

LOOSE ENDS ON THE GEORGE SANTOS PLEA DEAL

As first reported by TPM, George Santos is expected to plead guilty at 3PM ET today. We'll see, soon enough, the terms of his plea deal. Until then, I wanted to lay out some interesting loose ends in his prosecution.

The secret motion in limine

It's possible that Santos decided to plead based off something that appeared in the government's motion in limine, submitted in both redacted and unredacted form on August 2. That MIL includes a 9-page section that is entirely redacted, as well as two exhibits cited in that section submitted under seal.

I.	[REDACTED]	8
A.	[REDACTED]	8
1.	[REDACTED]	8
2.	[REDACTED]	10
B.	[REDACTED]	10
C.	[REDACTED]	12
D.	[REDACTED]	16

Santos spent part of the weeks since then successfully arguing for a partially anonymous jury (but not a belated request to use a jury questionnaire). But after being arraigned for a superseding indictment last Tuesday, the parties submitted a letter on August 16, scheduling today's hearing and extending Santos' deadline to respond to the MIL.

While the section is redacted, it's likely that it pertains to a proffer or some other statements Santos or his attorney offered to prosecutors. The citations from that section include several (one two three four) that pertain to treatment of proffer statements at trial, and also cites to the FRCP Rule

pertaining to pleas.

It might be similar to what we saw with Lev Parnas, who proffered in 2020 in hopes of cooperating, only to have SDNY accuse him of lying in the proffer. That motion in limine relied on a number of the same citations as this redacted section does, though it was a much shorter and, based on placement, less important request than this one in the Santos case.

Which suggests Santos admitted to something in the context of a plea, then tried to back out of doing so.

And now he's (reportedly) pleading.

Of some note, another point of emphasis in EDNY's MIL was that Santos has not complied with reciprocal discovery. They believe he's sitting on documents.

FBI seizes phone of Tennessee's equivalent to George Santos

Santos' decision to plead makes another recent development look more interesting.

On August 6 (four days after the Santos motion in limine and just after Ogles won the GOP nomination to be reelected), the FBI seized the phone of Andy Ogles, a congressman from Tennessee.

FBI agents executed a search warrant late last week on Tennessee Congressman Andy Ogles as the first-term Republican faces continuing scrutiny over fraudulent campaign financial reports that he filed, NewsChannel 5 has confirmed.

[snip]

Execution of the search warrant came immediately after Ogles defeated Courtney Johnston in the Republican

primary as he seeks a second term in the U.S. Congress. Department of Justice guidelines generally prohibit law enforcement from taking any overt actions in investigations of a political candidate in the 60 days before an election.

Back in May, Ogles filed a series of amended campaign financial reports, admitting he had not personally loaned his campaign \$320,000 as he had reported back in 2022.

Other amendments to his campaign financial reports resulted in Ogles retracting claims regarding thousands of dollars in campaign contributions and expenditures that he had previously reported to the Federal Election Commission.

That development came several months after NewsChannel 5 Investigates raised questions about whether Ogles had the financial resources to make that personal loan. Despite having reported making the \$320,000 personal loan, Ogles' personal financial disclosures did not show any substantial investments – not even a savings account.

Back when details of Santos' false claims became public, Ogles was one of two members of Congress that the press found to have made similar false claims about their background (the other being Anna Paulina Luna). In Ogles' case – as laid out in a January 2024 complaint from the Campaign Legal Center – the similarities include lying about his background, a history of suspect financial actions, and falsely claiming to have given himself a personal loan.

In conclusion, the similarities between Rep. Ogles and Rep. Santos should not be ignored. Although Rep. Ogles has not been charged with criminal activity, he

has attracted public attention similar to Rep. Santos due to his false statements on his background and other matters. For example, Rep. Ogles has allegedly misrepresented his professional history by repeatedly claiming, in various instances, to be an “economist” who formerly worked in “law enforcement” and “worked in international sex crimes” or “human trafficking” when he lacks meaningful career or educational background in any of these fields.²¹ Further, Rep. Ogles has been accused of “stealing” money he raised in an online GoFundMe fundraiser;²² in 2014, Rep. Ogles raised \$23,565 for a children’s “burial garden” which as of 2024 has not been built.²³

In addition, Rep. Ogles’ campaign finances have been the subject of federal scrutiny. Reporting indicates that Rep. Ogles paid a \$5,750 civil penalty to the FEC for multiple reporting violations, including an alleged \$90,000 in unreported receipts from October 2022 and an unreported \$50,000 inter-committee transfer.²⁴ A pending complaint also alleges a “pattern of malfeasance” in Ogles’ campaign finance disclosures, including an incident in which Ogles allegedly filed a report late in an attempt to cover up a misrepresentation in a press release, ²⁵ which claimed his committee had raised \$453,000 in the first month of his campaign,²⁶ when in reality it had only raised \$254,494 in its first three months.²⁷ His previous campaign committee was fined \$2,700 in 2003 for reporting issues.²⁸

Although Rep. Ogles’ statements about his background and the prior FEC complaints against him are not the subject of this complaint, these matters demonstrate a pattern of inaccurate

information on the public record supporting an investigation of his substantial financial disclosure discrepancies.²⁹

The similarities between Santos' false claims and Ogles' raise questions about whether there's something common to them.

The gaps in the Voronchenko docket

Meanwhile, I can't stop thinking about this docket, in the case charging Vladimir Voronchenko with sanctions violations for making payments to maintain four properties, amounting to \$75 million in value, owned by Viktor Vekselsberg.

U.S. District Court Southern District of New York (Foley Square) CRIMINAL DOCKET FOR CASE #: 1:23-cr-00073-MKV-1		
Case title: USA v. Voronchenko		Date Filed: 02/07/2023
Date Filed	#	Docket Text
02/07/2023	1	INDICTMENT FILED as to Vladimir Voronchenko (1) count(s) 1, 2, 3, 4, 5. (jm) (Main Document 1 replaced on 2/7/2023) (jm). (Entered: 02/07/2023)
02/07/2023		Case Designated ECF as to Vladimir Voronchenko. (jm) (Entered: 02/07/2023)
03/01/2023	3	LETTER by USA as to Vladimir Voronchenko addressed to Judge Mary Kay Vyskocil from AUSA Jessica Greenwood dated 3/1/2023 re: Related Case Letter Document filed by USA. (Greenwood, Jessica) (Entered: 03/01/2023)
05/01/2023		***DELETED DOCUMENT. Deleted document number 9 TRANSCRIPT, as to Robert Wise. The document was incorrectly filed in this case. (ln) (Entered: 06/13/2023)
06/28/2023	18	SEALED DOCUMENT placed in vault. (jus) (Entered: 06/28/2023)
11/21/2023	27	SEALED DOCUMENT placed in vault. (nmo) (Entered: 11/21/2023)
12/04/2023	32	SEALED DOCUMENT placed in vault. (nmo) (Entered: 12/04/2023)
07/08/2024	43	SEALED DOCUMENT placed in vault. (jus) (Entered: 07/08/2024)

There's a bunch going on it, with at least 40 docket entries in the 18 months since it was unsealed. But almost all of those are sealed, save four sealed documents that show up in the docket itself.

Vekselberg's fixer, Voronchenko, would know a good deal about his efforts to influence US politics. As I noted when the indictment was unsealed, that would extend to Andrew Intrater's close financial ties to Santos.

While it was not listed in the 404(b) notice EDNY sent to Santos in April (though they did send a follow-up), the government's MIL described that they expected to introduce abundant evidence about Santos' efforts to cover

up his role in Harbor City's Ponzi scheme, as part of which he invested for Intrater.

At trial, the government anticipates introducing evidence, including witness testimony and records, establishing that Santos's motive for concealing his employment with, and income from, Investment Firm #1 in his Financial Disclosure Report filed on September 6, 2022, was to avoid negative publicity associated with Investment Firm #1. Specifically, the evidence at trial will establish that Santos was aware that, in April 2021, the SEC filed a complaint against Investment Firm #1, alleging that Investment Firm #1 operated a Ponzi scheme and seeking injunctive relief, disgorgement, civil penalties and an asset freeze (the "SEC Proceeding"). See SEC v. Harbor City Capital Corp., No. 21 CV 694, 2021 WL 3111587 (M.D. Fla. May 19, 2021). As a result, Santos, who had by then ceased his employment at Investment Firm #1, sought to avoid public association with Investment Firm #1, which he believed would be detrimental to his congressional campaign. For example, the government has obtained text messages between Santos and a campaign staffer in December 2022 concerning his efforts to conceal his involvement with Investment Firm #1, in which Santos stated, in part: "[W]e did not list [Investment Firm #1] for the obvious reasons. I strongly think they will try to make it about us not listing [Investment Firm #1] on the bio which is also my most recent employer. And are going to try to hit me on the fucking Ponzi scheme nonsense. That's my opinion." The government also intends to introduce evidence demonstrating Santos's awareness of the SEC Proceeding, including text messages where he transmits Internet links to articles

discussing the proceeding and excerpted portions of his sworn deposition taken in the SEC Proceeding.

[snip]

[T]he government will elicit evidence at trial establishing that Santos himself was not accused of any wrongdoing in the SEC Proceeding[.]

Perhaps this link is just one big coinkydink.

Perhaps it is not.

We may never find out now if, indeed, Santos pleads guilty today.