

THE EVOLVING ROBERT COSTELLO - STEVE BANNON TIMELINE

Robert Costello's law firm, Davidoff Hutcher & Citron, is suing Steve Bannon.

Can you blame them? According to the complaint, Bannon has stiffed the firm on \$480,487.87 out of \$855,487.87 they've billed him.

I'm interested in the complaint, though, for something other than the details of what a cheapskate Bannon is.

Here's how the complaint describes the firm's work for Bannon.

From on or about November 2020 through on or about November 2022, DHC provided legal services on behalf of the Defendant regarding several matters that included, but not limited to, a federal action captioned, United States v. Stephen Bannon, 20 Cr. 412 (AT) (S.D.N.Y.) which was dismissed against Defendant subsequent to a presidential pardon of him that was secured through the aid of DHC, represented Defendant with regards to a subpoena issued by the U.S. House Select Committee to Investigate the January 6th Attack on the United States Capitol ("Subpoena"), subsequently represented Defendant in response to a criminal contempt proceeding captioned, United States v. Stephen K. Bannon, 21Cr. 670 (CJN) (D.D.C.) regarding that Subpoena, and represented Defendant in a case brought by the former Manhattan District Attorney Cyrus Vance, captioned In the Matter of the Application of Cyrus R. Vance, Jr. (collectively the "Legal Services")

That mostly tracks what we know about Costello's representation of Bannon. He publicly took over representing Bannon in the Build the Wall case on December 11, 2020 after Bannon's prior criminal defense attorney, Bill Burck, fired him for threatening to execute Anthony Fauci and Chris Wray.

Costello represented Bannon in his contemptuous refusal to show up before the January 6 Committee and invoke Executive Privilege, and participated in two discussions with the government that the government treated as material to the contempt case against Bannon. There was a brief moment after Bannon was indicted on November 12, 2021, where it looked like David Schoen and Evan Corcoran would represent Bannon, alone. But on December 2, Costello filed to join the case, setting off a long discussion about whether Costello would be a witness or a lawyer on the case. That charade continued until July 2022, when Costello decided he might need to be a witness after all. See this post for some of that timeline.

It is true that Costello represented Bannon in the early period of NY State's investigation into Bannon for the same fraud for which he was pardoned in the federal Build the Wall case. Though the November 2022 date roughly coincides with Bannon's sentencing in October 2022.

Again, it mostly checks out.

The reason I'm interested, however, is that back in July 2022, when Costello was withdrawing from the Bannon contempt case, he gave a different timeline for his representation of Bannon, indicating that it went back two years earlier than the timeline DHC has laid out.

I am an attorney and Partner in the firm of Davidoff, Hutcher & Citron, LLP located at 605 Third Avenue, New York, New York. For the past 49 years I have been admitted to the bar of the State of New York, the Southern and Eastern Districts of New York, the Second and

Third Circuit Courts of Appeals and the United States Supreme Court. I have been counsel to the above listed Defendant, Stephen K. Bannon on a number of different matters for the past three years. I am admitted to the bar of this District by way of pro hac vice motion. I have been co-counsel to Mr. Bannon throughout these proceedings as well as in connection with all interactions with the Select Committee which preceded the filing of Contempt of Congress misdemeanor charges in this Court. [my emphasis]

I noted at that time that it was a different timeline than was publicly known, the timeline that DHC lays out in its complaint.

Still, there may be a ready explanation for this discrepancy too: That Costello is including the period when he played a key role in the “Hunter Biden” “laptop” operation in the time period he represented Bannon, but DHC is not.

Even so, that timeline is a bit hazy, given some variation regarding whether he reached out in 2019 or 2020 in Mac Isaac’s story.

In any case, the discrepancy between DHC’s story and Costello’s about the length of time he represented Bannon may be of interest to Abbe Lowell, as he asks the Feds to investigate – among others – Bannon, Rudy Giuliani, and Costello.

These disputes are interesting for another reason. As the Daily Beast laid out, Bannon has *also* been stiffing Evan Corcoran. And his third lawyer from the contempt case, Schoen, said last month he can no longer work with him in the NYS Build the Wall charges.

Even after the irreparable split in NYS, Schoen remained on Bannon’s appeal, where he has been stalling and where briefing won’t be done until May. Any appeal would be premised on Bannon’s understanding of the expectations surrounding

Executive Privilege, which would seem to rely on Costello's testimony.

I have no idea where this is going. Perhaps Hunter Biden's lawyer, Lowell, can sort it out.