before we bring the jury in,  
22 can I just see counsel at the bench?

23 (Bench discussion:)

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[REDACTED]

(Open court:)

THE COURT: All right. You can bring the jury in.

Oh, Mr. Haley, there's one more thing.

I want to encourage everyone in the audience to maintain the same decorum they have throughout these proceedings -- which I very much appreciated -- out of respect for the jury, the defendant, and these proceedings. I don't think there should be audible reactions in this courtroom to anything that transpires from here on out.

If you want to talk about the verdict or jump up and discuss it or exclaim, you have every right to have a seat in the overflow courtroom, where you're welcome to do that. But here, I expect everyone to conduct themselves with decorum.

Thank you.

(Jurors enter courtroom.)

THE COURTROOM DEPUTY: Jury is present, Your Honor.

THE COURT: All right. You can proceed, Mr. Haley.

THE COURTROOM DEPUTY: Will the foreperson please rise?

Have you reached a verdict in this case?

THE FOREPERSON: We have.

1 THE COURTROOM DEPUTY: May I have the verdict,  
2 please.

3 Will the defendant please rise.

4 Count I, obstructing a proceeding. As to Count I of  
5 the indictment, obstruction of an official proceeding, in  
6 violation of 18 United States Code §§ 1505 and 2, we, the  
7 members of the jury, unanimously find Mr. Stone guilty.

8 Count 2, false statement. As to Count 2 of the  
9 indictment, making a false statement, in violation of 18  
10 United States Code §§ 1001(a)(2) and (2), that is, that Stone  
11 testified falsely that he did not have emails with third  
12 parties about Julian Assange, and that he did not have any  
13 documents, emails, or text messages that referred to Julian  
14 Assange, we, the members of the jury, unanimously find  
15 Mr. Stone guilty.

16 Count 3, false statement. As to Count 3 of the  
17 indictment, making a false statement, in violation of 18  
18 United States Code §§ 1001(a)(2) and (2), that is, that Stone  
19 testified falsely that his August 2016 references to being in  
20 contact with Julian Assange were references to communications  
21 with a single go-between, mutual friend, and intermediary, who  
22 Stone identified as Randy Credico, we, the members of the jury,  
23 unanimously find Mr. Stone guilty.

24 Count number 4, false statement. As to Count 4 of  
25 the indictment, making a false statement, in violation of 18

1 U.S. Code §§ 1001(a)(2) and (2), that is, that Stone testified  
2 falsely that he did not ask the person he referred to as his  
3 go-between, mutual friend, and intermediary to communicate  
4 anything to Julian Assange, and did not ask the intermediary to  
5 do anything on Stone's behalf, we, the members of the jury,  
6 unanimously find Mr. Stone guilty.

7 Count 5, false statement. As to Count 5 of the  
8 indictment, making a false statement, in violation of 18  
9 United States Code §§ 1001(a)(2) and (2), that is, that Stone  
10 testified falsely that he and the person he referred to as his  
11 go-between, mutual friend, and intermediary did not communicate  
12 via text message or email about WikiLeaks, we, the members of  
13 the jury, unanimously find Mr. Stone guilty.

14 Count 6, false statement. As to Count 6 of the  
15 indictment, making a false statement, in violation of 18  
16 United States Code §§ 1001(a)(2) and (2), that is, that Stone  
17 testified falsely that he had never discussed his conversations  
18 with the person he referred to as his go-between, mutual  
19 friend, and intermediary with anyone involved in the Trump  
20 campaign, we, the members of the jury, unanimously find  
21 Mr. Stone guilty.

22 Count 7, witness tampering. As to Count 7 of the  
23 indictment, tampering with witness, in violation of 18  
24 United States Code § 1512(b)(1), we, the members of the jury,  
25 unanimously find Mr. Stone guilty.

1 THE COURT: Counsel for the defendant, are you  
2 requesting a poll at this time?

3 MR. BUSCHEL: Yes, please.

4 THE COURT: All right. Mr. Haley.

5 THE COURTROOM DEPUTY: Ladies and gentlemen of the  
6 jury, as your juror seat number is called, please rise and in a  
7 clear voice indicate that your vote on all seven counts were  
8 the same as what was just published.

9 Juror seat number one?

10 JUROR NO. 1: Yes.

11 THE COURTROOM DEPUTY: Juror seat No. 2?

12 JUROR NO. 2: Yes.

13 THE COURTROOM DEPUTY: Juror seat No. 3?

14 JUROR NO. 3: Yes.

15 THE COURTROOM DEPUTY: Juror seat No. 5?

16 JUROR NO. 5: Yes.

17 THE COURTROOM DEPUTY: Juror seat No. 6?

18 JUROR NO. 6: Yes.

19 THE COURTROOM DEPUTY: Juror seat No. 7?

20 JUROR NO. 7: Yes.

21 THE COURTROOM DEPUTY: Juror seat No. 8?

22 JUROR NO. 8: Yes.

23 THE COURTROOM DEPUTY: Juror seat No. 9?

24 JUROR NO. 9: Yes.

25 THE COURTROOM DEPUTY: Juror seat No. 10?



1 JUROR NO. 10: Yes.

2 THE COURTROOM DEPUTY: Juror seat No. 11?

3 JUROR NO. 11: Yes.

4 THE COURTROOM DEPUTY: Juror seat No. 12?

5 JUROR NO. 12: Yes.

6 THE COURTROOM DEPUTY: Juror seat No. 13?

7 JUROR NO. 13: Yes.

8 THE COURT: Defense can be seated.

9 All right. Members of the jury, your service in this  
10 case has concluded. And we appreciate the attention that  
11 you've paid and your service in this matter.

12 Before I release you back to the jury room to  
13 retrieve your belongings, I also want to now release you from  
14 the instructions that I have been giving you on a daily basis  
15 since the trial began. You are now free, although you are not  
16 required, to discuss this case with anyone you choose. You're  
17 free to read about it, to talk about it. All of the  
18 instructions that I have been giving you on a regular basis are  
19 hereby -- you're relieved of them.

20 I thank you very much for your service.

21 Mr. Haley, if you can take them back to the jury  
22 room.

23 (Jurors leave the courtroom.)

24 THE COURT: At the conclusion of the government's  
25 case I reserved ruling on the defendant's Rule 29 motion. Do

1 you want have the opportunity to put something in writing with  
2 respect to the motion? I know you filed a written motion, but  
3 if you would like to put something in writing, the government  
4 would like to respond to it, we can do that.

5 MR. BUSCHEL: I don't think that's required, Judge.  
6 We'll stand on our memo.

7 THE COURT: All right. Okay. Does the government  
8 want to respond to the defendant's motion in writing?

9 MR. KRAVIS: Your Honor, if the defense is not  
10 requesting any further briefing, we will rest on the arguments  
11 that we made at the conclusion of our case.

12 THE COURT: All right. I'm going to deny the motion,  
13 but I will do a short written order that deals with each of the  
14 counts.

15 We need to set a date for further proceedings, for a  
16 sentencing in this matter. And we need to talk about the  
17 conditions of the defendant's release. Let's set the date  
18 first.

19 How much time do we need, Mr. Haley?

20 THE COURTROOM DEPUTY: Seventy-five days, Your Honor.

21 THE COURT: When does that come out to be?

22 THE COURTROOM DEPUTY: One second. That will be --  
23 approximately January 29.

24 THE COURT: All right. So I think we're looking at a  
25 sentencing in early February. The week of February 3rd; 5th or

1 the 6th? Does anybody --

2 MR. KRAVIS: Any day is fine for the government.

3 THE COURT: All right.

4 MR. BUSCHEL: Same. Any day.

5 THE COURT: Why don't we make it Thursday, February  
6 6th, 10 a.m. And sentencing memoranda will be due on  
7 Thursday, January 30th.

8 Does the government have a position with respect to  
9 the defendant's release pending the sentencing date?

10 MR. KRAVIS: Yes, Your Honor. The government moves  
11 for the defendant to be remanded to custody.

12 THE COURT: All right. What would be the basis for  
13 that at this time?

14 MR. KRAVIS: Your Honor, throughout the pendency of  
15 these proceedings the defendant has shown an unwillingness or  
16 inability to abide by the conditions of release that the Court  
17 set for him. The Court has already held two hearings on that  
18 issue. I would note that as recently as last night the  
19 defendant gave a message to a colleague in the news media to  
20 broadcast to his audience about this case, in violation of a  
21 court order that this Court entered nine months ago.

22 As the Court noted at the show cause hearing back in  
23 February, the defendant's inability or unwillingness to abide  
24 by those orders affects the safety of the community for  
25 purposes of the Bail Reform Act.

1           At the time that the trial began and the pretrial  
2 proceedings, there was a presumption in favor of release. And  
3 I think that by the time the trial started, that presumption  
4 was the only reason that the defendant was free to remain on  
5 release during the pendency of the case. In light of the  
6 jury's verdict, that presumption has now shifted and I think  
7 that given the defendant's failure to comply with these orders  
8 in the past, that he cannot make the showing necessary to  
9 overcome that presumption.

10           I would note, finally, that the charges of which the  
11 defendant has been -- now stands convicted are serious and they  
12 include obstruction of justice and tampering with a witness.

13           THE COURT: All right. I understand that figure in  
14 the news claimed to have received a message from the defendant.  
15 I don't know if we know that that's in fact the case.

16           So let me hear from the defense.

17           MR. ROGOW: I think the Court has seen that Mr. Stone  
18 has complied with everything that's required of him in terms of  
19 being here, attending, paying careful attention. What was said  
20 last night by Mr. Jones I have no personal knowledge of. I  
21 read the same thing this morning. And I don't know if that is  
22 accurate, what Mr. Jones said.

23           But in any event, I don't see this as being similar  
24 to the kind of problems we had before. And we did have  
25 problems before. And I think that Mr. Stone has, certainly,

1 because the Court was very clear about what he should not do,  
2 and he complied with that. And we made every effort to make  
3 sure that he complied with that.

4 I recognize the Court's frustration in the past with  
5 Mr. Stone. And all I can say is, is that he understands the  
6 gravity of it. He understands the gravity and the importance  
7 of the Court's instructions, and he will comply with the  
8 Court's instructions.

9 I think the important thing is, at the moment, that,  
10 since we have no knowledge, other than what we read in the  
11 paper this morning about the Alex Jones incident -- Alex Jones  
12 was not on the no-contact list, and I think that this  
13 communication with him -- I'm not quite sure exactly what it  
14 was all about. I remember one time Your Honor said that --

15 THE COURT: There's not a no-contact list. What he  
16 was prohibited from doing was making communications about the  
17 case. And so, if he communicated to Alex Jones -- who is a  
18 media figure -- about the case, that would be inconsistent with  
19 my order.

20 I believe that since the time I entered the order, at  
21 least the third time, or the second time, that Mr. Stone has  
22 largely adhered to it, and we have not had to reconvene and we  
23 have not had to deal with problems of that nature. He has been  
24 here for every court appearance. I have no reason to believe  
25 that he's not going to be here at his next court appearance.

1 And I'm not sure, that while there were -- there was a rough  
2 start, that since the orders have been entered, that I have a  
3 basis to conclude at this point that he's not going to comply  
4 with them.

5 I will release him on his current conditions pending  
6 the sentencing date. Ordinarily I would release the defendant  
7 from the media communication order at this time since its  
8 primary purpose was to ensure a fair and impartial jury, but in  
9 this case the order was also one of his conditions of release  
10 and its purpose was to ensure the safety of members of the  
11 community, in particular people who are connected to the case.

12 I continue to have a serious concern, given the  
13 nature of some of the publicity that has attended these  
14 proceedings. And so, therefore, any request to be released  
15 from that condition of his release needs to be made in writing.  
16 However, I think that the order I'm entering is trying to be as  
17 fair as possible to the defendant, given the fact that the  
18 burden shifts after there's been a conviction.

19 I'm still willing to give him the benefit of the  
20 doubt and let him go home and await the sentencing. But at  
21 this point, until I change it in writing, he is still bound by  
22 the order that is a condition of his release about not speaking  
23 about this case.

24 MR. ROGOW: Understood.

25 THE COURT: I'm happy to read anything you submit on

1 that, but I'm not going to change it at this time.

2 MR. ROGOW: Thank you. Understood, Your Honor.

3 THE COURT: All right. Is there anything further I  
4 need to take up on behalf of the defense at this time?

5 MR. ROGOW: No.

6 THE COURT: Is there anything further I have to take  
7 up on behalf of the government at this time?

8 MR. KRAVIS: No. Thank you, Your Honor.

9 THE COURT: All right. As I've said throughout this  
10 trial, I believe that everyone within the confines of the well  
11 of the court has conducted themselves with tremendous  
12 professionalism and civility, notwithstanding their commitment  
13 to very different versions of this case. And I appreciated  
14 having all of you in this courtroom and I appreciate the  
15 quality of the lawyering that went on here and the  
16 professionalism that you showed. Thank you.

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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 15th day of November, 2019

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Janice E. Dickman, CRR, CMR, CCR  
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