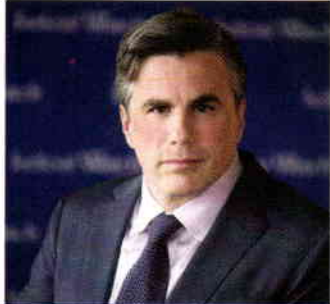


JW Victory: Court Grants Significant New Discovery In Clinton Email Case

By Tom Fitton



JUDICIAL WATCH

A federal judge on August 22 granted us seven additional depositions, three interrogatories and four document requests related to former Secretary of State Hillary Clinton's use of a private, unauthorized email server. Hillary Clinton and her former top aide and current lawyer Cheryl Mills were given 30 days to oppose being deposed under oath by Judicial Watch (*Judicial Watch v. U.S. Department of State* (No. 1:14-cv-01242)).

The court rejected Justice and State Department arguments to protect Clinton and the agencies from additional discovery and ordered agency lawyers to respond to Judicial Watch's questions about their knowledge of the Clinton email issue. The court granted all of our requested discovery but gave Clinton and Mills 30 days to file any opposition to the requests to question them in person under oath.

The new, court-ordered discovery allows your Judicial Watch to take testimony and gather evidence of Clinton's handling of emails, specifically in an "after action memo" drafted by Heather Samuelson, Clinton's senior advisor at State and White House liaison. The memo was created in December 2014 to memorialize the Clinton team's processing of the Clinton emails. The discovery also asks for when Justice and State Department attorneys learned about Clinton's private email use; and what senior records-keeping officials at the State Department knew about Clinton's

emails and when they knew it.

On August 23, we submitted the document request to Clinton's attorneys for the "after action memo" that Samuelson created.

The court specifically raised concerns about a Clinton email cache recently discussed in a letter to Senator Charles Grassley (R-IA) and wants Judicial Watch to "shake the tree" on this issue.

Judicial Watch uncovered the Clinton email scandal, and we just found more evidence that raises further questions about the cover-up — which is why the court allowed us to pursue more leads and potentially question Mrs. Clinton under oath. As ordered by the court, you can bet we will continue to "shake the tree" on the Clinton email issue. It is shameful that the Justice and State Departments oppose our efforts and are still trying to provide cover for Hillary Clinton.

Additionally, on August 23, we submitted interrogatories to Department of Justice attorney Robert Prince to find out when he learned about the State Department's requesting and receiving emails and federal records from Clinton and to the State Department to identify officials and documents that have been uncovered, but not identified. Judicial Watch also submitted a document request to the State Department for records reviewed in response to Gawker's 2013 FOIA request for communications from Hillary Clinton's email accounts sent to Sidney Blumenthal.

On December 6, 2018, U.S. District Court Judge Lamberth ordered Obama administration senior State Department officials, lawyers and Clinton aides to be deposed or answer written questions under oath. The court ruled that the Clinton email system was "one of the gravest modern offenses to government transparency."

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The court ordered discovery into three specific areas: whether Secretary Clinton's use of a private email server was intended to stymie FOIA; whether the State Department's intent to settle this case in late 2014 and early 2015 amounted to bad faith; and whether the State Department has adequately searched for records responsive to Judicial Watch's request.

Our discovery over the last several months found many more details about the scope of the Clinton email scandal and cover-up:

- John Hackett, former Director of Information Programs and Services (IPS) testified under oath that he had raised concerns that former Secretary of State Hillary Clinton's staff may have "culled out 30,000" of the secretary's "personal" emails without following strict National Archives standards. He also revealed that he believed there was interference with the formal FOIA review process related to the classification of Clinton's Benghazi-related emails.
- Heather Samuelson, Clinton's White House liaison at the State Department, and later Clinton's personal lawyer, admitted under oath that she was granted immunity by the Department of Justice in June 2016.
- Justin Cooper, former aide to President Bill Clinton and Clinton

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Omar

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not seen Mr. Elmi since June 2011.

“Rep. Omar’s potential crimes far exceed perjurious statements made in a Minnesota court filing.

“Rep. Omar’s conduct may include immigration fraud. It appears that Rep. Omar married her brother in order to assist his emigration to the United States from the United Kingdom. The same immigration fraud scheme may have aided Mr. Elmi in obtaining federally-backed student loans for his attendance at North Dakota State University. Mr. Elmi and Rep. Omar simultaneously attended North Dakota State University and may have derived illicit benefits predicated on the immigration fraud scheme.

“The State of Minnesota Campaign Finance and Public Disclosure Board has already determined that Rep. Omar violated state campaign finance laws for improper use of campaign funds. She was forced to reimburse her campaign thousands of dollars. More significantly, the Board discovered that the federal tax returns submitted by Rep. Omar for 2014 and 2015 were filed as ‘joint’ tax returns with a man who was not her husband, named Ahmed Hirsi, while she was actually married to Ahmed Elmi.

“Under federal law, specifically, 26 U.S. Code & 7206.1, ‘Any person who willfully makes and subscribes any return, statement, or other document, which contains or is verified by a written declaration that it is made under the penalties of perjury, and which he does not believe to be true and correct as to every material matter ... shall be guilty of a felony and, upon conviction thereof, shall be fined not more than \$100,000

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Message

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Foundation employee who registered the domain name of the unsecure clintonemail.com server that Clinton used while serving as Secretary of State, testified he worked with Huma Abedin, Clinton’s deputy chief of staff, to create the non-government email system.

- In the interrogatory responses of E.W. (Bill) Priestap, assistant director of the FBI Counterintelligence Division, he stated that the agency found Clinton email records in the Obama White House, specifically, the Executive Office of the President.
- Jacob “Jake” Sullivan, Clinton’s senior advisor and deputy chief of staff when she was secretary of state, testified that both he and Clinton used her unsecure non-government email system to conduct official State Department business.

- Eric Boswell, former assistant secretary of state for diplomatic security during Clinton’s tenure as secretary of state, testified that Clinton was warned twice against using unsecure BlackBerrys and personal emails to transmit classified material. **TF**

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Tom Fitton Shoutout To Judicial Watch Interns



From left to right: Judicial Watch President Tom Fitton, Investigations Intern Jeffery Popper, Legal Intern Kathryn Blankenberg and Media Intern Fiona Lacy

On behalf of the entire staff here at Judicial Watch, I want to thank and commend our three great interns for all their hard work helping us to accomplish three key components of our mission to help uphold the rule of law by bringing transparency to the operation of government to ensure that political and judicial officials do not abuse the powers entrusted to them by the American people.

Anyone interested in becoming a Judicial Watch intern should watch JW’s website for information about applying. Go to <https://www.judicialwatch.org/about/#careers>

Openings for internships are typically posted in April. Resumes should be sent to careers@judicialwatch.org. **TF**