

TRUMP'S "HUNTER BIDEN" "LAPTOP" CONSIGLIERES WANT TO BE PAID

I've been waiting for Robert Costello to sue Rudy Giuliani. After all, Costello's firm successfully sued Steve Bannon to get nearly \$500,000 he owed them.

Costello has been representing Rudy longer than he has Bannon. And – at least given the filings in Ruby Freeman's lawsuit – Rudy's a bigger deadbeat than Bannon.

Perhaps Costello hasn't sued because he knows it would be fruitless. Rudy really is broke. Or perhaps it's that he still believes he – and Rudy – should be paid by Trump.

CNN has a story about how Costello and Rudy went to Mar-a-Lago together in April to explain *in person* why Rudy should be paid (who could then, I assume, pay Costello).

With his attorney in tow, Rudy Giuliani traveled to Mar-a-Lago in recent months on a mission to make a personal and desperate appeal to former President Donald Trump to pay his legal bills. By going in person, a source familiar with the matter told CNN, Giuliani and his lawyer Robert Costello believed they could explain face-to-face why Trump needed to assist his former attorney with his ballooning legal bills.

Giuliani and Costello traveled to Florida in late April where they had two meetings with Trump to discuss Giuliani's seven-figure legal fees, making several pitches about how paying Giuliani's bills was ultimately in Trump's best interest.

But the former president, who is

notoriously strict about dipping into his own coffers, didn't seem very interested. After Costello made his pitch, Trump verbally agreed to help with some of Giuliani's legal bills without committing to any specific amount or timeline.

Trump also agreed to stop by two fundraisers for Giuliani, a separate source said.

[snip]

[W]hat has surprised those in Trump's inner circle is the former president's unwillingness to pay for Giuliani's bills, given Giuliani could find himself under intense pressure to cooperate with the federal and state prosecutors who have charged Trump. Giuliani sat down voluntarily with special counsel Jack Smith's investigators this summer, and he was indicted this week in Georgia by the Fulton County district attorney.

"It's not a smart idea" for Trump to refuse to pay Giuliani's legal fees, one person close to the situation told CNN,

This claim—that Trump is notoriously strict about dipping into his own coffers?!?! It's hogwash. Just between Stan Woodward and John Irving, Trump – or rather Trump's PAC – is paying for the defense of eleven people who are witnesses in the stolen documents case alone. According to the latest motion for a Garcia hearing, at least two of those people aren't even Trump employees.

So while it's true that Trump is a notorious tightwad when paying for things out of his own pocket, and it is also true that Trump's use of PAC funds to pay for the legal defenses of a growing mob of people likely stretches the bounds of legality, it's not true he refuses to pay the legal defense of people who can hurt him.

As CNN notes, Trump's PAC is the benefactor that – as described in a May filing in Ruby Freeman's lawsuit – paid Trustpoint so Rudy could partially, but only partially, comply with discovery in that case.

Another source told CNN that Trump only agreed to cover a small fee from a data vendor hosting Giuliani's records. And months later, Trump's Save America PAC paid \$340,000 to that vendor, Trustpoint, federal campaign filings show. CNN has now confirmed the payment was intended to settle Giuliani's outstanding bill with the company.

So Trump at least coughed up to pay something to stave off an imminent holding of contempt from Beryl Howell. Trump's PAC has reportedly paid for a good deal of document discovery firms, so this payment may be about the type of payment, not who got it.

Still, something has to be different about Rudy such that Trump's not willing to pay. And it may actually overlap with one possible explanation for why Rudy *with Costello* thought an in-person meeting about Trump's own best interests might be more persuasive, something about which CNN exhibits no curiosity.

After all, Costello is more than just Rudy's lawyer. He's also centrally involved in the "Hunter Biden" "laptop" caper, so much so he showed off to New York Magazine how he accessed the drive he got from John Paul Mac Isaac and rifled through the Venmo account that was both central to the predication of the tax case against Hunter Biden, but also potentially evidence of identity theft that IRS investigators simply watched as it happened.

The Mac Isaacs decided to alert Congress to the existence of the laptop. They reached out to the offices of Representative Jim Jordan and Senator Lindsey Graham but heard nothing back.

They tried to get in touch with the president through the contact page on the White House website. While the process dragged on, Trump was acquitted by the Senate, Joe Biden clinched the nomination, and the pandemic shut down the world. Mac Isaac started to wonder, What if Biden was elected? Nine months after the FBI's visit, he decided to pursue his fail-safe option.

The next link in the chain of custody was Robert Costello, the lawyer for the president's lawyer. Costello was representing Giuliani in an FBI investigation into his own Ukrainian activities, and as such, he had asked the former mayor's staff to be alert for new information coming in over the transom. On August 27, 2020, according to the text of an email Costello shared, one of Giuliani's assistants forwarded a strange tip that had come in through the contact portal on the Giuliani Partners website:

From: John Paul Mac Isaac

Subject: Why is it so difficult to be a whistle blower when you are on the right?

For almost a year, I have been trying to get the contents of Hunter Biden's laptop to the proper authorities. I first reached out to the FBI and they came and collected it but I have reason to believe they have destroyed it or buried it in a filing cabinet ... Luckily for my protection I made several copies and I have been trying quietly to bring it to people's attention.

The tipster went on to claim to have "email proof" that Hunter and a business partner had been paid more than a million dollars in fees

by Burisma and that they had used “their influence at the White House to pressure the Ukraine government to stop investigating” the company. “I feel the closer we get to the election,” Mac Isaac wrote, “the more this will be ignored.”

Costello wrote right back, telling Mac Isaac that he and Giuliani were “in position to get the information to the right places, provided the information is accurate and was obtained lawfully.” The timing was auspicious. A Republican-controlled Senate committee was working on an investigation of Hunter Biden, and Democrats were attacking the probe as a partisan smear job. The following month, the committee’s report would cite bank records to conclude that Biden and his business associates had received at least \$4 million in fees from Burisma as well as millions more from other “foreign nationals with questionable backgrounds.” Trump was seeking to capitalize on the issue. His campaign soon started selling T-shirts that asked WHERE’S HUNTER?

Mac Isaac replied to Costello by sending him an image of the signed repair order and the subpoena, which seemed to indicate that the laptop was relevant to a criminal investigation. Mac Isaac sent a copy of the laptop’s contents to Costello’s home, where he booted up the drive with the assistance of his son, who was handier than his dad was with computers.*

Everything fit on an external drive, a black box about the size of a pack of cigarettes. “It’s not big,” Costello said one morning in June this year, as he showed the drive to a reporter. “But it’s powerful.” Sitting at a desk in the living room of his home in Manhasset,

the white-haired attorney, who was dressed for golf, booted up his computer. "How do I do this again?" he asked himself, as a login window popped up with a username: "Robert Hunter." (Hunter Biden's given first name is Robert.)

Like many Gen-Xers, Hunter Biden was apparently unwilling to entrust his data solely to the cloud. He used desktop applications and backed things up to a device, which was his undoing. Costello first scrolled through the laptop's email inbox, which contained tens of thousands of messages, fragments of everyday existence: a Politico newsletter dated January 31, 2019; Wells Fargo statements; a Google alert for the name "Biden"; a youth-soccer-game reminder. "Going through it," Costello said, "you become familiar with someone." He opened an email from Venmo, a receipt for a \$2,400 "art consultation" with a woman with a Russian-looking name.

Costello hasn't hidden his role in the laptop caper; he bragged about it.

I can see how Rudy might imagine that Trump would want that side of the story suppressed. But I can also see how – even ignoring his ballooning legal bills – Rudy *with Costello* might visit Trump, in person, about all this in April.

Starting in February, Abbe Lowell started talking both civil and criminal consequences for the "laptop" caper. In March, Hunter counter-sued Mac Isaac, with plans to depose both Rudy and Costello. More recently, IRS Agent Gary Shapley shared contemporaneous notes showing that ten months after the IRS took possession of the laptop in 2020, DOJ still hadn't done basic validation of the laptop and probably had used it to get further warrants targeting Hunter.

And given the collapse of the plea deal, that may lead to a giant game of chicken. Lowell has now taken the lead on Hunter's defense, and I expect ... *something* from David Weiss now that he has gotten Special Counsel status.

If Weiss charges Hunter with felony counts, it's going to set off a discovery process that will be juiced by the public disclosures Joseph Ziegler and Shapley, among others, have made. Hunter Biden will be able to demand documents and depositions that prosecutors could normally suppress (and that Shapley had always assumed would be suppressed). That discovery process will raise real questions about why Ziegler kept collecting evidence that *should* have raised questions about whether the former Vice President's son was *in the process of being hacked*, and yet Ziegler did nothing to stop it, but instead decided to keep building a criminal case off what was now tainted evidence. That should raise questions about why Hunter Biden is the one being prosecuted and not Rudy Giuliani.

All that might make Rudy, with Costello, more likely to get Trump's assistance.

But then there's that something else. Costello was also the lawyer who conducted the privilege review for the devices seized from Rudy on foreign agent charges in April 2021. Costello even submitted a declaration describing that at least seven of the devices seized by the FBI in 2021 were corrupted when FBI tried to image them (though he blames the FBI). However it happened, the corruption of those devices may be why Rudy escaped charges for soliciting something that looks just like the Hunter Biden laptop, down to the Venmos from Russian escorts. Except in that telling, Rudy was not getting the laptop via Costello from a blind computer repairman, but was instead soliciting it from people even Trump's Administration deemed likely Russian spies.

Trump *should* pay Rudy's defense, because if he ever got desperate enough to flip – if prosecutors ever believed they could make Rudy a

credible witness – then he could provide really
damaging testimony against Trump.

But if he ever decided to flip, it might
implicate Trump in something, a direct
conspiracy with Russian spies, that Trump has
been fleeing since 2016.

Update: Corrected title of NY Magazine.