

“WHAT IT GETS AT IS JUST FACTS:” MAGATS LEARN TO LOVE LONG-DELAYED INTERVIEW REPORTS

I spent much of my day reading the transcript from Hunter Biden attorney Kevin Morris’ deposition by the House. (xitter thread here)

It was a predictable shit show.

And some details – such as Morris’ disclosure that the only reason he contributed \$11,000 on Hunter’s behalf pertaining to a Porsche in 2020 was to pay it off to the point that he could sell it – confirm that David Weiss was spinning Hunter’s expenses on the tax indictment to put them in the worst possible light.

But there’s a particular meltdown that deserves further attention. One of the GOP staffers was grilling Morris about the references to him recorded in a Joseph Ziegler interview report from a September 29, 2022 interview of James Biden, which would have been the last substantive interview of the investigation before David Weiss reopened it last year.

These bullet points are Ziegler’s representation of what James Biden had to say about Morris; they were asking him about a March 2020 communication from a period when Morris was putting together a plan to get Hunter’s life back on track, including by filing his tax returns. If Ziegler’s representation is accurate, the President’s brother is not terrifically enamored of Hunter’s benefactor.

Text Dated March 2020:

a. Kevin Morris (“Morris”) was an attorney for SouthPark and the Book of Mormon. Morris is a very wealthy guy. Morris had befriended RHB. James B

didn't know why or when this occurred.

b. James B was asked by DOJ-Tax attorney Daly what "World Class of People" referred to? James B thought that this could be attorneys and could mean anything. Morris has a huge ego in being a successful entertainment attorney. RHB wasn't interfacing with anyone during this time except for Morris and one other guy who flipped houses named George.

c. Morris was helping RHB a lot, but James B didn't know why. James B thought that this might have been because of his ego. **RHB asked James B to thank Morris because Morris requested a thank you. James B had no understanding of what the team of people means and has no knowledge of what Morris had done for RHB. James B was not sure if there was a loan between Morris and RHB. James B thought that the money was significant enough that RHB asked his uncle to say something to Morris and thank him. James B didn't recall a specific discussion only to say thank you "on behalf of the family".**

d. James B recalled that when RHB was being vilified by the media, Morris had sent a film crew to Bulgaria. Morris was there with his film crew monitoring a documentary trying to defame RHB.

e. James B only met Morris 3-4 times. Morris wanted James B to come work for him and James B told Morris that he was not interested. James B met Morris at his home. Morris also came to RHB's house for a picnic in which James B attended.

f. James B recalled Morris making a comment that if RHB's attorneys weren't going to listen to him, then he wanted nothing to do with them.

g. James B stated that Morris thought he was very knowledgeable “politically,” but James B thought otherwise.

h. James B was not aware if Morris asked RHB for anything else other than a thank you. RHB was very closed lip about Morris. [my emphasis]

So a Republican staffer takes this passage and then asks Morris what James Biden meant when he said that he, Morris, was not very knowledgeable politically, an observation there’s no reason to believe Morris had heard directly.

Mr [redacted]. If you go to 51(g), just a little bit lower, it says, “James Biden recalled Morris making a comment” – or excuse me.

Mr. Sullivan. (f), you mean?

Mr. (g): “James B stated that Morris thought he was very knowledgeable ‘politically,’ but James B thought otherwise.” Do you know why James Biden would say that you thought you were politically savvy?

Morris balks. Hours into this deposition, he doesn’t simply point out he would have no way of knowing. Based on what he knows about James Biden, he doubts the representation is accurate. He, a Hollywood lawyer, cites Law and Order.

Mr. Morris. I don’t believe that he said it.

Look, counsel, this is not a transcript. These are the notes of a law enforcement official, you know, trying to, you know, trying to get a case going. All you have to do is watch one episode of “Law & Order” to know that that’s not often – it’s not always accurate.

GOP staffer then makes of Morris’ comment

something it isn't.

Mr. [redacted] So you're saying you never had any political conversations with James Biden?

Mr. Morris. No, I don't remember any political conversations with Jim.

A Dem staffer, perhaps seeing this about to go off the rails, notes that this is not a contemporary record of the interview.

Mr. [redacted, seemingly a Dem staffer] And can we just establish for the record that this is a memorandum of interview for an interview that took place September 29th, 2022. And as is noted on the last page, Agent Ziegler notes in it, "I prepared this memorandum on over the period October 10th through November 2nd, 2022, after refreshing my memory –"

Which leads things to go after the rails. For at least the second time in the deposition, a Republican staffer defends Joseph Ziegler's honor, as if he hadn't already been caught in misrepresentations of these events.

Mr. [redacted] Are you disputing the accuracy of the – of this memo?

Mr. [redacted] "– from notes made during and immediately after the interview with James Biden."

The Reporter asks people to stop interrupting each other.

The Reporter. You have to repeat. I had two people talking at the same time.

Mr. [redacted] I'm just noting that at the end it says, "I prepared this memorandum on over the period October 10th through November 2nd, 2022, after refreshing my memory with notes made during and immediately after the

interview with James Biden.”

I’m – this is just – I’m just reading from the –

[1:39 p.m.]

Mr. [redacted] It’s in the – we’ve entered it into the record. So the notes were made – if we’re going to – we’re going to pause if you want to maybe ask questions.

Ms. [redacted] We can pause.

A seeming Republican argues that since this is already in the record it must be taken as Gospel.

Mr. [redacted] There were notes that were taken with this. So I don’t know what the point of that was since it’s already in the record.

Ms. [redacted] I think the point is that this is not a contemporaneous memorandum.

Another Democratic staffer notes this is not a contemporaneous record.

That this was actually written down several days, actually a couple weeks after the interview. And it says on the face of it that Mr. Ziegler had to refresh his memory from notes. So I think, you know, it is – it’s as valuable as the paper it’s written on, but it says on its face that it’s not contemporaneous. I think that’s the point we’re making.

Mr. [redacted] And I’m just making that point in the interactions or comments that James Biden said X, and I just want to be clear that what this document says about what it is and what it is not.

A likely Republican says that because ten people attended the interview, all must have vouched for the accuracy of the memo.

Mr. [redacted] There's also 10 people present here. And, presumably, Mr. Ziegler, when he prepared this, he circulated, at least to the internal folks, to make sure that he had it accurate, right?

Kevin Morris is not having it. He notes only one other person, Christine Puglisi, signed it.

Mr. Morris. No, we don't know that. I'm not presuming what Mr. Ziegler said.

I mean, it is signed by Mr. Ziegler and by another special agent. And I am just reading the caveat that's noted above his own signature. I'm not speculating –

Someone complains that they've gone off the rails.

Mr. [redacted] We're getting a little bit –

The court reporter begs, again, for people to stop talking over each other.

The Reporter. Can we speak one at a time, please.

Morris' attorney points out what Morris might have: The House shouldn't be pushing on this in any case, because Morris has no personal knowledge of the interview.

Mr. Sullivan [Morris attorney]. Sorry. For me as the counsel for the witness, I am just saying, the questions are being asked about, based on this memo, that Mr. Morris has no personal knowledge of anything that was actually said. If this is true, we just don't know. We don't have any personal knowledge of whether

this is.

Mr. [redacted] Fair enough.

Mr. Sullivan. That is my main concern –
questions about that –

The Republicans will not be deterred.

Mr. [redacted] Jim Biden mentions –

The court reporter tries, again, to get people
to stop talking over each other.

Mr. Reporter. One at a time, please.

The Republicans will not be deterred.

Mr. [redacted] Jim Biden mentions Mr.
Morris. Here we're simply asking
questions to the extent you can answer
it. Or if you disagree with it, you can
tell us what you can tell us, and that's
where we'll be.

Morris repeats that this transcript doesn't
sound like Jim Biden, but also notes that even
if he did, it doesn't get Republicans to where
they want to get.

Mr. Morris. And counsel what I'm saying
is, I do question the validity of this.
I do question a lot of it. Some of it
sounds like stuff Jim would never say.
But, in any event, I don't believe – you
know, were it all true, I don't know
where this gets you. Like if, you know –
and I could be speculating about what
Jimmy said in front of investigators,
you know, written down by the memo and
not on a transcript.

In response to which, a Republican asserts that
this transcript, which Morris contests, relaying
claims to which Morris has no personal
knowledge, "gets at is just facts."

Mr. [redacted] What it gets at is just facts. I mean, we're just trying to ask you questions as fast as we can.

It's nice to know these committees are just as much of a shit show behind closed doors as are the hearings hosted by James Comer.

But the dispute is worth closer look. The point the Democrats are making is that this interview of James Biden – the last interview of this investigation – was not written up for 34 days. The interview was held on September 29, 2022. Ziegler described that, starting 11 days after the interview, he wrote it up over a period of 23 days, from October 10 to November 2.

I prepared this memorandum **on over** the period October 10th through November 2nd, 2022, after refreshing my memory from notes made during and immediately after the interview with James Biden.
[my emphasis]

Not only that, but Ziegler corrected himself: he didn't write the memo *on* a particular day, he wrote it *over* a more than three week period just before the 2022 midterms.

Remember: It is an article of faith that there must have been political interference because it took 22 days to write up an interview report of Mike Flynn's January 24, 2017 interview, which was finalized on February 15, 2017. This conspiracy theory frothed Republicans up *but good* for – I kid you not – 675 days until, after a series of backflips to invent some reason to throw out the Flynn prosecution, Bill Barr's DOJ admitted the conspiracy theory was based on fluff. There was no original 302, they admitted after Sidney Powell spent years leading MAGAts to believe there was.

The delay in finalizing Flynn's 302, which is actually far too routine, was a core piece of "proof" in the conspiracy theories that Flynn was wrongfully prosecuted.

And here, an interview report of the President's brother took 12 days *longer* to complete than Flynn's (which is still not that long compared to far too many interview reports). Worse still, during that entire period, Ziegler's boss and close ally on this case, Gary Shapley, was busy inventing a reason to blow up the case. Ziegler didn't even begin to write up this interview until after the October 6 leak and the October 7 meeting that has since roiled the case.

Honestly, Morris should have started where he ultimately ended up: noting that even if the interview report recorded James Biden accurately, it didn't help Republicans' conspiracy theories.

But by raising questions about whether Ziegler, at a time when he and Shapley were inventing conspiracy theories about this case, accurately recorded the President's brother, he invited Republicans to demonstrate just how little they really care about delayed interview reports.