

HUNTER BIDEN THREATENS TO MAKE ROBERT COSTELLO'S DALLIANCE WITH RUDY GIULIANI EVEN MORE COSTLY

Last week, Robert Costello's law firm sued Rudy Giuliani – as they earlier successfully sued Steve Bannon for a far smaller amount earlier this year – for stiffing them on payments amounting to almost \$1.4 million.

In a statement provided by a spokesman, Mr. Giuliani lashed out at Mr. Costello and the lawsuit, portraying it as an overly aggressive attempt to collect.

"I can't express how personally hurt I am by what Bob Costello has done," Mr. Giuliani said. "It's a real shame when lawyers do things like this, and all I will say is that their bill is way in excess to anything approaching legitimate fees."

Reached by phone, Mr. Costello initially declined to comment but fired back after hearing Mr. Giuliani's statement, asking, "How can he take a personal affront when he owes my firm nearly \$1.4 million?"

Mr. Costello also disputed the claim that the bills were excessive, saying that he billed his regular hourly rate and that Mr. Giuliani never complained about the cost until Davidoff Hutcher & Citron warned that it had planned to sue.

"He's a little late to that party," Mr. Costello said, adding, "it's too late

for that frivolous claim as he will find out in court.”

Mr. Giuliani, he said, “took the low road here because he is feeling desperate.”

In all, Mr. Costello’s firm has billed Mr. Giuliani \$1,574,196, according to the lawsuit. Of that, Mr. Giuliani has paid only \$214,000, the lawsuit said, most recently handing over \$10,000 last week.

Rudy doesn’t have the money to pay Costello. This lawsuit can only serve to pressure Rudy to get Trump to pay up, something he has thus far refused to do.

In any case, Costello’s costs for enabling Rudy’s shenanigans may well grow, now that Hunter Biden has sued both of them for hacking his personal data.

The lawsuit largely parallels the lawsuit filed earlier against Garrett Ziegler – though the evidence that first Costello and then Rudy hacked the data is based on a different access claim. Hunter alleges (with merit) that Ziegler unlawfully accessed encrypted data that had been saved to Hunter’s iTunes account.

In this suit, the hacking claim appears to be two-fold: first, Costello’s demonstration to Olivia Nuzzi of how he accessed Hunter’s email account using Hunter’s own credentials.

24. Plaintiff has discovered (and is continuing to discover) facts concerning Defendants’ hacking activities and the damages being caused by those activities through Defendants’ public statements in 2022 and 2023. During one interview, which was published on or about September 12, 2022, Defendant Costello demonstrated for a reporter precisely how Defendants had gone about illegally accessing, tampering with, manipulating

and altering Plaintiff's data:

"Sitting at a desk in the living room of his home in Manhasset, [Defendant Costello], 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 [Plaintiff's] username . . ."3

By booting up and logging into an "external drive" containing Plaintiff's data and using Plaintiff's username to gain access Plaintiff's data, Defendant Costello unlawfully accessed, tampered with and manipulated Plaintiff's data in violation of federal and state law. Plaintiff is informed and believes and thereon alleges that Defendants used similar means to unlawfully access Plaintiff's data many times over many months and that their illegal hacking activities are continuing to this day.

3 Andrew Rice & Olivia Nuzzi, *The Sordid Saga of Hunter Biden's Laptop*, N.Y. MAG. (Sept. 12, 2022), <https://nymag.com/intelligencer/article/hunter-biden-laptop-investigation.html>.

I've been told that because of the way the data was stored, booting the hard drive up would update emails onto the hard drive, including any emails altered during the November 2019 Burisma hack. But using Hunter's credentials – if that's what Costello did – would be a CFAA violation unto itself.

Additionally, the complaint notes that both Costello and Rudy boasted about accessing Hunter's camera roll.

26. For example, Defendant Costello has stated publicly that, after initially accessing the data, he "scrolled through the laptop's [i.e., hard drive's] email inbox" containing Plaintiff's data

reflecting thousands of emails, bank statements and other financial documents. Defendant Costello also has admitted publicly that he accessed and reviewed Plaintiff's data reflecting what he claimed to be "the laptop's photo roll," including personal photos that, according to Defendant Costello himself, "made [him] feel like a voyeur" when he accessed and reviewed them.

[snip]

31. By way of further example, in an episode of the podcast "Louder with Crowder" in late 2022, Defendant Giuliani held up a laptop computer on air and announced: "This is the hard drive they're on," referring to data (e.g., photographs) he apparently carries around with him on a daily basis, presumably so that he can continuously access, tamper with and manipulate the data whenever and wherever he desires.

Hunter's team may know that these photos would not have been available without a password.

Note, the complaint makes some interesting allegations about John Paul Mac Isaac's own actions; I would be unsurprised if Hunter sues him next.

23. Following these communications, Mac Isaac apparently sent via FedEx a copy of the data he claimed to have obtained from Plaintiff to Defendant Costello's personal residence in New York on an "external drive." Once the data was received by Defendants, Defendants repeatedly "booted up" the drive; they repeatedly accessed Plaintiff's account to gain access to the drive; and they proceeded to tamper with, manipulate, alter, damage and create "bootable copies" of Plaintiff's data over a

period of many months, if not years.

2. Plaintiff's investigation indicates that the data Defendant Costello initially received from Mac Isaac was incomplete, was not forensically preserved, and that it had been altered and tampered with before Mac Issac delivered it to Defendant Costello; Defendant Costello then engaged in forensically unsound hacking activities of his own that caused further alterations and additional damage to the data he had received. Discovery is needed to determine exactly what data of Plaintiff Defendants received, when they received it, and the extent to which it was altered, manipulated and damaged both before and after receipt.

Mac Isaac admits in his book that the copy he made of the laptop he received was not a forensic copy.

As with Costello's suit, the lawsuit against Rudy is drilling a dry hole. Rudy is broke, and even if Hunter prevailed, he'd be at the back of a long line of creditors at some time Rudy declares bankruptcy.

But the discovery is something else.

So, too, is Costello's role in all that, which he may or may not be claiming is part of attorney-client privileged activities, a claim that would be impossible to sustain in light of the Nuzzi profile.

And, in the shorter term, these lawsuits provide basis to claim that DE USAO is pursuing Hunter for misdemeanor tax charges, while ignoring the way the President's son was and continues to be serially hacked by his father's opponents.

Update: Politico includes this quote in their report on the lawsuit.

Giuliani and his allies have long argued that the purported laptop was fair game

because it was allegedly abandoned. But at the heart of the lawsuit is the argument that regardless of where any piece of computer hardware was located, Hunter Biden's data still belongs to him alone. A member of his legal team, granted anonymity to discuss his newly aggressive legal strategy, put it this way: "If you take your coat to the dry cleaner and leave your wallet in it, and you forget to pick it up, it doesn't mean the dry cleaner gets the wallet and all your money. It's just common sense."

The member of his legal team hinted that more litigation could follow.

"Everyone involved in stealing and manipulating Hunter's data should be hearing footsteps right about now," that person said.

I don't think people yet have considered the full scope of people this might include.