

AT LEAST 25 LAWYERS ARE SUBJECTS OR WITNESSES IN THE VARIOUS TRUMP INVESTIGATIONS

Between the release of the January 6 Committee transcripts and the unsealing of some grand jury orders from last summer, I've been pondering how many lawyers were central to Trump's efforts to steal the 2020 election. Consider this table, for example, which is based on two separate sets of subpoenas (June, November) sent out to the swing states Trump tried to steal. Only the people marked in blue are not lawyers.

June 2022	November 2022	Phone
Kenneth Cheesbro	Kenneth Cheesbro	
Justin Clark	Justin Clark	
Joe DiGenova	Joe DiGenova	
John Eastman	John Eastman	Seized June 22; email seized by May
Jenna Ellis	Jenna Ellis	
Boris Epshteyn	Boris Epshteyn	Seized in early September.
Joshua Findlay		
Rudolph Giuliani	Rudolph Giuliani	Seized (in Ukraine investigation) 4/28/21; privilege review completed -1/19/22
Bernard Kerik	Bernard Kerik	
	Bruce Marks	
	Cleta Mitchell	
	Matthew Morgan	
	Kurt Olsen	
	William Olson	
	Stefan Passantino	
	Sidney Powell	
Mike Roman		Seized in early September.
	Bill Stepien	
Victoria Toensing	Victoria Toensing	Seized (in Ukraine investigation) 4/28/21; privilege review completed -1/19/22
James Troupis	James Troupis	
	Lin Wood	

Eighteen people on this list – all people who played key roles in one or various plots – have a colorable claim to have played the role of an attorney, though the J6C transcripts show that for some – Boris Epshteyn and Jenna Ellis, for example – there was some dispute about whether they were functioning as lawyers or some other role, like spokesperson. And Sidney Powell was famously formally separated from the campaign.

Add those 18 people to the lawyers on this list, which includes state officials reported to have had their phones seized, Jeffrey Clark (who's not on the fake elector warrants but is a

subject based on other factors), Mike Lindell (whose phone was seized as part of the Colorado investigation into accessing voter machines) as well as five other lawyers known to be witnesses to key parts of the various plots.

Others	Phone
Jeffrey Clark	Seized June 22; email seized by May
Michael McDonald (NV GOP Chair)	Seized June 22
James DeGraffenreid (NV GOP Secretary)	Seized June 22
David Carver	Seized June 22
Scott Perry	Seized August 9
Mike Lindell	Seized September 14
Alex Cannon	
Eric Herschmann	
Marc Short	Second grand jury appearance October 13
Greg Jacob	Second grand jury appearance
Pat Cipollone	Second grand jury appearance December 2
Pat Philbin	Second grand jury appearance December 2

Four of these people – the two Pats, Greg Jacob, and Marc Short – were reported to have had Trump’s Executive Privilege claims overridden by Chief Judge Beryl Howell for follow-on appearances before grand juries.

With seven more lawyers added to the list, that’s a total of 25 witnesses, all of whom have to be treated with kid gloves to avoid blowing the entire case.

That’s one reason I’m interested in a detail from the February 24 J6C transcripts from Michael McDonald (NV GOP Chair) and James DeGraffenreid (another NV fake elector). Both men pled the Fifth – there were aspects of Nevada’s fake elector certificates that even Trump’s people admitted presented more serious legal problems. Neither man is an attorney. And both men claimed to have retained the Signal and Telegram texts they had sent using their phones.

Q On your personal devices, did you use any secured messaging applications like Signal, telephone [sic], or WhatsApp?

A Yes, sir.

Q And did you search those applications for any materials that might be responsive to the subpoena?

■ A Yes, sir.

We saw that DOJ used Scott Perry's role in the Jeffrey Clark node to identify unprivileged communications (though that approach also yielded a lot of junk communications). I would imagine that that makes people like Mike Roman (who ferried fake elector certificates around but has been dropped from subpoenas) and the two NV fake electors particularly important to chiseling away at privilege claims.