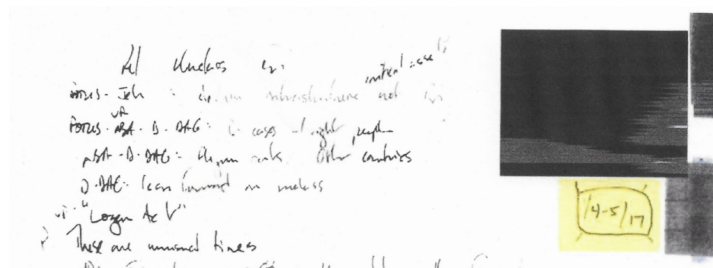


# IN LETTER CONFIRMING DOJ ALTERED PETER STRZOK'S NOTES, HIS LAWYER IDENTIFIES ADDITIONAL PRIVACY ACT VIOLATIONS

Among a slew of last minute documents submitted in advance of today's hearing in the Mike Flynn case, Peter Strzok's lawyer, Aitan Goelman, confirmed what I laid out here and here: DOJ altered some of the exhibits submitted in their effort to blow up Flynn's prosecution.

Some of Mr. Strzok's notes included in this attachment appear to have been altered. On at least two occasions, there were handwritten additions, not written by Mr. Strzok, inserting dates, apparently designed to indicate the date or dates on which the notes were written. On at least one occasion, the date added is wrong and could be read to suggest that a meeting at the White House happened before it actually did.

Goelman included those both altered records pertaining to Strzok (there may be one related to Andrew McCabe as well), including the one that shows someone wanted to implicate Joe Biden in all this.



That may not be the most important thing Goelman established, however.

Among the things DOJ released the other night was yet another version of the Strzok and Lisa Page texts. When she sent them to Flynn's lawyers, Jocelyn Ballantine admitted the relevant texts had been provided to Flynn in 2018, before he allocuted his guilty plea a second time.

We are also providing you with additional text messages between former DAD Strzok and Lisa Page (23516-23540). As you know, some of these messages were originally made available to Flynn's former attorneys on March 13, 2018 through a publicly available link to a Senate webpage. On June 24, 2018, the government provided a link to a second website that contained additional text messages. In an abundance of caution, we are providing you additional text messages in this production; please note that purely personal messages have been deleted from this production.

DOJ seems to have re-released the texts in an effort knit together unrelated actions to suggest they all related to Mike Flynn. Among the texts included in this release, purportedly in support of blowing up Mike Flynn's prosecution, I can identify texts pertaining to:

- The investigation into Russia's attack on the US
- The Mid-Year Exam investigation into Hillary's server
- The general Crossfire Hurricane investigation
- Extensive efforts to ensure the Crossfire Hurricane investigation remained secret
- Efforts to ensure that Obama

officials didn't politicize  
the Mike Flynn intercepts

- Specific Crossfire Hurricane sub-investigations, including substantial threads pertaining to Carter Page and George Papadopoulos
- The opening of the Jeff Sessions false statements investigation
- The bureaucratic set-up of the Mueller investigation
- References to Kevin Clinesmith (and possibly some references to other Kevins)
- Substantive critiques of Donald Trump (for example, pertaining to his desire to blow up NATO)
- Discussions of Trump sharing highly classified Israeli intelligence with the Russians
- Proactive ethical discussions about how to deal with the appointment of Rudolph Contreras, whom Strzok was friends with, to the FISA Court
- Leak investigations, both into stories pertaining to Flynn or Trump and stories not related to Trump
- Unrelated FISA applications
- 702 reauthorization
- Apparently unrelated cases,

## including things like CFIUS reviews

There are long swaths with half the side of the conversation left out, hiding what are clear changes of topic.

Then there are personal details, like talks about showers and anniversaries, as well as some emotional chatter and one declaration of love.

2017-01-23 10:57:03, Mon		OUTBOX		Go, get in the shower. You've gotta get in there asap.
--------------------------	--	--------	--	--

2017-05-18 11:31:44, Thu		INBOX		end we're one team one fight, Lisa (though I frequently hate people who use that phrase) Did your anniversary go ok? I don't really want a lot of deta
--------------------------	--	-------	--	--

That makes Ballantine's claim that, "purely personal messages have been deleted from this production," utterly damning, particularly given the timing, September 23, and the fact that unlike past productions, this was not noticed to the docket in real time.

"Did your anniversary go ok? I don't really want a lot of deta[]" is by any sane measure a purely personal message. It was not deleted or redacted from this production.

What DOJ decided to do, just days before a decision in the parallel lawsuits Strzok and Page have against DOJ alleging a violation of the Privacy Act for the release of personal information, was to release more personal information, information that had – in the past, under an earlier purported ethics review of what was releasable – been deemed personal information.

DOJ knit together a bunch of texts that DOJ admits were already public before Flynn allocuted his guilty plea a second time, but threw in yet more personal texts.

And then, on September 25, Amy Berman Jackson ruled that Page and Strzok should both get discovery to prove their Privacy Act (and in Strzok's case, other claims) cases. That makes all of this – all the decisions that led up to to the release of these texts – discoverable in what I assume will be an expanded Privacy Act

lawsuit.

It's unclear what malicious thinking led DOJ to include more texts attempting to humiliate Strzok and Page (even while providing a slew of other information making it clear that Strzok did not have it in for Flynn). But they just likely made this entire process subject to discovery in a lawsuit overseen by Amy Berman Jackson.