

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA

v.

PAUL J. MANAFORT, JR.,

Defendant.

Crim. No. 17-201-1 (ABJ)

**GOVERNMENT’S MOTION FOR LEAVE TO FILE RESPONSE
TO MANAFORT’S FILING ON THE COURT’S TO ORDER TO SHOW CAUSE AND
TO UNSEAL DOCUMENT PREVIOUSLY FILED UNDER SEAL**

The United States of America, by and through Special Counsel Robert S. Mueller, III, respectfully moves (1) for leave to file a response to defendant Manafort’s filing (ECF#79) on the Court’s December 5, 2017 Order to Show Cause; and (2) to unseal the Declaration of Special Agent Brock Domin and accompanying exhibits (ECF#72-1), which were previously filed under seal with leave of the Court. In support of the requested relief, the government avers as follows:

On December 4, 2017, the government filed its opposition to Manafort’s motion to modify his conditions of release, explaining that it could no longer agree to the proposed bail package because it had recently learned that Manafort was taking part in drafting an op-ed that was to be published in the English-language *Kyiv Post*. ECF#73 at 1-4. On December 5, 2017, this Court entered a Minute Order requiring Manafort to show cause “why he has not violated the Court’s Order [of] November 8, 2017,” and allowing him to combine that response with his reply in support of bail-modification motion. Manafort filed that response on December 7. On the same day, the op-ed piece at issue was published online in the *Kyiv Post*.

The government has not had the opportunity to address the arguments raised by Manafort in his filing. We believe that the attached factual and legal submission will be useful to the Court

in assessing Manafort's motion to modify his conditions of release and in determining whether the Order to Show Cause has been discharged.

With its December 4 filing, the government filed under seal (with the leave of the Court) a Declaration of Special Agent Brock Domin with two supporting exhibits. As we noted, the government submitted those documents under seal to avoid the op-ed's becoming public and thereby avert the very harm that the government's filing—and the Court's November 8 Order—was designed to thwart. *See* ECF#72. Because the op-ed has now been published, the reasons for sealing the declaration have been rendered moot, and we submit that public docketing of those materials is appropriate.

Accordingly, the government requests that the Court (1) grant it leave to file the attached response and (2) unseal the Declaration of Special Agent Domin and accompanying exhibits (ECF#72-1). Counsel for Manafort does not consent to the filing of the attached response and has not taken a position on the unsealing request. A proposed order accompanies this motion.

Respectfully submitted,

ROBERT S. MUELLER III
Special Counsel

Dated: December 8, 2017

By: /s/ Andrew Weissmann
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**UNITED STATES DISTRICT COURT
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ORDER

This matter having come before the Court pursuant to the government's motion for leave to file a response to defendant Manafort's filing (ECF#79) on the Court's December 5, 2017 Order to Show Cause and to unseal a document (ECF#72-1) previously filed under seal, it is hereby

ORDERED that the government's motion is GRANTED;

IT IS FURTHER ORDERED that the government is granted leave to file its response to defendant Manafort's filing (ECF#79); and

IT IS FURTHER ORDERED that the Clerk shall unseal and place on the public docket the Declaration of Special Agent Domin and accompanying exhibits (ECF#72-1).

Date

HON. AMY BERMAN JACKSON
UNITED STATES DISTRICT JUDGE

**UNITED STATES DISTRICT COURT
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Crim. No. 17-201-1 (ABJ)

**GOVERNMENT’S RESPONSE TO MANAFORT’S FILING ON THE COURT’S
ORDER TO SHOW CAUSE**

As the Court is aware, defendant Paul J. Manafort, Jr. is accused of serious crimes involving deception. They carry significant penalties; the evidence against him is substantial, as shown by factual details in the indictment and Chief Judge Howell’s crime-fraud ruling; and Manafort is, by his own admission (*see* ECF#18 at 2-3), well-connected to a host of countries and highly experienced in moving money (and himself) around the globe. In light of the clear risk of flight found by this Court, the Court noted that it was willing to accept a bail package only if it was substantial and well-secured. *See* Nov. 6, 2017 Tr. 25-29.

His most recent submission demonstrates why Manafort’s motion to be released from home confinement on his proposed bail package should be denied. Manafort does not respond to the government’s concerns with that package, including the value of the unencumbered assets or his inability to locate a surety who is not a close family member. *See* Gov. Opp. 3 & n.4. Other than a bare statement that he “satisfies the[] requirements” for release (ECF#79 at 5), Manafort’s sole response is that the government was planning to consent before it learned of new factual developments. That response does not answer the issues with his bail package. The government can reevaluate its position based on new material facts. And the Court is not bound by the parties’ previous general agreement.

More fundamentally, Manafort's conduct undermines trust in his adherence to bail conditions. Bail is fundamentally about trust—whether a defendant can be trusted to appear and to abide by the conditions put in place to assure his appearance. *See* 18 U.S.C. § 3142(c)(1) and (f); *cf.*, *e.g.*, *United States v. Kerik*, 419 F. App'x 10, 14 (2d Cir. 2011) (unpub.). Manafort cannot bring himself to state that he had a role in drafting the op-ed, although that fact is established by irrefutable evidence. Manafort also alludes briefly to the fact that the op-ed has since been published in the *Kyiv Post*. *See* ECF#79 at 2; Dec. 8, 2017 Supplemental Declaration of Brock Domin (“Domin Supp. Decl.”) Exh. G.* Yet he does not deny that his counsel assured the government that the op-ed piece would not run, a representation that was set out in the government's December 4, 2017, submission to this Court. ECF#73 at 2 n.3. He does not address why, in spite of that representation, and this Court's December 5 Order to Show Cause, the op-ed nevertheless was submitted and ran on December 7. And he does not disclose that the ostensible author of the op-ed has falsely represented to the government—and now the public—that Manafort did not write the op-ed. *See* Domin. Decl. Exhs. A & B; Domin Supp. Decl. Exhs. E, F (“as far as I know Manafort just read it and that's all”), & G (“it is totally mine;” “Paul has absolutely nothing to do with it.”). Even taken in the light most favorable to Manafort, this conduct shows little respect for this Court and a penchant for skirting (if not breaking) rules.

* Manafort opaquely claims that the op-ed “was authored by” someone else (ECF#79 at 2). That is an accurate description of the by-line. The final piece has substantial Manafort language. A comparison of the tracked change op-ed sent by Manafort to his Russian colleague with the final version that was published on December 7 in the *Kyiv Post* shows minimal changes from the Manafort-revised draft, other than those suggested by Manafort in the draft. *See* Supp. Domin Decl. Exh. E (showing tracked changes made by Manafort, the duration of the editing, and the file's metadata); and Exh. F (a comparison of the text of the op-ed, as amended by Manafort, and the final the op-ed). Manafort has not worked in Ukraine since approximately 2015; the op-ed did not independently appear to address his work for President Yanukovich between 2010-2014.

Rather than forthrightly explaining his conduct, Manafort parses the language of this Court's Order of November 8, 2017 (ECF#38), and the Supreme Court decision in *Gentile v. State Bar of Nevada*, 501 U.S. 1030 (1991). Even assuming Manafort's conduct only came "perilously close to violating" the Court's order, *cf. United States v. Clemens*, No. 10-cr-223, 2011 WL 1256628, at *1 (D.D.C. Apr. 4, 2011), his conduct raises serious questions of trust.

Since the defendants' first appearance, the Court has admonished the parties not to engage in "a public relations campaign." Nov. 2, 2017 Tr. 6-8; *see* ECF#38 at 1-2 (ordering the parties to "refrain from making statements to the media or in public settings that pose a substantial likelihood of material prejudice to this case"). It appears that "a public relations campaign" is exactly what Manafort had in mind. *See* ECF#79 at 4 (urging that he must be able to "set the factual record straight" and engage in a campaign over his "reputation" aimed at reaching "potential jurors in this District.")). This conclusion is inescapable in light of documents that show that, shortly after Manafort resigned from his position as campaign manager in August 2016, he formulated a press strategy with Gates to defend himself. That strategy included talking points that are mirrored in the op-ed piece he substantially drafted. *See* Domin Supp. Decl. Exh. C (discussion between Gates and Manafort regarding preparing a "Narrative" for, among other things, "Cash ledger," "FARA," and "Russia"); and Exh. D (Gates's description of "PJM work in Ukraine," which includes that "[w]ork was centered on pro-Ukraine efforts to enter into the EU").

In any event, Manafort has not made any factual submission that he believed that his conduct complied with the Court's Order. He submits no evidence from Voloshyn, Kilimnik, or himself. Instead, he submits a brief that fails to address any of the facts about the circulation of the *Kyiv Post* in the government's papers. Even if he perceived ambiguity in the reach of the Court's Order, Manafort could have raised the issue with the government and the Court to seek

clarification of the Order's reach, rather than unilaterally marching ahead.

As a legal matter, Manafort's conduct at the very least came close to the line set by the Court, if not crossed it. Manafort's contrary argument rests on the position that an article in English placed in the *Kyiv Post* cannot as a matter of law have a prejudicial effect in Washington, D.C. See ECF#79 at 2. Given the significant publicity surrounding this case and the well-established pattern of news outlets and social media (American and otherwise) republishing and commenting on news stories, this is fanciful. Indeed, Manafort's submission suggests that reaching Washington, D.C. was the point. See ECF#79 at 4 (noting he need not be silent while "potential jurors in this District" might be tainted).

Manafort suggests (ECF#79 at 3-4) that deeming his conduct a violation of the Court's Order would run afoul of the First Amendment, as interpreted in *Gentile*. That is incorrect. The "substantial [governmental] interest in preventing prejudice to an adjudicative proceeding," which the Court recognized in *Gentile*, 501 U.S. at 1076, does not disable a district court also from shielding against prejudice caused by "the creation of a 'carnival atmosphere' in high-profile cases," even when the defendant—rather than an attorney—is the one creating that atmosphere. *United States v. Brown*, 218 F.3d 415, 429 (5th Cir. 2000) (quoting *Sheppard v. Maxwell*, 384 U.S. 333, 358 (1966)), *cert. denied*, 531 U.S. 1111 (2001); *cf. Sheppard*, 384 U.S. at 358-363. The conduct at issue here is hardly akin to a defendant's statement "maintain[ing] his or her innocence," ECF#79 at 4, a type of public statement contemplated (in appropriate form) by this Court's rules. See LCrR 57.7(b)(3) (lawyers are not barred "from announcing *without further comment* that the accused denies the charges") (emphasis added).

In sum, whether or not Manafort's conduct violated the terms of the Court's November 8 Order, it raises serious concerns about his trustworthiness that warrant denial of the motion to

release Manafort from home confinement based on the proposed bail package. Accordingly, the Court should deny Manafort's motion to modify his conditions of release.

Respectfully submitted,

ROBERT S. MUELLER III
Special Counsel

Dated: December 8, 2017

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**SUPPLEMENTAL DECLARATION IN SUPPORT OF GOVERNMENT’S OPPOSITION
TO DEFENDANT PAUL J. MANAFORT, JR.’S MOTION TO MODIFY CONDITIONS
OF RELEASE**

I, Brock W. Domin, hereby state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation (“FBI”) working directly with the Special Counsel’s Office.

2. I submit this declaration in further support of the government’s opposition to defendant Manafort’s motion to modify his conditions of release.

3. This declaration is based upon my personal knowledge, my review of documents and other evidence, my conversations with other law enforcement personnel, and my training and experience. Because this declaration is being submitted for a limited purpose, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents are reported herein, they are reported in substance and in pertinent part.

4. Exhibit C is a copy of August 21, 2016, e-mail correspondence between Manafort and Gates regarding “Narratives.” In this correspondence, Manafort asks Gates whether he had “do[ne] them for the 3 main attacks[:] 1. Cash ledger[,] 2. Fara [. . .], and] 3. Russia.” This correspondence was recovered pursuant to a court-authorized search of Gates’s e-mail account at DMP International.

5. Exhibit D contains excerpts from a September 5, 2016, e-mail from Gates to Manafort regarding “Docs.” The e-mail included the message that Gates had been assembling “documents . . . over the last couple of weeks,” and attached five documents. One of the five attachments, bearing the heading “Outline of Issues,” is included in Exhibit D after the text of the e-mail. (Unrelated pagination information inserted by the government’s document management system has been redacted on the bottom of each page.) This e-mail and the attachment were recovered pursuant to a court-authorized search of Manafort’s e-mail account at DMP International.

6. Exhibit A to my initial declaration is an e-mail from defendant Paul Manafort to Konstantin Kilimnik, a Russian national who worked for Manafort in Ukraine. Included in Exhibit A was a printed copy of the Microsoft Word file attached to Manafort’s e-mail, which contains the draft “op ed” for Oleg Voloshin. The Microsoft Word document has red tracked changes, of which “paul manafort” is listed as the electronic author.

7. Exhibit E comprises a printed copy of the tracked changes that appear in Exhibit A, a printed copy of Microsoft Word’s “List of Markup” that catalogues both the author of these changes and the time these changes were made, and metadata generated by Microsoft Word with respect to the draft op-ed that is part of Exhibit A to my initial declaration. The “List of Markup” indicates that a user of Microsoft Word who had registered as “paul manafort” made a number of insertions and deletions, including notations appearing in capital letters, in the document. These changes were made between approximately 8:41 p.m. and 9:11 p.m. last Wednesday, November 29, 2017. Similarly, the document’s metadata indicates that the file was created at 8:30 p.m. and last saved at 9:12 p.m.

8. Exhibit F is a redacted copy of an e-mail sent to an employee of the U.S. Embassy in Ukraine from an e-mail account associated with Voloshin on December 5, 2017. (The name of the employee has been redacted from the Exhibit.) The e-mail includes two attachments that, in light of the context, appear to be the following: a copy of the CNN article referenced in Voloshin's e-mail as a "sudden piece of news"; and a copy of the "draft article" that Voloshin's e-mail indicates that he "asked the Opposition Bloc press-service to forward to KYIV Post editors." The government provided this e-mail and the attachments to Manafort's counsel on December 6, 2017.

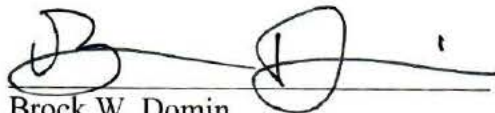
9. Exhibit G is a copy of an op-ed published in Voloshin's name on the *Kiev Post* website on December 7, 2017. See Oleg Voloshin: Paul Manafort, European integration's unknown soldier for Ukraine, *available at* <http://www.kyivpost.com/article/opinion/op-ed/oleg-voloshin-paul-manafort-european-integrations-unknown-soldier-ukraine.html> (last visited December 8, 2017).

10. Exhibit H is a comparison, prepared by the government, of both the original text and tracked changes proposed by "paul manafort" in Exhibit A with the text of the published op-ed contained in Exhibit G. (Exhibit H thus reflects a comparison of the text that results from applying the "Accept All Changes" command to Exhibit A with the relevant text of Exhibit G.)

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 8, 2017.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Brock W. Domin', written over a horizontal line.

Brock W. Domin
Special Agent, Federal Bureau of Investigation

EXHIBIT C

Document ID: 0.7.4249.208258

From: rick gates </o=mex05/ou=exchange
administrative group
(fydibohf23spdlt)/cn=recipients/cn=rgates@dmpint.com4bb>
To: paul manafort </o=mex05/ou=exchange
administrative group
(fydibohf23spdlt)/cn=recipients/cn=pmanafort@dmpint.com202>
Cc:
Bcc:
Subject: Re: Narratives
Date: Sun Aug 21 2016 20:50:43 EDT
Attachments:

Working on them. Will send them tonight. What time is Alex tomorrow. Def think you need to do it.

> On Aug 21, 2016, at 19:05, Paul Manafort <pmanafort@dmpint.com> wrote:

>

> Did you do them for the 3 main attacks

> 1. Cash ledger

> 2. Fara [REDACTED]

> 3. Russia

>

> I may do Alex tomorrow

>

> Sent from my iPhone

EXHIBIT D

Document ID: 0.7.3940.630887

From: rick gates </o=mex05/ou=exchange
administrative group
(fydibohf23spdlt)/cn=recipients/cn=rgates@dmpint.com4bb>
To: paul manafort </o=mex05/ou=exchange
administrative group
(fydibohf23spdlt)/cn=recipients/cn=pmanafort@dmpint.com202>
Cc:
Bcc:
Subject: Docs
Date: Mon Sep 05 2016 11:42:35 EDT
Attachments: 0.7.3801.15516-000001.docx
0.7.3801.15516-000002.docx
0.7.3801.15516-000003.docx
0.7.3801.15516-000004.docx
0.7.3801.15516-000005.pdf

P-
Here are all of the documents that I assembled over the last couple of weeks. I am still working on a few but this will get you well on your way to getting organized. We can discuss when you have time.

Outline of Issues

Ledger

1. Never took cash payments
2. Where is the ledger? To this day no one has been able to produce the actual ledger
3. Also where has the ledger been? Why did it appear now?
4. Official statement by NABU – Manafort not under investigation
5. FT article – GoU in bed with Clinton's – want to help them – very overt
6. Pinchuk has given millions of dollaors to Clinton Foundation among other things over the years

PJM work in Ukraine

1. Never worked in Russia or for Russians
2. Work was centered on pro-Ukraine efforts to enter into the EU
3. US Government failed the people of Ukraine (Vilnius Summit)
4. VFY is not pro-Russian or pro-Putin – he did not like Putin
 - a. Putin gave money to YT in the 2010 election. VFY did not have support of Putin but YT did (no one focuses on this)
 - b. Worst trade deal in Ukraine's history was by YT (allegedly done to pay off bad debt by YT's private company)
5. PJM work focused on party building, democracy, election integrity, and winning.
6. Worked with the US embassy at their request (in many cases) for the same goals.
7. VFY fairly and transparently elected – failure of the orange revolution
 - a. Conducted more reforms than either of his predecessors (paved way for European integration)
 - b. US broke its commitment in February 2014 when VFY signed pledge not to use force
 - c. US government failed people of Ukraine
8. Subsequent work was for new political party Opposition Bloc
 - a. Supported EU membership
 - b. Supported Ukrainian independence
 - c. Supporting culture does not mean supporting Putin
 - d. Ukrainians in the east part of the country supported language, food, but not Russian political policies.
 - e. All Ukrainians wanted freedom (significance of independence in 1991)

PJM work in other countries

1. Need to beat back the idea that this was nefarious work
2. You were doing work, in many cases, on behalf of the US government
3. Your efforts were in support and promotion of pro-democratic values around the world
4. Discuss the many boards, foundations you started/were on that went to support democracy around the world

Cayman Islands

1. This matter has been resolved and based on the documents in the EVAD court the file was terminated.
2. [Working on getting documents from Caymans evidencing that this matter is closed – we many need to discuss local attorney].

Lobbying Issues

1. See separate narrative.

EXHIBIT E

European integration unknown soldier

Oleg Voloshyn, former spokesperson of the Ministry of Foreign Affairs of Ukraine

EU – Ukraine Association Agreement might have never appeared but for a person now falsely accused of lobbying Russian interests

The night of March 4, 2010 turned out to be a nervous one for the staff of Ukrainian embassy in Moscow where I used to be a press-attaché.

The first visit to Russia of newly elected president Viktor Yanukovich was on the brink of cancellation. The Kremlin wouldn't grant the already scheduled visit an official status. Russian state media also cancelled earlier agreed interviews with members of Yanukovich team. The explanation was rather simple although possibly unusual for contemporary observers who had a mistaken and simplified perception of the fourth Ukrainian president: Russian leadership was annoyed at Yanukovich's decision to pay his first visit after inauguration to Brussels before heading to Moscow.

Even Yushchenko in 2005 did the opposite. There was one person the Russians blamed for this "treason of special relationship with brother nation": the political consultant to Viktor Yanukovich, American strategist Paul Manafort. Manafort persuaded Yanukovich that going first to Brussels would demonstrate to all that as President, Yanukovich intended to bring the changes required to allow Ukraine to apply for formal membership in the European Union.

Manafort brought to the Ukrainian political consultancy business a very important rule: An effective leader needs to be consistent as a President with his promises as a candidate. In his Presidential campaign VY made it clear that it was important for Ukraine to maintain its historical and cultural relationship with Russia. However, Yanukovich had also promised to implement the changes that would begin the modernization of Ukraine that would be necessary for Ukraine to become a part of the EU. The Brussels trip sent this signal loudly and clearly to all – including Russia.

Also, during these early months, VY implemented other important policy changes that signaled he was serious about moving Ukraine into the western orbit:

HERE NEED TO ADD a couple of major reforms that VY brought to country in order to position Ukraine to apply for membership. Reforms that changed a Soviet based legal economic framework to a western one. (increase of NATO exercises/ Nuclear deal/

With an eye towards 2015, VY managed to protect the cultural and language concerns of Eastern Ukraine while managing the major changes required for Ukraine to come to terms with the European bureaucrats debating the particular terms of Deep and Comprehensive Free Trade Area (DCFTA) with the EU. No other nation had accomplished this task over such a brief

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never spare on polls and social surveys and always base your electoral strategy on real a state of minds in the society, not the wishful one. It was that attentive attitude to polls data that unequivocally showed that European integration was the one and unique big idea that unified Ukrainian from almost all regions of our very diversified and even polarized country. As a strategist who ensured the unexpected victory of Yanukovich in 2010 presidential race Manafort couldn't but suggest his client to stick to European integration agenda to get an easier ride to re-election in 2015. ¶

Deleted: It was that factor that made initially mostly pro-Russian team of the president work extensively on rapprochement with the EU. Those who deny that version would rather struggle to explain why otherwise the "allegedly sympathetic to Moscow" Yanukovich's government had the Association Agreement initialized already in March of 2012. What shocked so many in Moscow was the pace with which Ukrainian negotiators m

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period of time. Yanukovych's government had the Association Agreement initialed by March of 2012. This pace shocked Moscow.

This sense of commitment to the goal is actually the reason why Russia overreacted in the summer 2013 and imposed the trade blockade with Ukraine.

Following the European track created multiple challenges that would never had been solved by a Ukraine Government except for the consistent promotion of what had to be done by Paul Manafort.

HERE LIST SOME OF THE CHANGES TO LAWS THAT WERE MADE – CIVIL CODE/ELECTORAL CODE ETC.

Even at the end of the process Manafort was engaged in helping the Europeans and the Ukrainians negotiate the final terms.

Just three months before the summit it was the EU, not Yanukovych, who hesitated whether to sign the document or not. And Manafort contributed a lot to change the mood in Brussels and major European capitals while at the same time keeping Ukraine focused on finalizing the details of the DCFTA and Association Agreement. He was doing this while Russia was imposing the trade embargo and threatening even more drastic punishment.

With all that said I can only wonder why some American media dare falsely claim that Paul Manafort lobbied Russian interests in Ukraine and torpedoed AA signing. Without his input Ukraine would not have had the command focus on reforms that were required to be a nation candidate to the EU.

All listed here facts can be easily verified. If only one pursues the truth. Not tends to twist the reality in line with his or her conviction that the dubious goal of undermining Trump's presidency justifies most dishonest means.

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Deleted: on a more regular basis than even some of his ministers. By the way it was American consultant who most actively promoted the idea to amnesty Yuriy Lutsenko to unblock the signing of the agreement. Since Yanukovych wouldn't release Yulia Timoshenko with Lutsenko also in custody there would have been no arguments on the table to persuade German chancellor Angela Merkel to make a step towards Kyiv. Many remember embarrassing Yanukovych's U-turn at Vilnius summit when he made a last minute decision to postpone the signing of the AA. Few tend to recall the events that made Vilnius signing an option in the first place.

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of the EU. The Brussels trip sent this signal loudly and clearly to all – including Russia.

Also, during these early months, VY implemented other important policy changes that signaled he was serious about moving Ukraine into the western orbit:

HERE NEED TO ADD a couple of major reforms that VY brought to country in order to position Ukraine to apply for membership. Reforms that changed a Soviet based legal economic framework to a western one. (increase of NATO exercises/ Nuclear deal/

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never spare on polls and social surveys and always base your electoral strategy on real a state of minds in the society, not the wishful one. It was that attentive attitude to polls data that unequivocally showed that European integration was the one and unique big idea that unified Ukrainian from almost all regions of our very diversified and even polarized country. As a strategist who ensured the unexpected victory of Yanukovych in 2010 presidential race Manafort couldn't but suggest his client to stick to European integration agenda to get an easier ride to re-election in 2015.

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With an eye towards 2015, VY managed to protect the cultural and language concerns of Eastern U

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It was that factor that made initially mostly pro-Russian team of the president work extensively on rapprochement with the EU. Those who deny that version would rather struggle to explain why otherwise the "allegedly sympathetic to Moscow" Yanukovych's government had the Association Agreement initialized already in March of 2012. What shocked so many in Moscow was the pace with which Ukrainian negotiators m

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kraine while managing the major changes required for Ukraine

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Yanukovich's government had the Association Agreement initialed by March of 2012. This pace shocked Moscow.

This sense of commitment to the goal is

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and imposed the trade blockade

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to demonstrate its resolution to keep our country out of European clout.

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Following the European

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never had been solved by a Ukraine Government except for the

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hardly be solved but for

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HERE LIST SOME OF THE CHANGES TO LAWS THAT WERE MADE – CIVIL CODE/ELECTORAL CODE ETC.

Even at the end of the process Manafort was engaged in helping the Europeans and the Ukrainians negotiate the final terms.

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who had an ear of the president

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on a more regular basis than even some of his ministers. By the way it was American consultant who most actively promoted the idea to amnesty Yuriy Lutsenko to unblock the signing of the agreement. Since Yanukovich wouldn't release Yulia Timoshenko with Lutsenko also in custody there would have been no arguments on the table to persuade German chancellor Angela Merkel to make a step towards Kyiv. Many remember embarrassing Yanukovich's U-turn at Vilnius summit when he made a last minute decision to postpone the signing of the AA. Few tend to recall the events that made Vilnius signing an option in the first place.

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while at the same time keeping Ukraine focused on finalizing the details of the DCFTA and Association Agreement. He was doing this while Russia was imposing the trade embargo and threatening even more drastic punishment.

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would not have had the command focus on reforms that were required to be a nation candidate to the

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have long been in Russian clout as many of Yanukovych's voters frankly expected when they cast ballots in his favor in 2010.

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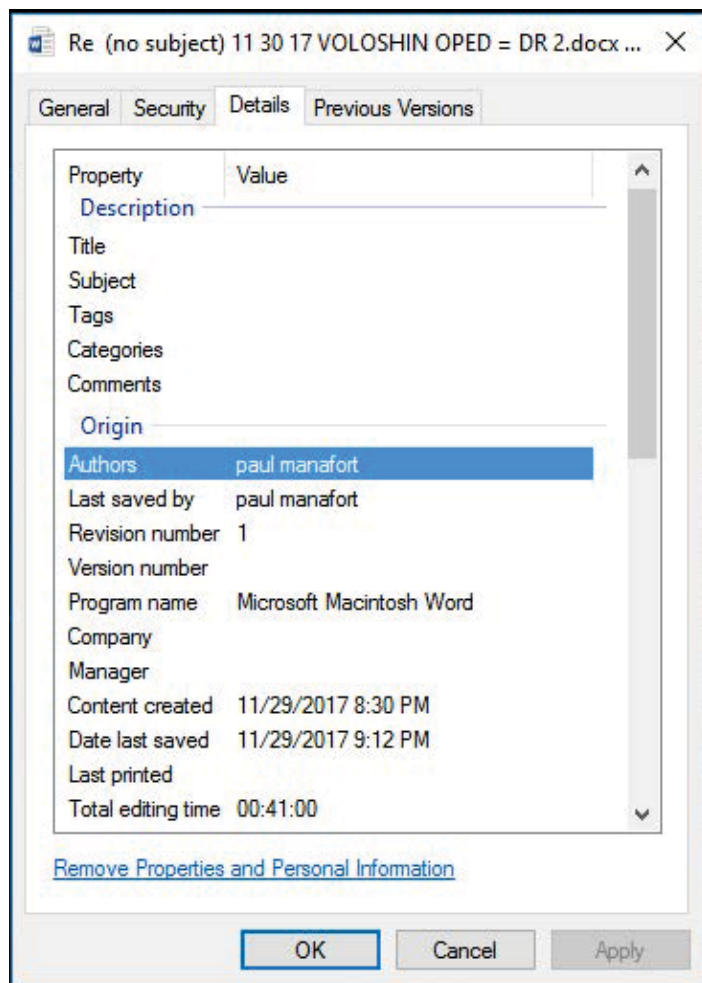


EXHIBIT F

NO DISCERNIBLE CLASSIFICATION

From: Oleg Voloshyn <oavoloshyn@gmail.com>
Sent: Tuesday, December 05, 2017 12:00 PM
To: [REDACTED]
Subject: Very important
Attachments: Олег Волошин.jpg; OV Op-Ed final.docx

Dear [REDACTED]

I feel urgent need to inform US embassy of the following with a view to that sudden piece of news:
<http://www.cnn.com/2017/12/04/politics/manafort-bail-russian-intelligence/index.html>

In fact that statement is not fully accurate. It was me who drafted the text upon my own initiative. I felt obliged to send it to Kilimnik just to verify certain facts and he forwarded it to Manafort just to have a look as his name is mentioned there. There was no plot or big scenario behind it. As far as I know Manafort just read it and that's all. I dare claim Mueller commission deliberately twisted the reality.

Below you may find the may with draft article attached that I asked the Opposition Block press-service to forward to KYIV Post editors. It was done yesterday. Before the scandal erupted.

Please, inform the ambassador. I find it rather important to shed light on that situation.

Regards,

Oleg

----- Пересылаемое сообщение -----

От: Press Center <zapyt@ukr.net>

Дата: вт, 5 дек. 2017 г. в 10:38

Тема: Fw: Стаття О. Волошина

Кому: <oavoloshyn@gmail.com>

Добрый день! Вчера отправили такое письмо редактору Kyiv Post Ольге Руденко rudenko@kyivpost.com

Добрый день, пані Ольго! Останнім часом у ЗМІ публікувалося багато матеріалів щодо Пола Манафорта, Олег Волошин мав нагоду з ним працювати і пропонує свою точку зору в якості op-ed.

Олег Волошин - у 2010-2013 рр. працював директором департаменту інформації МЗС України, а також є радником ОПОЗИЦІЙНОГО БЛОКУ з міжнародних питань. Надсилаю Вам цю статтю на прохання Олега. У випадку зауважень, Ви можете зв'язатися з ним за телефоном: 050-415-15-72 або за електронною адресою: Oleg Voloshyn <oavoloshyn@gmail.com>

Будемо вдячні за співпрацю. Висловлюємо сподівання, що зважаючи на резонансність подій, пов'язаних з ім'ям П.Манафорта, альтернативна точка зору буде опублікована на сторінках такого впливого видання як Kyivpost.

З повагою, Ірина Милинєвська.

NO DISCERNIBLE CLASSIFICATION

Washington (CNN)Former Trump campaign chairman Paul Manafort was ghostwriting an op-ed while out on bail last month with a Russian who has ties to the Russian intelligence service, Justice Department Special Counsel Robert Mueller's team said Monday.

In a new filing Monday afternoon, Mueller's investigators said Manafort was working on an editorial in English as late as last Thursday and that it related to his political work for Ukraine, which factored into his money-laundering and foreign lobbying criminal charges.

The filing asks for the court to revisit a bail agreement Mueller's office and Manafort's lawyers made jointly last week. The court had not yet approved a change to his \$10 million unsecured bail and house arrest.

"Even if the ghostwritten op-ed were entirely accurate, fair, and balanced, it would be a violation of this Court's November 8 Order if it had been published," prosecutors wrote. "The editorial clearly was undertaken to influence the public's opinion of defendant Manafort, or else there would be no reason to seek its publication (much less for Manafort and his long-time associate to ghostwrite it in another's name)."

Manafort has pleaded not guilty to the charges. The bail agreement the lawyers appeared to have reached would have freed him from house arrest and GPS monitoring while asking him to post more than \$11 million in real estate as collateral. Prosecutors have argued since his arrest October 30 that Manafort is a flight risk.

The judge in the case ordered in early November for Manafort, his lawyers and the prosecutors to "refrain from making statements to the media or in public settings that pose a substantial likelihood of material prejudice to this case."

Prosecutors also have asked the court for the ability to submit details about Manafort's Russian contact and the op-ed under seal, so they would remain confidential.

The judge has a status conference scheduled in the case for December 11.

<http://www.cnn.com/2017/12/04/politics/manafort-bail-russian-intelligence/index.html>

European Integration Unknown Soldier

By: Oleg Voloshyn, former spokesperson of the Ministry of Foreign Affairs of Ukraine

EU – Ukraine Association Agreement might have never appeared but for a person now falsely accused of lobbying Russian interests.

The night of March 4, 2010 turned out to be a nervous one for the staff of Ukrainian embassy in Moscow where I used to be a press-attaché.

The first visit to Russia of newly elected president Viktor Yanukovich was on the brink of cancellation. The Kremlin wouldn't grant the already scheduled visit an official status. Russian state media also cancelled earlier agreed interviews with members of Yanukovich team. The explanation was rather simple although possibly unusual for contemporary observers who had a mistaken and simplified perception of the fourth Ukrainian president: Russian leadership was annoyed at Yanukovich's decision to pay his first visit after inauguration to Brussels before heading to Moscow.

Even Yushchenko in 2005 did the opposite. There was one person the Russians blamed for this "treason of special relationship with brother nation": the political consultant to Viktor Yanukovich, American strategist Paul Manafort. Manafort persuaded Yanukovich that going first to Brussels would demonstrate to all that as President, Yanukovich intended to bring the changes required to allow Ukraine to apply for formal membership in the European Union.

Manafort brought to the Ukrainian political consultancy business a very important rule: An effective leader needs to be consistent as a President with his promises as a candidate. In his Presidential campaign VY made it clear that it was important for Ukraine to maintain its historical and cultural relationship with Russia. However, Yanukovich had also promised to implement the changes that would begin the modernization of Ukraine that would be necessary for Ukraine to become a part of the EU. The Brussels trip sent this signal loudly and clearly to all – including Russia.

I can't but stipulate that Yanukovich was a bad president and crook who by the end of his rule had effectively lost credibility even of his staunchest supporters. And finally betrayed them and fled to Russia only to see Ukraine fall in the hands of other kleptocrats now disguised as hooray-patriots and nationalists. But with all that said one shouldn't ignore the fact that Ukraine under Yanukovich made a number of major steps towards the EU and the West in general. And that Manafort was among those who made those paradoxical accomplishments real.

EXHIBIT G

Oleg Voloshin: Paul Manafort, European integration's unknown soldier for Ukraine

By Oleg Voloshin. Published Dec. 7. Updated Dec. 7 at 8:16 pm



WASHINGTON, DC - NOVEMBER 06: Former Trump campaign manager Paul Manafort and his wife Kathleen arrive at the Prettyman Federal Courthouse for a bail hearing November 6, 2017 in Washington, DC. Manafort and his former business partner Richard Gates both pleaded not guilty Monday to a 12-charge indictment that included money laundering and conspiracy. Mark Wilson/Getty Images/AFP

Photo by AFP

Editor's Note: The following op-ed submitted to Kyiv Post deputy chief editor Olga Rudenko on Dec. 4 has triggered controversy after U.S. Special Counsel Robert Mueller, who is investigating U.S. President Donald J. Trump's ties to Russia, accused former Trump campaign manager Paul Manafort of ghostwriting the piece to help

*influence the criminal case against him. If Manafort did so, it would be a violation of a court order prohibiting Manafort from trying the case in the press, according to prosecutors. **Bloomberg's Stephanie Baker** reported on Dec. 5 that Mueller is now seeking to deny Manafort's bid for freedom from house arrest before his trial because of the editorial. Manafort is charged with conspiracy to launder money and acting as an unregistered agent for Ukraine. Voloshin told the Kyiv Post that he wrote the op-ed himself, sending it only to Konstantin Kilimnik, a longtime associate of Manafort in Ukraine, and Manafort for fact-checking. "It is totally mine," Voloshin said. "Paul has absolutely nothing to do with it.*

*Eighteen months ago I gave comments along same lines to **the Guardian**. I was just annoyed at a **McClatchy publication** that falsely claimed Manafort had derailed Association Agreement with the European Union. The fact it was meant for the Kyiv Post only proves there was no intervention on behalf of Paul. It is rather difficult to influence U.S. public opinion with publication in Ukraine. As a native speaker, you can easily identify that the text was penned by a non-native speaker. So it has nothing to do with editing or writing by Paul or any other American." The op-ed was submitted to the Kyiv Post by Irina Milinevskaya, an ex-Inter TV executive, now working for the 43-member Opposition Bloc, which includes many members of the now-defunct Party of Regions led by the exiled Yanukovych.*

The European Union – Ukraine Association Agreement might have never appeared but for a person now falsely accused of lobbying Russian interests.

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The explanation was rather simple although possibly unusual for contemporary observers who had a mistaken and simplified perception of the fourth Ukrainian president: The Russian leadership was annoyed at Yanukovich's decision to pay his first visit after inauguration to Brussels before heading to Moscow.

Even Viktor Yushchenko, upon taking office as Ukraine's third president in 2005, did the opposite. There was one person the Russians blamed for this "treason of special relationship with brother nation": the political consultant to Yanukovich, American strategist Paul Manafort. Manafort persuaded Yanukovich that going first to Brussels would demonstrate to all that, as president, Yanukovich intended to bring the changes required to allow Ukraine to apply for formal membership in the EU.

Manafort brought to the Ukrainian political consultancy business a very important rule: An effective leader needs to be consistent as a president with his promises as a candidate. In his presidential campaign, Yanukovich made it clear that it was important for Ukraine to maintain its historical and cultural relationship with Russia. However, Yanukovich had also promised to implement the changes that would begin the modernization of Ukraine that would be necessary for Ukraine to become a part of the EU. The Brussels trip sent this signal loudly and clearly to all – including Russia.

I can't but stipulate that Yanukovich was a bad president and crook who by the end of his rule had effectively lost credibility even of his staunchest supporters. And he finally betrayed them and fled to Russia only to see Ukraine fall into the hands of other kleptocrats now disguised as hooray-patriots and nationalists. But with all that said one shouldn't ignore the fact that Ukraine under Yanukovich made a number of major steps towards the EU and the West in general. And that Manafort was among those who made those paradoxical accomplishments real.

It was that period when Ukraine finally met U.S. requirements to get rid of the stocks of highly enriched uranium that could have potentially been used to produce nuclear weapons. Ukraine used to be the only non-NATO nation that took part in all peace-keeping and anti-terrorist operations of the Alliance world-wide.

With an eye towards 2015, the Yanukovych government – to the surprise of so many in Moscow – managed to negotiate with the EU a huge list of terms for the Deep and Comprehensive Free Trade Agreement, known as the DCFTA. No other nation had accomplished this task over such a brief period of time. Yanukovych's government had the Association Agreement initialed by March 2012. This pace shocked Moscow.

This sense of commitment to the goal is actually the reason why Russia overreacted in the summer 2013 and imposed the trade blockade with Ukraine.

Following the European track created multiple challenges that would never have been solved by a Ukraine government except for the consistent promotion of what had to be done by Manafort.

Legislation such as the Criminal Administrative Code, built on fundamentally new principles consistent with the Western practices and lauded by the Western institutions is one of the vivid examples.

Even at the end of the process, Manafort was engaged in helping the Europeans and the Ukrainians negotiate the final terms.

Just three months before the summit it was the EU, not Yanukovych, who hesitated whether to sign the document or not. And Manafort contributed a lot to change of mood in Brussels and major European capitals while at the same time keeping Ukraine focused on finalizing the details of the DCFTA and Association Agreement. He was doing this while Russia was imposing the trade embargo and threatening even more drastic punishment to

discourage Yanukovych from getting into DCFTA with the EU.

With all that said I can only wonder why some American media dare falsely claim that Paul Manafort lobbied Russian interests in Ukraine and torpedoed the Association Agreement signing. Without his input, Ukraine would not have had the command focus on reforms that were required to be a nation-candidate to the EU.

All listed here facts can be easily verified. If only one pursues the truth, not ends to twist the reality in line with his or her conviction that the dubious goal of undermining Trump's presidency, justifies most dishonest means.

Oleg Voloshin was a spokesperson of the Ministry of Foreign Affairs of Ukraine under ex-Foreign Minister Konstantin Grishchenko, who served from 2010-2012, during the president of Viktor Yanukovych, ousted by the EuroMaidan Revolution in 2014.

ADVERTISEMENT

EXHIBIT H

Oleg Voloshin: Paul Manafort, European ~~integration~~integration's unknown soldier

Oleg Voloshyn, former spokesperson of the Ministry of Foreign Affairs of ~~for~~ Ukraine

~~EU~~By Oleg Voloshin.

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~~HERE NEED TO ADD a couple of major reforms that VY brought to country in order to position Ukraine to apply for membership. Reforms that changed a Soviet based legal-economic framework to a western one. (increase of NATO exercises/ Nuclear deal/~~

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