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VIA E-MAIL

The Honorable Devin Nunes, Chairman
United States House of Representatives
Permanent Select Committee on Intelligence
HVC-304
Washington, DC 20515

Re: Demand for Full Public Release of Stone Transcript

Dear Chairman Nunes:

This letter is directed to you in your official capacity as the Chairman of the House Permanent Select Committee on Intelligence (“HPSCI” or “Committee”). As you know, I am counsel to Roger Stone and was one of the two attorneys present with Mr. Stone throughout his voluntary interview before the Committee on September 26, 2017 (“Interview”).

On December 19, 2018, a substantial number of national news publications and network news programs reported that the Special Counsel’s Office (“SCO”) has requested a certified or “official” copy of the transcript of the Interview (“Transcript”) and the Committee is expected to take up the request in executive session today.

As you know, Mr. Stone wanted the Interview to be conducted by the Committee in an open public hearing, rather than in a confidential closed session. Mr. Stone’s request in this regard was denied by the Committee and the Interview, in fact, occurred in a closed, confidential session.

Upon the conclusion of the Interview, Mr. Stone immediately requested that the Committee publicly release the transcript of his testimony. The Committee declined this request and has since held the Transcript in secret, available only to authorized members or staff of the House of Representatives and only available to Mr. Stone or his designated legal representative(s) in the form of a physical, in-person review, by appointment, at the Committee’s secure office facilities.

Without regard to any decision or action the Committee may take in response to a request by the SCO, or any other person or agency, for a copy of the Interview transcript, either in whole or in part, Mr. Stone hereby demands the full and immediate release to the general public of the Transcript, such that the American citizenry and the world are able to evaluate for themselves

Mr. Stone's veracity. The Committee's rules allow for such a release, if the Committee is so inclined, by a simple majority vote of the Committee.

It is worth noting, by comparison, that the transcripts of testimony given just days ago to a House committee by ex-FBI Director James Comey were released no more than 24 hours after Comey's testimony concluded. Certainly, Mr. Stone's testimony can, and should, be likewise released without delay.

Since the end of the 2016 election and, more specifically, in the 15 months since Mr. Stone testified before HPSCI, he has been subjected to unprecedented and unrelenting falsehoods and mischaracterizations concerning the substance and subject matter about which he may or may not have provided testimony to your Committee.

Notwithstanding the ceaseless torrent of partisan claims to the contrary to which Mr. Stone has been subjected by certain minority members of the Committee, Mr. Stone's testimony provided during the Interview was forthcoming, truthful, and wholly consistent with his many detailed public statements on the matters being investigated. Given the sheer volume of partisan aspersions cast on Mr. Stone and his veracity by some of the Committee's minority members, the accurate and full record of his testimony warrants immediate and full release for everyone to see.

It is incredibly disappointing and patently unfair that Ranking Member Schiff, in concert with his Democratic colleagues on the Committee, have been able to make such inappropriate and untoward use of the actual transcript by exploiting "Committee secrecy" as a shield behind which they could misrepresent Mr. Stone's testimony, knowing full well that they could evade any definitive review or challenge of their misrepresentations as long as they could never be compared to the Transcript of Mr. Stone's actual testimony.

In order for Mr. Stone to properly and effectively defend himself from the partisan attacks that have only been made possible by the Committee's ongoing retention in secret of the only verified and accurate record of his testimony, Mr. Stone must be immediately provided this record, in full and without any arbitrary restrictions.

Access to this record, such that Mr. Stone may publicly present it in his own defense against reckless partisan mischaracterizations of his testimony, is a matter of fundamental fairness. Further, providing him this full record is the only means to guaranteeing Mr. Stone the most basic due process rights owed to any American citizen whose sworn statements, potentially subjecting them to severe criminal penalties, are cynically mischaracterized by public officials who are, in fact, parties to keeping the truth about these statements locked away from public scrutiny, based on some as-yet-to-be-demonstrated pretext of necessary secrecy.

Ranking member Schiff and others in his party seem intent on morphing what was presented to the American people as an investigation into Russian interference in the 2016

election, and loose allegations of involvement by American citizens in the coordination of such interference, into anything, and almost everything, but that. What has become evident since the investigation began is that the Democrats' utter failure to substantiate their pre-determined narrative concerning "Russian collusion" and their continuing inability to prove the allegations and claims that they had contrived from the outset, on the basis of nothing more than purely partisan-motivated prejudgments, has led them to desperate measure which have degenerated this investigation into a patently-malicious effort to smear people, ruin lives, and ignore glaring evidence of related misconduct by a number of public officials clearly warranting investigation by your Committee, at minimum.

Mr. Stone never had advance knowledge of the source or content of any releases by WikiLeaks or other organizations, and no person can prove, or truthfully claim, otherwise. This immutable fact, and its extreme inconvenience to the partisan narrative to which the Committee's minority has been inalterably committed since before this investigation even commenced, irrespective of anything the facts or evidence demonstrate, is the precise reason this has devolved into a campaign of personal destruction.

By way of example, as you know, back in June I sent this Committee a letter regarding a longtime FBI informant named Gennadiy Vasilievich Vostretsov who, under the alias "Henry Greenberg", was sent to approach my client in May 2016 with claims of having access to information that could impact the election. Mr. Stone not only immediately and forcefully declined to participate in anything this FBI informant was proposing, but never saw or spoke to the informant again. Mr. Stone believes it highly likely that Mr. Vostretsov/Greenberg's status as an FBI informant was not "former", and that Vostretsov/Greenberg was, in fact, actively working on behalf of the FBI at the time of their meeting, acting upon a calculated effort to entrap Mr. Stone and, further, to infiltrate and compromise the Trump effort. Notably, Vostretsov was admitted to the country nine separate times on an FBI Informant's visa. See <https://democratdossier.com>.

Armed with this information, one would have expected Mr. Schiff to have demanded an immediate and extensive investigation into this episode and, more so, into the mysterious Russian claiming to have damaging information on Mr. Schiff's chosen candidate for president. Based on Mr. Schiff's grave public expressions of concern and alarm about Russian efforts to meddle in our elections, one might even think Mr. Schiff would recognize that this Russian effort was, in fact, effectively thwarted by Roger Stone. But, sadly, Mr. Schiff was quite studiously disinterested in this Russian would-be meddler and, instead, directed his efforts and misdirected the investigation into promoting accusations that Mr. Stone failed to disclose the meeting with "Greenberg" at the time of Mr. Stone's testimony. Mr. Schiff showed no interest whatsoever in investigating why the Obama Justice Department apparently sent a decades-long FBI informant to solicit a political strategist they knew had access to candidate Trump.

Perhaps, more importantly Mr. Schiff should determine what information Greenberg was peddling, where he got it and what became of it, after Mr. Stone unequivocally rebuffed this

Russian's attempts to involve Mr. Stone in its exploitation. It is important to note that without the Transcript, Mr. Stone is unable to determine if this one-time, 20-minute interaction with Mr. Greenberg, and the shocking information uncovered about the history of Mr. Greenberg, would have even been responsive to any of the specific questions posed to him during the Interview.

This is but one of numerous instances in which Mr. Stone has been denied the essential record of his own responses to your Committee's many questions, while individuals on the Committee such as Mr. Schiff have abused their own unfettered access to this record have waged a public campaign to falsely portray Mr. Stone's voluntary, comprehensive testimony as somehow not truthful, accurate or complete and meanwhile never providing any specific proof of this using Mr. Stone's actual statements.

Because of the forgoing it is more imperative than ever that Mr. Stone be provided a copy of his testimony without further delay.

Thank you very much for your attention to this matter. Should you need any additional information, please do not hesitate to contact me.

Respectfully submitted,

Handwritten signature of Grant J. Smith in blue ink, consisting of two stylized initials 'GJ' and 'SM'.

Grant J. Smith, Esq.

cc: Roger Stone
Bruce Rogow, Esq.
Tara Champion, Esq.
Robert Buschel, Esq.
Tyler Nixon, Esq.