MUELLER JUST GUARANTEED HE CAN ISSUE A PUBLIC REPORT

Back when Paul Manafort first entered a plea agreement, I argued the effects of it could not be pardoned away.

> Here's why this deal is pardon proof:
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> 1. *Mueller spent the hour and a half delay in arraignment doing … something. It's possible Manafort even presented the key parts of testimony Mueller needs from him to the grand jury this morning.*
> 2. *The forfeiture in this plea is both criminal and civil, meaning DOJ will be able to get Manafort's $46 million even with a pardon.*
> 3. *Some of the dismissed charges are financial ones that can be charged in various states.*

Since that time, Mueller has been busy finishing up the Roger Stone indictment, Trump has finally finished his open book test, and any owners of the property Manafort had to forfeit under the plea deal had their 30-day window to challenge the forfeiture (only the bank owning the loan on his Trump Tower condo is known to have contested

the forfeiture, which means the government may already be irretrievably seizing $43 million of Manafort's property).

Which brings us to the status report that Mueller's team delayed long enough to get that open book test.

Paulie can't help himself. According to Mueller's team, he has kept lying and lying since entering the cooperation agreement.

> After signing the plea agreement, Manafort committed federal crimes by lying to the Federal Bureau of Investigation and the Special Counsel's Office on a variety of subject matters, which constitute breaches of the agreement. The government will file a detailed sentencing submission to the Probation Department and the Court in advance of sentencing that sets forth the nature of the defendant's crimes and lies, including those after signing the plea agreement herein.
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> As the defendant has breached the plea agreement, there is no reason to delay his sentencing herein.

As I noted back in September, the standard the government has to prove to claim Manafort has breached his agreement is just "good faith," as compared to preponderance of the evidence with Rick Gates.

> With Gates, the standard the government has to prove to argue he has breached his agreement is preponderance of the evidence or, in case of committing a crime, probable cause. With Manafort, the government only has to prove "good faith."

Now, it is true that Trump can pardon Manafort (though that probably won't happen right away). That's the only sane explanation for Manafort

doing what he did, that he is still certain he'll be pardoned. But many of these charges can still be charged in state court.

Just about the only explanation for Manafort's actions are that — as I suggested — Trump was happy to have Manafort serve as a mole in Mueller's investigation.

But Mueller's team appears to have *no doubt* that Manafort was lying to them. That means they didn't really need his testimony, at all. It also means they had no need to keep secrets — they could keep giving Manafort the impression that he was pulling a fast one over the prosecutors, all while reporting misleading information to Trump that he could use to fill out his open book test. Which increases the likelihood that Trump just submitted sworn answers to those questions full of lies.

And that "detailed sentencing submission … sett[ing] forth the nature of the defendant's crimes and lies" that Mueller mentions in the report?

There's your Mueller report, which will be provided in a form that Matt Whitaker won't be able to suppress. (Reminder: Mueller included 38 pages of evidence along with Manafort's plea agreement, which I argued showed how what Manafort and Trump did to Hillary was the same thing that Manafort had done to Yulia Tymoshenko.)

Update: I've tweaked this post since first posting it.

As I disclosed in July, I provided information to the FBI on issues related to the Mueller investigation, so I'm going to include disclosure statements on Mueller investigation posts from here on out. I will include the disclosure whether or not the stuff I shared with the FBI pertains to the subject of the post.