

DAVID WEISS IS WITHHOLDING THE PROOF LEO WISE CLAIMS DOESN'T EXIST

Leo Wise continues to engage in a kind of arbitrage to win his argument that politics didn't lead David Weiss to renege on Hunter Biden's plea agreement, making claims that may be true for him and Derek Hines, but are patently false for David Weiss, the only prosecutor still on the team who was involved in the plea deal itself.

According to the Daily Mail, Wise insisted in the hearing the Hunter Biden prosecution last week that there's no proof the claims of disgruntled IRS agents Joseph Ziegler and Gary Shapley affected the case.

'These two agents started the dominos,' Lowell said. 'When was the last time a chair of a congressional committee sought intervention to stop a plea deal?'

Wise hit back that the claim he was influenced by former IRS agents was 'patently absurd', adding 'I couldn't pick them out of a lineup'.

'The defense's problem is... they offer no proof,' Wise said. 'Other than insulting us, where is the proof?'

The proof exists in official testimony that DOJ witnessed and surely has in its possession.

On September 7 of last year – just days before the first indictment – Special Agent in Charge Thomas Sobocinski (who also remained on the case before and after the reneged plea deal) described that after Gary Shapley went public in late May, he and David Weiss spoke about how Shapley's comments would affect the case.

The way it affected the case, Sobocinski explained, was that family members of investigative team members were getting stalked.

Q After it became public that Gary Shapley was going to come to Congress and he gave, I think, an interview on CBS in the at the end of May before his congressional testimony, who did you discuss that with?

A My team within Baltimore, probably folks within the Criminal Investigative Division. Definitely David Weiss.

Q And what was the nature of your conversation with David Weiss?

A I need to go off the record for a minute.

Mr. [Steve] Castor. Okay.

[Discussion held off the record.]

Mr. Sobocinski. Yeah. In general, it was concerns about how this was going to affect the ongoing case and were there issues we needed to take into at least from the FBI side to move forward.

BY MR. CASTOR:

Q After Shapley's testimony became public in June, did you have any conversations with David Weiss about that?

A We acknowledged it, but it wasn't I mean, we didn't sit there with the transcript going back and forth. **We both acknowledged that it was there and that it would have had it had an impact on our case.**

Q Okay. Did any of your conversations with David Weiss, you know, have anything to do with like, can you believe what Shapley's saying, this is totally 100 percent untrue?

A I don't remember that level of it.

Q If it was

A I was more concerned about how this is affecting my employees. I now have FBI employees that names are out there. I have FBI employees and former FBI retired agents who've served for 20plus years whose parents are getting phone calls, whose photos with their girlfriends, who **their children who are being followed**. That is not something that we were prepared for, and I was concerned about having that continue or expand to other one of my employees. [my emphasis]

Obviously, both Sobocinski and David Weiss (who attended the hearing) know about the discussions they themselves had about how Shapley's media tour led family members of the investigative team to be stalked. FBI's Assistant General Counsel Megan Greer and DOJ's Deputy Assistant Attorney General for Legal Affairs Sara Zdeb attended the deposition as well and so know of this testimony. It is my understanding that DOJ has reviewed these transcripts for accuracy, and so must have copies of them.

The proof is there, almost certainly in DOJ custody. It's just that David Weiss is withholding it from Hunter Biden.

I will cycle back to this issue once a transcript becomes available. I've seen no mention of the uncontested assertion by Abbe Lowell that David Weiss came to fear for the safety of his family. Judge Mark Scarsi reportedly asserted that the only evidence Lowell presented is stuff on the Internet – but of course, there's a DC Circuit opinion that found that Trump's threats "have real-world consequences."

It's not enough for Leo Wise to claim that Shapley's actions had no impact on his own behavior. He needs to address whether it had an

impact on Weiss' actions.

And according to the FBI supervisor overseeing this case, Shapley's actions "had an impact on our case," because they led everyone to start worrying about the safety of their families.

Leo Wise may claim that because it wasn't *his* family being stalked, the media tour didn't have an impact on his decisions. But he would never have been added to the team if not for the campaign by the disgruntled IRS agents.