

The Well News

From: The Well News
Sent: Wednesday, October 17, 2018 6:43 AM
To: Whitaker, Matthew (OAG)
Subject: Tax Talk?, Debate Clips, National Debt and America's Economic Future

Click [here](#) to subscribe.



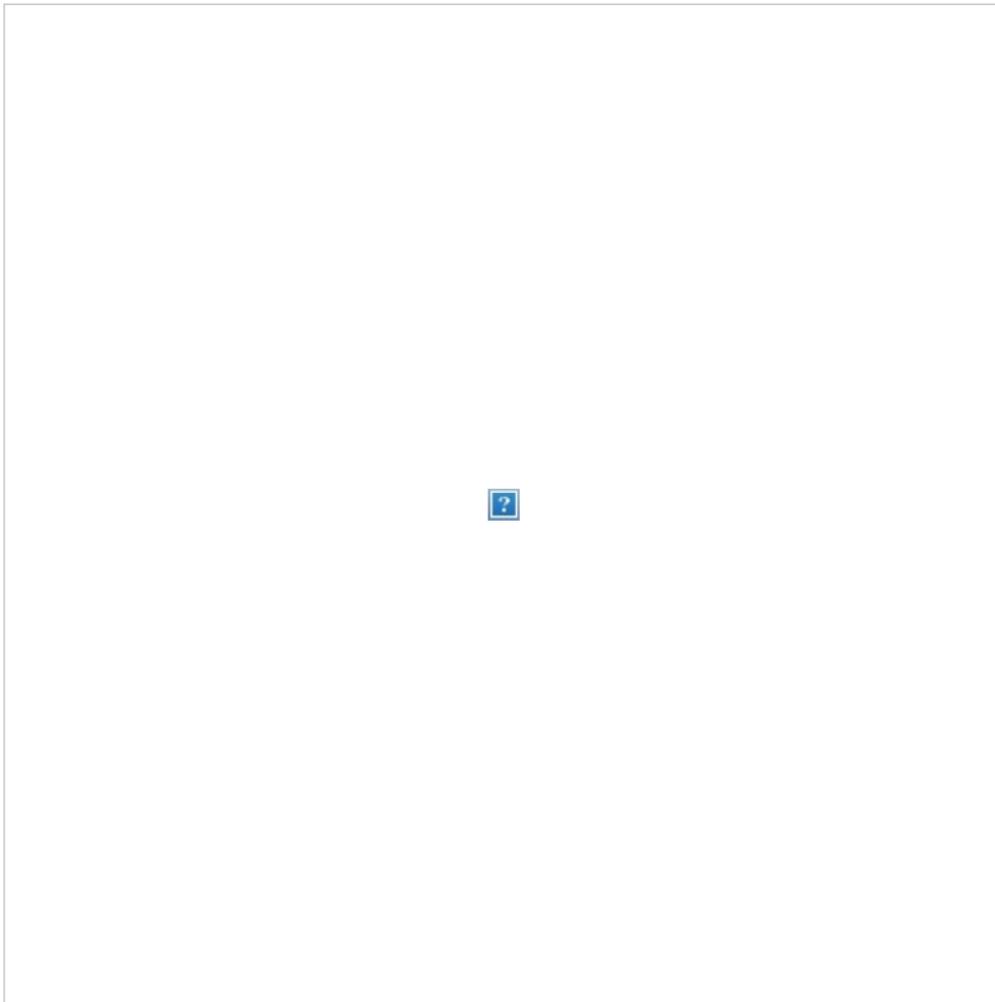
PRESENTED BY STAND WITH PARKLAND

Straight from The Well

Wednesday, October 17, 2018

**AN ACCOMPLISHED MAYOR, MCADAMS
HOPES TO BRING BIPARTISAN**

APPROACH TO POLARIZED CONGRESS



Ben McAdams meets voters on the campaign trail.

If you ask Ben McAdams how he has managed to accomplish so much as Salt Lake County Mayor, his answer is pretty simple. Collaboration and bipartisanship.

Read more [here](#).

A new survey by the University of Utah's Hinckley Institute of Politics in partnership with The Salt Lake Tribune has McAdams and Love at a dead heat at 46%-46%. The race is rated as a "toss-up" by The Cook Political Report.

WHERE HAVE ALL THE DEFICIT HAWKS GONE?

Despite all the blustering on the campaign trail about the debt and deficit, this week the Treasury Department announced a fiscal year 2018 deficit of \$779 billion. This is the largest deficit since 2012, two years after the Tea Party wave swept Democrats out of power in the House in 2010.

What are budget hawks in Congress saying?

Blue Dog Coalition on Twitter: Unfortunately, we're now seeing the repercussions of the partisan, deficit-exploding GOP tax law. But, it doesn't have to be this way. Our future depends on both parties working together to get our nation's fiscal house back in order. We can be fiscally responsible—we must be.

Data Gap in Measuring Alternative Work

In recent decades, globalization and technological change has disrupted work and accelerated changing dynamics between workers and companies, giving rise to more alternative work arrangements.

[Read](#) the New Democrat Coalition's latest blog post on the data gap in measuring alternative work and what we can do to empower American workers with the tools they need to succeed.

About Stand With Parkland

MISSION STATEMENT

Stand with Parkland is a national organization representing American families. We are committed to advocating for practical public safety reforms focused on the safety of our children and staff at school, improved mental health support, and responsible firearms ownership. Personal responsibility and a desire for change are paramount to this effort, and it is the people involved at all levels that will make these goals a reality. Violence in our schools affects everyone. It is an American epidemic, and it is time that we all come together to [do something about it](#).

canva-photo-editor(41)



HEADER



CSPAN_AZ Senate Debate



Arizona Senate Debate

Candidates for Arizona's U.S. Senate seat, U.S. Representatives Kyrsten Sinema (D) and Martha McSally (R), debated at an event hosted by Arizona PBS and the *Arizona Republic* in Phoenix. They

discussed the Trump administration, tariffs, Supreme Court Justice Brett Kavanaugh, health care, immigration reform, and the 2017 Republican tax bill.

Watch Now

CSPAN_VA-07 Debate



Virginia 7th Congressional District Debate

Candidates for Virginia's 7th Congressional District seat, incumbent Representative Dave Brat (R) and challenger Abigail Spanberger (D), took part in a debate. They discussed the national debt, education funding, immigration, and health care reform.

Watch Now

Candidate Profile: Katie Hill



Katie is an experienced change maker running for Congress in her hometown (Saugus '04!) to give a voice to the people of California's 25th district. If you're a member of this community then you already know Katie – she's the daughter of a local registered nurse and police officer, she's been educated at your public schools, and there's a good chance you've shared a grocery store checkout lane once or twice. Katie attended public schools in the 25th District and holds a BA and Master's from Cal State University Northridge. [Click here](#) to watch Katie's campaign video and learn more about her.

Defunding America's Future: The Squeeze

on Public Investment in the United States

Publication/Policy Memo by Ben Ritz, PPI

Every year since President Bill Clinton left office in 2001, the federal government has spent more money than it raised in revenue, borrowing from outside investors to make up the difference.

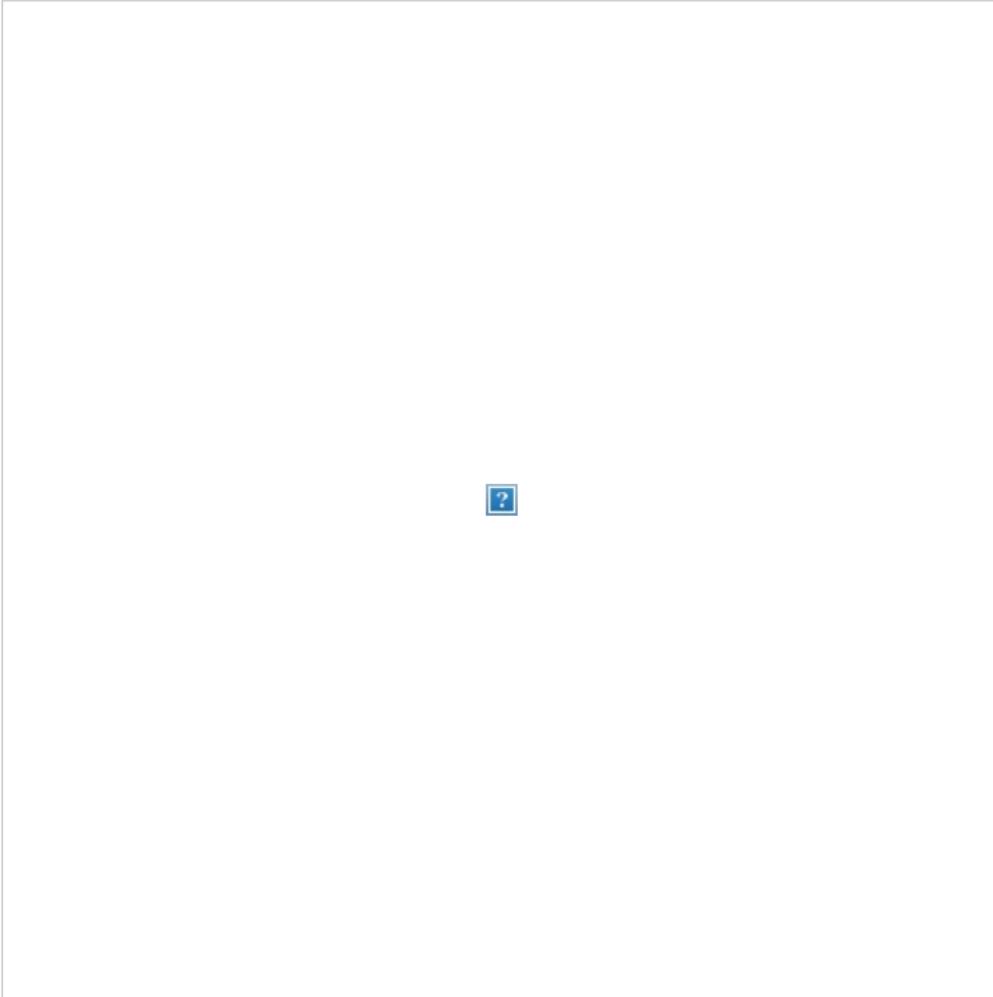
All this borrowing comes at a cost: By the end of the next decade, the federal government is projected to pay out over \$1 trillion annually on interest payments alone if current policies remain in place. That's \$1 trillion every year that we could be investing in America's future by researching promising new technologies, building bridges and railroads, or training a next-generation workforce. Instead, it will be wasted paying for yesterday's debts. [Read more.](#)

In The News

- [McConnell Blames Entitlements, Not GOP, for Rising Deficits](#)
By Steven T. Dennis
 - [Top-Spending Republican Group Says Little About Trump Tax Law in Campaign](#)
By Sahil Kapur and John McCormick
 - [No Sign of Breakthrough After Pompeo Meets With Saudi Rulers Over Missing Journalist](#)
By Tracy Wilkinson and Umar Farooq
-

EVERY DAY IS SOME DAY: National Fossil Day

Source: National Day Calendar



National Fossil Day™ 2018 Artwork (National Park Service)

National Fossil Day was first held on October 13, 2010, during Earth Science Week. National Fossil Day was established to promote the scientific and educational values of fossils. Each year a new National

Fossil Day logo is created depicting a prehistoric organism. The logos help to promote National Fossil Day and provide educational opportunities to share more information about fossils. Celebrate by visiting a local museum or do some research about fossils.

#NationalFossilDay

MIDTERMS 2018: POLLING AND ADS

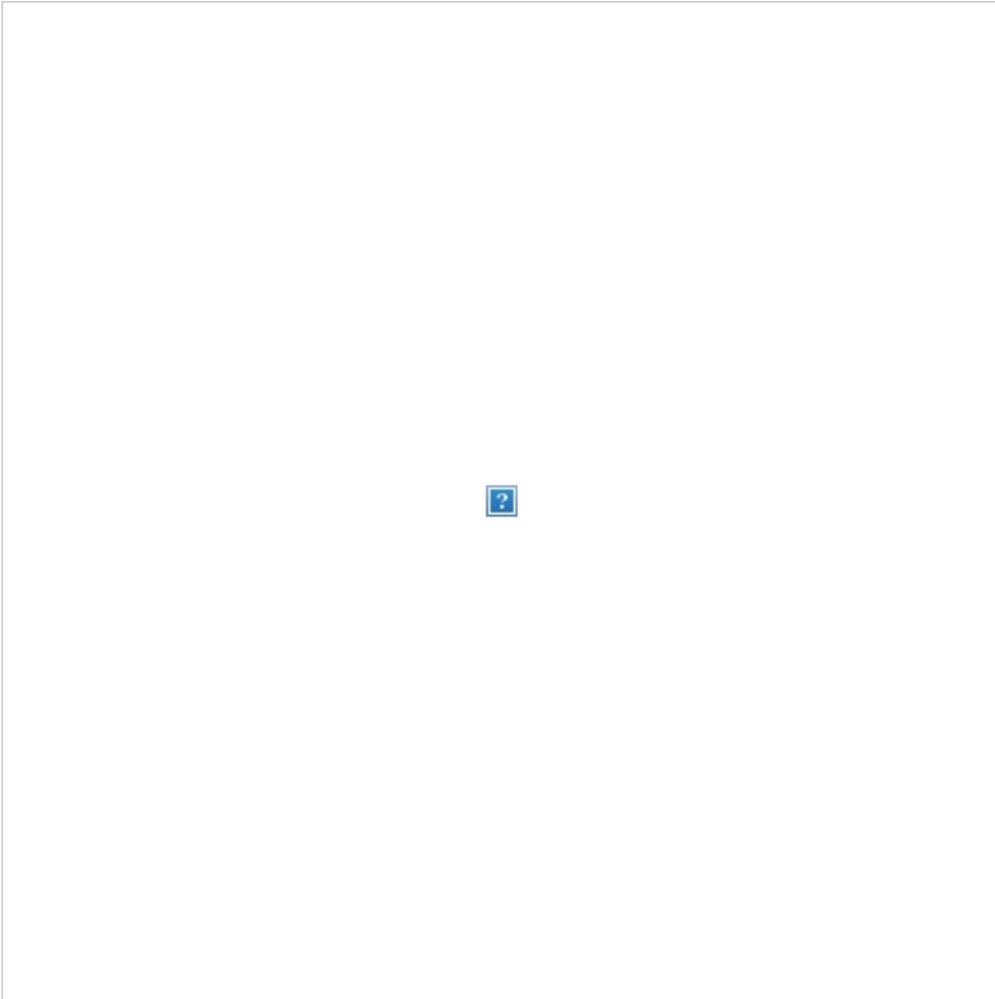
HMP Launches \$4.7 Million in Ads in 11 Media Markets

House Majority PAC launched new TV ads in 9 districts across the country: AZ-02, IA-03, KS-03, KY-06, MN-01, NJ-03, NJ-05, TX-23, and WA-08. The buys across these 9 districts total approximately \$4.7 million with ads in 11 different media markets.

EDF Action Launches Television Buy in NJ-03

This week EDF Action launched a new television ad, "[Cost](#)," targeting Congressman Tom MacArthur in New Jersey's 3rd Congressional District. The ad is part of a previously announced \$1 million joint effort by LCV Victory Fund, EDF Action, Environment America Action Fund and Clean Water Action.

NEWS YOU CAN'T USE



[Climate Change Will Lead To Beer Shortages And Price Hikes](#)
(IFLScience!)

The Well News, 777 6th Street, NW, Washington, DC, 20001
[Unsubscribe](#)

Davis, Mike (Judiciary-Rep)

From: Davis, Mike (Judiciary-Rep)
Sent: Friday, October 19, 2018 1:24 PM
To: Davis, Mike (Judiciary-Rep)
Subject: SCOTUS -- Judicial Watch Files Bar Complaint Against Christine Blasey Ford's Lawyers

https://www.judicialwatch.org/press-room/press-releases/judicial-watch-files-bar-complaint-against-christine-blasey-fords-lawyers/?utm_source=t.co&utm_medium=social&utm_campaign=press%20release

[Judicial Watch](#) • Judicial Watch Files Bar Complaint Against Christine Blasey Ford's Lawyers

Judicial Watch Files Bar Complaint Against Christine Blasey Ford's Lawyers

Judicial Watch Files Bar Complaint Against Christine Blasey Ford's Lawyers

OCTOBER 19, 2018

Judicial Watch https://www.judicialwatch.org/t/images/judicial_watch-logo_schema.jpg
<https://www.judicialwatch.org>

Judicial Watch

https://www.judicialwatch.org/t/images/judicial_watch-logo_schema.jpg

[Email](#) [PrintText](#) [Size](#)

Dr. Ford's lawyers neglected to inform their client that she could have been interviewed by female staffers at home, in private rather than the formal hearing in Washington, DC

(Washington, DC) – [Judicial Watch](#) announced today that it [filed a complaint](#) to the Board of Professional Responsibility of the District of Columbia Court of Appeals of Debra S. Katz, Lisa J. Banks, and Michael R. Bromwich for violating the rules of professional responsibility in their representation of Dr. Christine Blasey Ford before the U.S. Senate Judiciary Committee during the hearings on the nomination of the Honorable Brett Kavanaugh.

According to the Judicial Watch complaint, by not informing their client Dr. Ford that Sen. Chuck Grassley, Chairman of the Senate Judiciary Committee offered in [a letter](#) to “fly female staff investigators to meet Dr. Ford... in California, or anywhere else, to obtain (her) testimony,” Katz, Banks, and Bromwich violated the following District of Columbia Rules of Professional Conduct:

Rule 1.4(a) – A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

Rule 1.4(b) – A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

The Judicial Watch complaint is reprinted below:

To the Office of Disciplinary Counsel:

Judicial Watch hereby files a disciplinary complaint against District of Columbia bar members Debra S. Katz, Lisa J. Banks, and Michael R. Bromwich in connection with their representation of Dr. Christine Blasey Ford before the U.S. Senate Judiciary Committee [the”Committee”].^[1]

Rule 1.4(a) of the District of Columbia Rules of Professional Conduct [“DC Rules”] states: “A lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.” Rule 1.4(b) provides: “A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.”^[2]

In this case, Dr. Ford made well-publicized allegations of sexual misconduct involving Judge Brett Kavanaugh of the U.S. Court of Appeals for the District of Columbia Circuit, whose nomination to the U.S. Supreme Court was before the Committee. Her identity was first revealed in connection with these allegations on September 16, 2018. The next day, September 17, 2018, Ms. Katz went on several television shows asking that the Committee hold a public hearing so that Dr. Ford could offer her testimony.^[3]

Sen. Chuck Grassley, Chairman of the U.S. Senate Judiciary Committee, honored that request. In [a letter](#) sent on September 19, 2018, he informed Ms. Katz and Ms. Banks that the Committee was scheduling a hearing on Judge Kavanaugh’s nomination for September 24, 2018, in order to “give Dr. Ford an opportunity to tell her story to the Senate and, if she chooses, to the American people.” Letter from Sen. Chuck Grassley, Chairman, S. Judiciary Comm., to Debra S. Katz and Lisa J. Banks (Sep. 19, 2018) (available at <https://goo.gl/ce3SVv>). He informed Ms. Katz and Ms. Banks that the hearing could be public or private, and that Dr. Ford could also choose to have a public or private staff interview with Committee staff, either by phone or in-person. *Id.* “To that end,” Chairman Grassley continued, “Committee staff has attempted to contact you directly by phone and e-mail several times to schedule a call at a time convenient for you and your client. We thus far have not heard back from you with regard to that request.” *Id.* He reiterated that “my staff would still welcome the opportunity to speak with Dr. Ford at a time and place convenient to her.” *Id.*

On September 21, 2018, Chairman Grassley wrote another [letter](#) to Ms. Katz, where he stated that “[t]he Chairman has offered the ability for Dr. Ford to testify in an open session, a closed session, a public staff interview, and a private staff interview. Press Release, Senate Judiciary Committee, Ford ‘Wasn’t Clear’ Committee Offered California Interview in lieu of Public Washington Hearing (Oct. 2, 2018) (available at <https://goo.gl/6dmNJd>). **The Chairman is even willing to fly female staff investigators to meet Dr. Ford and you in California, or anywhere else, to obtain Dr. Ford’s testimony.**” *Id.* (emphasis added).

When the hearing finally took place on September 27, 2018, however, the following exchange took place between Dr. Ford, under oath, and counsel for the Committee, Rachel Mitchell:

“MITCHELL: May I ask, Dr. Ford, how did you get to Washington?

FORD: In an airplane.

MITCHELL: OK. It’s – I ask that, because it’s been reported by the press that you would not submit to an interview with the committee because of your fear of flying. Is – is that true?

FORD: Well, I was willing – **I was hoping that they would come to me, but then I realized that was an unrealistic request.**

MITCHELL: It would've been a quicker trip for me.

FORD: Yes. **So that was certainly what I was hoping, was to avoid having to get on an airplane,** but I eventually was able to get up the gumption with the help of some friends, and get on the plane.”

Nomination of the Honorable Brett M Kavanaugh to be an Associate Justice of the Supreme Court of the United States (Day 5): Hearings before the Comm. on the Judiciary., 115th Cong. (2018) (emphasis added).

Mitchell's questioning at the hearing continued:

“MITCHELL: Was it communicated to you by your counsel or someone else, that the committee had asked to interview you and that – that they offered to come out to California to do so?

BROMWICH: We're going to object, Mr. Chairman, to any call for privileged conversations between counsel and Dr. Ford. It's a privileged conversation ...

(CROSSTALK)

GRASSLEY: Would – could – could we – could you validate the fact that the offer was made without her saying a word?

BROMWICH: (OFF-MIKE)

GRASSLEY: Is it possible for that question to be answered without violating any counsel relationships?

FORD: Can I say something to you – do you mind if I say something to you directly?

GRASSLEY: Yes.

FORD: I just appreciate that you did offer that. **I wasn't clear on what the offer was. If you were going to come out to see me, I would have happily hosted you and had you – had been happy to speak with you out there. I just did not – it wasn't clear to me that that was the case.**“

Id. (emphasis added).

Thus, it is clear, by Dr. Ford's own testimony, that her attorneys did not communicate the Committee's multiple offers to take her testimony in California, despite the fact that this was Dr. Ford's preferred option. In fact, Dr. Ford testified that she “wasn't clear on what the offer was” and regarded the possibility of investigators taking her testimony in California as “unrealistic”-when in fact it had been **specifically offered.** *Id.*

Despite knowing of Dr. Ford's strong preference to not travel to Washington, D.C., it was inexcusable that Dr. Ford's attorneys should have neglected to inform her of the fact that the Committee investigators were willing to meet her in California. Dr. Ford was thus deprived of the ability to “participate intelligently in decisions concerning the objectives of the representation and the means by which they are to be pursued.” D.C. Rules of Prof I Conduct r. 1.4(b) cmt. 1.

The misconduct of Ms. Katz, Ms. Banks, and Mr. Bromwich noted above has been widely reported. It appears likely that they knowingly subordinated their client's interest in avoiding the publicity of a Senate hearing and

avoiding travel to Washington, D.C. to the desire of Democratic Senators on the Committee to have such a hearing take place in Washington, D.C. Their failure to inform their client of the offer to have Committee staff investigate Dr. Ford in California was dishonest at worst and careless at best. Either way, it is inexcusable, and raises substantial questions about their character and fitness to practice law. It warrants a full investigation by the Office of Disciplinary Counsel.

“We are concerned that ethics rules were violated by Dr. Ford’s attorneys during the Kavanaugh confirmation and took action to get accountability,” stated Judicial Watch President Tom Fitton. “We already filed a Senate ethics complaint against Sen. Cory Booker over his admitted rule breaking and are considering additional steps to address the misconduct committed by Justice Kavanaugh’s opponents.”

###

1 Debra S. Katz, Lisa J. Banks, and Michael R. Bromwich were admitted to the District of Columbia bar on October 14, 1987, August 6, 2001, and December 19, 1980 respectively.

2 Courts in the District of Columbia have a history of enforcing DC Rule 1.4. See *Breen v. Chao*, 304 F. Supp. 3d 9,

26 (D.D.C. 2018) (Attorneys have “a professional obligation to explain matters to their clients”); *Carranza v. Fraas*, 763 F. Supp. 2d 113, 125-126 (D.D.C. 2011) (“Withholding such information precludes a client’s ability to participate in any substantial way in decisions that go to the core of the attorney-client relationship.”); *In re Ukwu*, 926 A.2d 1106, 1135-39 (D.C. 2007) (DC Rules “are not mere aspirations. They set standards that the legal profession is obliged to meet because lawyers often are entrusted with responsibility for some of the most important matters in their clients’ lives ... Explaining legal matters to their clients is an essential part of the work of lawyers.”)

3 Dr. Ford engaged her attorneys in the summer of 2018.

Thank you,
Mike Davis

Mike Davis, Chief Counsel for Nominations
United States Senate Committee on the Judiciary
Senator Chuck Grassley (R-IA), Chairman
224 Dirksen Senate Office Building
Washington, DC 20510

(b) (6) (direct)

(b) (6) (cell)

202-224-9102 (fax)

(b) (6)

USDOJ-Office of Public Affairs

From: USDOJ-Office of Public Affairs
Sent: Wednesday, October 24, 2018 4:51 PM
To: Whitaker, Matthew (OAG)
Subject: FOUR LOCAL MEMBERS OF WHITE SUPREMACY GROUP FACE FEDERAL CHARGES IN ATTACKS AT POLITICAL RALLIES ACROSS CALIFORNIA

The United States Department of Justice



Nicola T. Hanna
United States Attorney
Central District of California

FOR IMMEDIATE RELEASE
WEDNESDAY, OCTOBER 24, 2018
WWW.JUSTICE.GOV/USAO
CONTACT: Thom Mrozek
PHONE: (213) 894-6947

**FOUR LOCAL MEMBERS OF WHITE SUPREMACY GROUP
FACE FEDERAL CHARGES IN ATTACKS AT POLITICAL
RALLIES ACROSS CALIFORNIA**

WASHINGTON – Four Southern California men who allegedly are members of a white supremacy extremist group have been named in a federal criminal

complaint that charges them of travelling to political rallies across California, where they violently attacked counter-protesters, journalists and a police officer. Three of the four defendants are now in custody, and authorities are continuing to search for the fourth defendant.

The criminal complaint unsealed today alleges that the four defendants are members of the Southern California-based “Rise Above Movement” (RAM) and that they used the internet “with the intent to organize, promote, encourage, participate in, or carry on riots.” The four RAM members allegedly engaged in a series of violent attacks at political rallies in 2017, including events in Huntington Beach, Berkeley and San Bernardino. The affidavit in support of the complaint alleges that the men used the internet to coordinate “combat training,” attendance and travel prior to the events, and then to “celebrate their acts of violence in order to recruit members for future events.”

The three men taken into custody are:

- Robert Rundo, 28, of Huntington Beach, allegedly a founding member of RAM and the man behind RAM’s Twitter account, who made his first court appearance on Monday, and at a hearing this morning in United States District Court was ordered detained pending trial;
- Robert Boman, 25, of Torrance, who was arrested this morning by special agents with the Federal Bureau of Investigation and is expected to appear in federal court this afternoon; and
- Tyler Laube, 22, of Redondo Beach, who also was arrested this morning by the FBI and is expected to appear in court this afternoon.

The fourth defendant named in the complaint – Aaron Eason, 38, who resides in the Riverside County community of Anza – is currently being sought by federal authorities.

“Every American has a right to peacefully organize, march and protest in support of their beliefs – but no one has the right to violently assault their political opponents,” said United States Attorney Nick Hanna. “The allegations describe an orchestrated effort to squelch free speech as members of the conspiracy travelled to multiple locations to attack those who hold different views. This case demonstrates our commitment to preserve and protect the freedoms guaranteed by the Constitution.”

“The safeguarding of Constitutionally-protected activity is at the heart of the FBI’s mission,” said Paul Delacourt, the Assistant Director in Charge of the FBI’s Los Angeles Field Office. “There is no place in our democracy, however, for lawbreaking by individuals who cross the line from protected free speech to violence in the name of extremist ideology.”

According to the complaint, which charges the four defendants with violating the

federal conspiracy and riots statutes:

- At the Huntington Beach “Make America Great Again” rally on March 25, 2017, members of RAM broke off from the main rally and confronted counter-protesters, where Rundo, Boman and Laube attacked a number of people, including two journalists.
- In the weeks following this melee, RAM members celebrated the attacks, which were noted on a neo-Nazi website, and solicited others to attend an upcoming rally in Berkeley, as well as combat training to be held in a park in San Clemente.
- At the Berkeley rally on April 15, 2017, Rundo, Boman and Eason were involved in violent attacks, which resulted in Rundo being arrested after punching a “defenseless person” and a Berkeley Police Officer.
- In the subsequent months, RAM members celebrated the assaults in Berkeley, which included Boman posting photos of himself attacking people and RAM members engaging in combat training.
- On June 10, 2017, Rundo and other RAM members attended an “Anti-Islamic Law” rally in San Bernardino, where they participated in violent attacks.

The case announced today follows the [filing of an indictment](#) in federal court in Charlottesville, Virginia that charges four other California RAM members with violating the riots statute during violent altercations at a torch-lit march at the University of Virginia and Unite the Right Rally in August 2017. The affidavit unsealed today in Los Angeles noted the connections between the defendants in both cases.

RAM and its members documented and promoted their white supremacy ideology through postings on various internet platforms and through graffiti, including tags found in Irvine. In a video posted online earlier this year and described in the complaint, Rundo said he was “a big supporter of the fourteen,” which is a reference to the “14 words,” a slogan used by white supremacists and neo-Nazis that reads: “We must secure the existence of our people and a future for white children.”

In the spring of 2018, Rundo and two of the men charged in the Charlottesville case travelled to Europe to celebrate Adolf Hitler’s birthday and to meet with members of other white supremacy extremist groups, according to the complaint.

“Rundo, Boman, Laube, and Eason, along with other RAM members, have used the internet to prepare to incite and participate in violence at various political events, have committed violent assaults while at those events, and have applauded each other for it and publicly documented their assaults in order to

recruit more members to engage in further assaults,” the complaint alleges.

A criminal complaint contains allegations that a defendant has committed a crime. Every defendant is presumed to be innocent until and unless proven guilty in court.

If convicted of the conspiracy and riots charges in the complaint, each defendant would face a statutory maximum sentence of 10 years in federal prison.

This case is being investigated by the FBI’s Joint Terrorism Task Force. The Los Angeles Sheriff’s Department, the Redondo Police Department and the Torrance Police Department provided assistance in relation to this morning’s arrests. This matter is being prosecuted by Assistant United States Attorney David T. Ryan of the Terrorism and Export Crimes Section in the National Security Division of the United States Attorney’s Office.

#

Do not reply to this message. If you have questions, please use the contacts in the message.

Follow us:

This email was sent to (b)(6) Matthew Whitaker using GovDelivery, on behalf of [U.S. Department of Justice Office of Public Affairs](#) · 950 Pennsylvania Ave., NW · Washington, DC 20530 · 202-514-2007 · TTY (866) 544-5309. GovDelivery may not use your subscription information for any other purposes. [Click here to unsubscribe.](#)

[Department of Justice Privacy Policy](#) | [GovDelivery Privacy Policy](#)

Davis, Mike (Judiciary-Rep)

From: Davis, Mike (Judiciary-Rep)
Sent: Thursday, October 25, 2018 12:50 PM
To: Davis, Mike (Judiciary-Rep)
Subject: SCOTUS -- Second Criminal Referral from Chairman Grassley to the Attorney General and FBI Director
Attachments: 2018-10-25 CEG to DOJ FBI (Swetnick and Avenatti Referral)_Redacted.pdf

FYI, Senate Judiciary Committee Chairman Chuck Grassley made a criminal referral to the Justice Department against attorney Michael Avenatti and his client Julie Swetnick.

Please see below and attached. (NOTE: The attached file is redacted. The file sent to the Justice Department is un-redacted.)

Chairman Grassley will issue a press statement momentarily.

Thank you,
Mike Davis

Mike Davis, Chief Counsel for Nominations
United States Senate Committee on the Judiciary
Senator Chuck Grassley (R-IA), Chairman
224 Dirksen Senate Office Building
Washington, DC 20510
(b) (6) (direct)
(b) (6) (cell)
202-224-9102 (fax)
(b) (6)

From: Davis, Mike (Judiciary-Rep)
Sent: Thursday, October 25, 2018 12:26 PM
To: 'Tyson, Jill C. (DO) (OGA)' (b) (6), (b) (7)(C) >; Boyd, Stephen E. (OLA) (JMD) (b) (6) >
Cc: Escalona, Prim F. (OLA) (JMD) (b) (6) >; Lasseter, David F. (OLA) (JMD) (b) (6) >; Duck, Jennifer (Judiciary-Dem) (b) (6) >
Subject: RE: SCOTUS -- Second Criminal Referral from Chairman Grassley to the Attorney General and FBI Director

Appreciate it, Ms. Tyson.

Thank you,
Mike Davis

Mike Davis, Chief Counsel for Nominations
United States Senate Committee on the Judiciary
Senator Chuck Grassley (R-IA), Chairman
224 Dirksen Senate Office Building
Washington, DC 20510
(b) (6) (direct)
(b) (6) (cell)
202-224-9102 (fax)
(b) (6)

From: Tyson, Jill C. (DO) (OGA) (b) (6), (b) (7)(C)]
Sent: Thursday, October 25, 2018 12:24 PM
To: Davis, Mike (Judiciary-Rep) (b) (6) >; Boyd, Stephen E. (OLA) (JMD) (b) (6) >
Cc: Escalona, Prim F. (OLA) (JMD) (b) (6) >; Lasseter, David F. (OLA) (JMD) (b) (6) >; Duck, Jennifer (Judiciary-Dem) (b) (6) >
Subject: Re: SCOTUS -- Second Criminal Referral from Chairman Grassley to the Attorney General and FBI Director

Mr. Davis:

Confirming receipt for FBI.

Thank you.

Jill C. Tyson
Acting Assistant Director
FBI Office of Congressional Affairs

----- Original message -----

From: "Davis, Mike (Judiciary-Rep)" (b) (6) >
Date: 10/25/18 12:16 PM (GMT-05:00)
To: "Boyd, Stephen E. (OLA) (JMD)" (b) (6) >, "Tyson, Jill C. (DO) (OGA)" (b) (6), (b) (7)(C) >
Cc: "Escalona, Prim F. (OLA) (JMD)" (b) (6) >, "Lasseter, David F. (OLA) (JMD)" (b) (6) >, "Duck, Jennifer (Judiciary-Dem)" (b) (6) >
Subject: SCOTUS -- Second Criminal Referral from Chairman Grassley to the Attorney General and FBI Director

Mr. Boyd and Ms. Tyson:

Please find the attached letter (and enclosures) from the Chairman.

Please confirm receipt.

Thank you,
Mike Davis

Mike Davis, Chief Counsel for Nominations
United States Senate Committee on the Judiciary
Senator Chuck Grassley (R-IA), Chairman
224 Dirksen Senate Office Building
Washington, DC 20510
(b) (6) (direct)
(b) (6) (cell)
202-224-9102 (fax)

(b) (6)

CHARLES E. GRASSLEY, IOWA, CHAIRMAN

ORRIN G. HATCH, UTAH	DIANNE FEINSTEIN, CALIFORNIA
LINDSEY O. GRAHAM, SOUTH CAROLINA	PATRICK J. LEAHY, VERMONT
JOHN CORNYN, TEXAS	RICHARD J. DURBIN, ILLINOIS
MICHAEL S. LEE, UTAH	SHELDON WHITEHOUSE, RHODE ISLAND
TED CRUZ, TEXAS	AMY KLOBUCHAR, MINNESOTA
BEN SASSE, NEBRASKA	CHRISTOPHER A. COONS, DELAWARE
JEFF FLAKE, ARIZONA	RICHARD BLUMENTHAL, CONNECTICUT
MIKE CRAPO, IDAHO	MAZIE HIRONO, HAWAII
THOM TILLIS, NORTH CAROLINA	CORY A. BOOKER, NEW JERSEY
JOHN KENNEDY, LOUISIANA	KAMALA D. HARRIS, CALIFORNIA

KOLAN L. DAVIS, *Chief Counsel and Staff Director*
JENNIFER DUCK, *Democratic Chief Counsel and Staff Director*

United States Senate
COMMITTEE ON THE JUDICIARY
WASHINGTON, DC 20510-6275

October 25, 2018

VIA ELECTRONIC TRANSMISSION

The Honorable Jeff Sessions
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

The Honorable Christopher A. Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Washington, DC 20535

Dear Attorney General Sessions and Director Wray:

As you know, the Senate Judiciary Committee recently processed the nomination of Judge Brett M. Kavanaugh to serve as an Associate Justice on the Supreme Court of the United States, leading to his eventual confirmation on October 6, 2018. As part of that process, the Committee has investigated various allegations made against Judge Kavanaugh. The Committee's investigation has involved communicating with numerous individuals claiming to have relevant information. While many of those individuals have provided the Committee information in good faith, it unfortunately appears some have not. As explained below, I am writing to refer Mr. Michael Avenatti and Ms. Julie Swetnick for investigation of potential violations of 18 U.S.C. §§ 371, 1001, and 1505, for materially false statements they made to the Committee during the course of the Committee's investigation.

ALLEGATIONS BY MR. AVENATTI AND MS. SWETNICK

On September 23, 2018, Mr. Avenatti posted a message on social media claiming that he was "represent[ing] a woman with credible information regarding Judge Kavanaugh and Mark Judge."¹ Minutes later, Committee staff contacted Mr. Avenatti acknowledging his claim and asking that he "advise [them] of this information immediately so that Senate investigators may promptly begin an inquiry."² Mr. Avenatti responded, failing to disclose the identity of his client but representing to Committee staff:

We are aware of significant evidence of multiple house parties in the Washington, D.C. area during the early 1980s during which Brett Kavanaugh, Mark Judge, and others would participate in the targeting of

¹ <https://twitter.com/MichaelAvenatti/status/1044006928416825344>.

² Email exchange between the Chief Counsel for Nominations Mike Davis and Michael Avenatti on Sept. 23, 2018, enclosed below.

women with alcohol/drugs in order to allow a ‘train’ of men to subsequently gang rape them.³

Noting Mr. Avenatti’s use of “we,” Committee staff asked Mr. Avenatti if he did in fact have a client making these claims or was solely doing so himself.⁴ He responded that he did have a client, but again did not identify her.⁵ On September 24, 2018, Mr. Avenatti posted an additional message on social media “[w]arning ...[t]he GOP and others” to “be very careful in trying to suggest that she [Mr. Avenatti’s unnamed client] is not credible.”⁶ Then, on September 26, 2018, Mr. Avenatti publicly revealed that his client was Ms. Julie Swetnick.⁷ Ms. Swetnick is a former client of the law firm of Ms. Debra Katz, the attorney for Dr. Christine Blasey Ford.⁸

That same day, September 26, 2018, Mr. Avenatti submitted a sworn statement to the Committee purportedly written and signed by Ms. Swetnick, in which she accused Judge Kavanaugh of repeatedly drugging women and/or spiking their punch with alcohol in order to render them inebriated and disoriented so that groups of boys, including Judge Kavanaugh, could gang rape them.⁹ Specifically, she alleged in her sworn statement that she met Brett Kavanaugh “in approximately 1980-1981,” and that she “attended well over ten house parties in the Washington, D.C. area during the years 1981-1983,” some of which she claimed Brett Kavanaugh also attended. “During the years 1981-82,” Ms. Swetnick declared, “I became aware of efforts by Mark Judge, Brett Kavanaugh and others to ‘spike’ the ‘punch’ at house parties I attended with drugs and/or grain alcohol so as to cause girls to lose their inhibitions and their ability to say ‘No.’” She said that at these parties, which “were a common occurrence in the area and occurred nearly every weekend during the school year,” she witnessed Brett Kavanaugh participate in what she believed to be systematic sexual assaults of incapacitated women. “I ... witnessed efforts by Mark Judge, Brett Kavanaugh and others to cause girls to become inebriated so they could then be ‘gang raped’ in a side room or bedroom by a ‘train’ of numerous boys. I have a firm recollection of seeing boys lined up outside rooms at many of these parties waiting for their ‘turn’ with a girl inside the room,” Ms. Swetnick declared, and “[t]hese boys included Mark Judge and Brett Kavanaugh.”

Ms. Swetnick’s sworn statement, which the Committee received on September 26, 2018, also mentioned for the first time the “Beach Week” parties in Ocean City, Maryland. Ms. Swetnick said that she was “told by other women this conduct also occurred during the Summer months in Ocean City, Maryland,” and she “witnessed such conduct on one occasion in Ocean City, Maryland during ‘Beach Week.’” However, Mr. Avenatti did not reference “Beach Week” in his September 23, 2018 email to the Committee. Mr. Avenatti’s original email only alleged conduct at house parties in the Washington, D.C. area. Notably, Ms. Swetnick submitted her statement broadening the area of the alleged incidents from Washington, D.C.

³ *Id.*

⁴ *Id.*

⁵ *Id.*

⁶ <https://twitter.com/MichaelAvenatti/status/1044233074609811456>.

⁷ <https://twitter.com/MichaelAvenatti/status/1044960940884709378>.

⁸ Ariane de Vogue and Eli Watkins, *New Kavanaugh Accuser Has Tie to Firm of Christine Blasey Ford’s Attorney*, CNN (Sept. 26, 2018). Available at: <https://www.cnn.com/2018/09/26/politics/julie-swetnick-debra-katz-settlement/index.html>. Moreover, according to Dr. Ford’s testimony, Ranking Member Feinstein’s own staff facilitated Ms. Katz’ representation of Dr. Ford. See Mikhael Smits, *Christine Blasey Ford: Feinstein Recommended Attorney Debra Katz to Me*, THE WASHINGTON FREE BEACON (Sept. 27, 2018). Available at: <https://freebeacon.com/politics/ford-feinstein-recommended-attorney-debra-katz/>.

⁹ Swetnick Sworn Statement, dated Sept. 25, 2018 and received on Sept. 26, 2018, enclosed below.

to Ocean City, Maryland, only after the Committee publicly released Judge Kavanaugh's 1982 calendar - which included a notation for Beach Week during the week of June 6-12.¹⁰

**DIVERSION OF COMMITTEE RESOURCES TO
INVESTIGATE MR. AVENATTI'S AND MS. SWETNICK'S ALLEGATIONS**

The sworn statement Mr. Avenatti submitted on behalf of Ms. Swetnick materially affected the Committee's investigation of allegations against Judge Kavanaugh. Within hours of the submission, all the Democrats on the Senate Judiciary Committee sent a letter to me stating:

In light of shocking new allegations detailed by Julie Swetnick in a sworn affidavit, we write to request that the Committee vote on Brett Kavanaugh be immediately canceled and that you support the reopening of the FBI investigation to examine all of the allegations against Kavanaugh or withdrawal of his nomination.¹¹

The Democrats' letter specifically referenced the fact that Ms. Swetnick's sworn statement was submitted to the Committee "[u]nder penalty of perjury, which would cause Ms. Swetnick to be subject to criminal prosecution" if her allegations are knowingly, willfully, and materially false.¹²

After receiving the allegations from Mr. Avenatti and Ms. Swetnick, Committee staff immediately began investigating the claims, diverting significant resources to the effort. This included questioning Judge Kavanaugh in a transcribed interview on September 25, 2018, about the allegations Mr. Avenatti made to the Committee via his September 23, 2018 email.¹³ It also included questioning Judge Kavanaugh in another transcribed interview on September 26, 2018, about the specifics of Ms. Swetnick's allegations after the Committee received her statement.¹⁴ Under penalty of felony, Judge Kavanaugh categorically denied the allegations and stated he did not know Ms. Swetnick. Committee staff also interviewed ten associates of Ms. Swetnick, working late nights and weekends to gather information to determine the veracity of Ms. Swetnick's claims and evaluate her credibility. Committee staff sought to interview Ms. Swetnick, but Mr. Avenatti refused.

**MS. SWETNICK'S AND MR. AVENATTI'S
SUBSEQUENT CONTRADICTIONS OF THEIR ALLEGATIONS**

In short, Mr. Avenatti and Ms. Swetnick made grave allegations against Judge Kavanaugh, and the Committee diverted significant resources to investigate the claims. However, in light of Ms. Swetnick's and Mr. Avenatti's own statements to the media, information obtained from Committee interviews of her

¹⁰ Judge Kavanaugh's Summer 1982 Calendar, provided to Senate Judiciary Committee. Available at: <https://www.judiciary.senate.gov/imo/media/doc/Kavanaugh%20Summer%201982%20Calendar%20Pages1.pdf>.

¹¹ Letter from Judiciary Committee Democrats to Chairman Grassley (Sept. 26, 2018). Available at: https://www.feinstein.senate.gov/public/_cache/files/f/d/fd184cdb-c9fa-49bc-93b8-972f63557de6/6E8DC1425692A07770016AB11DB35F1A.2018.09.26-jud-d-ltr-to-ceg-re-swetnick-withdrawl-or-investigate.pdf

¹² *Id.*

¹³ Senate Judiciary Committee Interview with Judge Kavanaugh 22-25 (Sept. 25, 2018). Available at: [https://www.judiciary.senate.gov/imo/media/doc/09.25.18%20BMK%20Interview%20Transcript%20\(Redacted\).pdf](https://www.judiciary.senate.gov/imo/media/doc/09.25.18%20BMK%20Interview%20Transcript%20(Redacted).pdf).

¹⁴ Senate Judiciary Committee Interview with Judge Kavanaugh 5-10 (Sept. 26, 2018). Available at: [https://www.judiciary.senate.gov/imo/media/doc/09.26.18%20BMK%20Interview%20Transcript%20\(Redacted\).pdf](https://www.judiciary.senate.gov/imo/media/doc/09.26.18%20BMK%20Interview%20Transcript%20(Redacted).pdf).

associates, and publicly reported information about her and Mr. Avenatti, it has become apparent that the statements Mr. Avenatti and Ms. Swetnick submitted to the Committee likely contained materially false claims.

On October 1, 2018, NBC News aired an interview of Ms. Swetnick by Ms. Kate Snow, in which Ms. Swetnick contradicted key claims she had made to the Committee via Mr. Avenatti.¹⁵ When asked about the claim in her sworn statement that she was aware of Brett Kavanaugh spiking punch at parties with drugs and/or grain alcohol, Ms. Swetnick demurred, stating instead that “I saw [Kavanaugh] giving red Solo cups to quite a few girls” but that “I don’t know what he did” as far as spiking punch. In this revised account to NBC, she merely claimed she “saw him by” punch containers. This materially contradicted her statement in her sworn statement that she was “aware of efforts by ... Brett Kavanaugh ... to ‘spike’ the ‘punch’ at house parties ... to cause girls to become inebriated and disoriented so they could then be ‘gang raped.’”¹⁶ Ms. Swetnick’s sworn statement to the Committee claimed she had “personal knowledge of the information” stated in it. Yet, when CNN later questioned Mr. Avenatti about the clear contradictions between Ms. Swetnick’s statements in her sworn declaration and those to NBC about Judge Kavanaugh spiking punch, he conceded: “One of her friends informed her of what she just put in the declaration or what was attested to in the declaration.”¹⁷

When the NBC interview with Ms. Swetnick addressed claims in her sworn statement that she had “**a firm recollection** of seeing boys,” including Brett Kavanaugh, “**lined up** outside rooms at many of these parties” to gang rape incapacitated women, Ms. Swetnick again contradicted her statement to the Committee. She denied both that there were lines of boys outside rooms and that she had any actual knowledge at the time of any gang rapes in those rooms by these boys.

Ms. Snow and Ms. Swetnick had the following exchange in which Ms. Swetnick contradicted her claim of seeing boys lined up outside rooms at these parties she supposedly attended:

Ms. Swetnick: I would see boys standing outside of rooms, congregated together.... I would see them laughing, a lot of laughing.

Ms. Snow: Standing in line outside a room?

Ms. Swetnick: Not a line, but definitely huddled by doors.¹⁸

So, contradicting her sworn statement claim that she had “a firm recollection” of seeing boys lined up outside bedrooms at parties to systematically rape women, her revised account to NBC merely claimed that she saw groups of boys standing together and laughing in the general vicinity of doors at house parties.

Similarly, although Ms. Swetnick claimed in her sworn statement that, based on “personal knowledge,” it was her “firm recollection” that these boys were lined up for the purpose of “waiting for

¹⁵ Kate Snow, *Kavanaugh Accuser Julie Swetnick Speaks Out on Sexual Abuse Allegations*, NBC News (Oct. 1, 2018). Available at <https://www.nbcnews.com/politics/supreme-court/kavanaugh-accuser-julie-swetnick-speaks-out-sexual-abuse-allegations-n915641>.

¹⁶ See Swetnick Sworn Statement.

¹⁷ See Daniel Chaitin, *Michael Avenatti: One of Julie Swetnick's Friends Told Her Kavanaugh Was Spiking the Punch*, THE WASHINGTON EXAMINER (Oct. 1, 2018) (quoting CNN interview). Available at: <https://www.washingtonexaminer.com/news/michael-avenatti-one-of-julie-swetnicks-friends-told-her-kavanaugh-was-spiking-the-punch>; Cuomo Prime Time, *Cuomo Pushes Back on Credibility of Swetnick*, CNN (Oct. 1, 2018). Available at: <https://www.cnn.com/videos/politics/2018/10/02/michael-avenatti-julie-swetnick-credibility-bts-cpt-vpx.cnn>.

¹⁸ Kate Snow, *Kavanaugh Accuser Julie Swetnick Speaks Out on Sexual Abuse Allegations*, NBC News (Oct. 1, 2018).

their ‘turn’ with a girl inside the room,” *i.e.*, for their turn to rape a victim incapacitated by punch spiked with drugs or alcohol, she contradicted this as well in her NBC interview, instead admitting that she did not have any knowledge at the time that any such activity was actually happening, but only assumed as much after the fact, stating: “I didn’t know what was occurring ... and I didn’t understand what it could possibly be.” Ms. Snow attempted to clarify, asking: “So you’re suggesting that, **in hindsight**, you **think** he [Kavanaugh] was involved in this behavior [gang rapes]?” Ms. Swetnick responded: “I would say [pause] yes. It’s just too coincidental.”¹⁹

Ms. Swetnick also contradicted the timeline she provided in her sworn statement, in which she stated: “I attended well over ten house parties in the Washington D.C. area during the years 1981-83 where Mark Judge and Brett Kavanaugh were present.” In the NBC interview, Ms. Swetnick stated that she was sexually assaulted at one of these house parties when she was 19 and stopped going to them afterwards. According to public records, Ms. Swetnick would have turned 20 toward the end of 1982. So, her claim that she attended these parties through 1983 is contradicted by her claim she stopped attending when she was 19.²⁰

In sum, the sworn statement Mr. Avenatti submitted to the Committee on behalf of Ms. Swetnick claimed she had “personal knowledge” that Judge Kavanaugh spiked punch with drugs and alcohol at house parties in 1981-83 in order to cause girls to become incapacitated so that lines of boys would systematically sexually assault them. She later contradicted each of those claims in her interview with NBC.

Those contradictions did not go unnoticed. When NBC introduced her interview segment, Ms. Snow explicitly stated: “There are things that she told us on camera that differ from her written statement last week.”²¹ When later asked by an MSNBC anchor whether Ms. Swetnick has credibility issues, Ms. Snow stated: “I would say yes because there are just to be clear there are things that she said to me that differ from her initial statement, which was a sworn statement last week, submitted to the Judiciary Committee.”²² A CNN host similarly noted the contradictions and quizzed Mr. Avenatti about them.²³ While differences between a media report and a statement to the Committee would not necessarily rise to the level of warranting a referral, when the source of the contradictory media reports is the declarant herself, as is the case here, it does.

LACK OF CREDIBLE EVIDENCE MS. SWETNICK EVER KNEW JUDGE KAVANAUGH

Not only did Ms. Swetnick materially contradict the allegations of sexual misconduct she and Mr. Avenatti made to the Committee about Judge Kavanaugh, there is simply no credible evidence that Ms. Swetnick ever even met or socialized with Judge Kavanaugh. On the contrary, there is substantial evidence they did not know each other. Ms. Swetnick was older and attended a different high school in a different town one whose students were reportedly not known to regularly socialize with students from Judge Kavanaugh’s high school. The only apparent commonality between Ms. Swetnick and Judge Kavanaugh is that they both lived in Montgomery County, Maryland in the early 1980s. That is not particularly

¹⁹ *Id.*

²⁰ In addition to contradicting her statement to the Judiciary Committee, Ms. Swetnick’s NBC interview was also internally inconsistent and contradictory, such as her baffling explanations of how and when she decided to come forward with her allegation.

²¹ Kate Snow, *Kavanaugh Accuser Julie Swetnick Speaks Out on Sexual Abuse Allegations*, NBC News (Oct. 1, 2018).

²² MSNBC Live with Craig Melvin (Oct. 2, 2018).

²³ Cuomo Prime Time, *Cuomo Pushes Back on Credibility of Swetnick*, CNN (Oct. 1, 2018).

meaningful for determining whether they knew each other; according to information from the U.S. Census Bureau, Montgomery County had a population of over 600,000 in 1982.

In addition to denying her allegations, Judge Kavanaugh told the Committee under penalty of felony that he did not know Ms. Swetnick.²⁴ Mark Judge similarly denied the allegations and stated to the Committee, also under penalty of felony, “I do not know Julie Swetnick.”²⁵ Michael Fegan, a friend of Judge Kavanaugh’s in high school who “attended most of the same social events” as Judge Kavanaugh, stated the following to the Committee under penalty of felony:

I have never heard of Ms. Swetnick. My understanding is that she graduated from Gaithersburg High School three years before we graduated from Georgetown Prep. During my high school years, I did not know any girls from Gaithersburg High School. We did not socialize with girls from Gaithersburg High School.²⁶

Indeed, a letter to the Committee under penalty of felony signed by 64 “men and women who knew Brett Kavanaugh well in high school” called Ms. Swetnick’s allegations “[n]onsense” and noted: “In the extensive amount of time we collectively spent with Brett, we do not recall having ever met someone named Julie Swetnick.”²⁷

For their part, it appears the media similarly could not find any evidence that Ms. Swetnick actually knew Judge Kavanaugh. As Ms. Snow from NBC News reported:

We’ve been trying independently to reach out to anyone who remembers attending parties with Julie Swetnick and Brett Kavanaugh, and we’ve been asking her attorney for names. So far, we’ve not found anyone who remembers that.... We asked him [Mr. Avenatti], I asked him at that point can you provide us with any names of people who went to the parties with her. Just because we couldn’t place her, NBC News has not since last week been able to place her in that time period at those house parties in that group of friends. There aren’t other people coming forward as happens in many other stories we cover, who say ‘yes I was there too.’ ... We’re just trying to do our reporting.... To date, as of today, we haven’t been able to find anyone who says ‘yes, I saw her in the same room with Brett Kavanaugh,’ and of course Judge Kavanaugh says he was not in the same room with her, he doesn’t even know who she is.²⁸

Ms. Swetnick did eventually provide NBC News the names of four people she said attended these alleged parties with her, but according to NBC: “One of them said he does not recall a Julie Swetnick.

²⁴ Senate Judiciary Committee Interview with Judge Kavanaugh 5-10 (Sept. 26, 2018). Available at: [https://www.judiciary.senate.gov/imo/media/doc/09.26.18%20BMK%20Interview%20Transcript%20\(Redacted\).pdf](https://www.judiciary.senate.gov/imo/media/doc/09.26.18%20BMK%20Interview%20Transcript%20(Redacted).pdf).

²⁵ Letter from Mark Judge to Chairman Grassley and Ranking Member Feinstein (Sept. 28, 2018), enclosed below.

²⁶ Letter from Michael C. Fegan to Chairman Grassley (Oct. 1, 2018), enclosed below.

²⁷ Letter from Kavanaugh high school friends to Chairman Grassley and Ranking Member Feinstein (Sept. 26, 2018), enclosed below.

²⁸ Kate Snow, *Kavanaugh Accuser Julie Swetnick Speaks out on Sexual Abuse Allegations*, NBC News (Oct. 1, 2018).

Another of the friends she named is deceased. We've reached out to the other two, and haven't heard back."²⁹

After the media hubbub about Ms. Swetnick's contradictory interview and the lack of any corroboration for her claims, Mr. Avenatti belatedly produced a vague and anonymous declaration he claimed supported her allegations.³⁰ Mr. Avenatti did not provide the identity of this supposed declarant to the Committee, nor did he make him or her available for an interview with Committee staff. It does not appear any media outlet has been able report any interview with the purported declarant or validate anything in the anonymous declaration. Indeed, it is unclear who actually wrote the anonymous declaration. Mr. Avenatti also apparently has a history of claiming to have anonymous clients who never materialize in any verifiable form.³¹

ISSUES WITH MS. SWETNICK'S CREDIBILITY

During the course of the Committee's investigation of allegations against Judge Kavanaugh, Committee investigators spoke with 45 individuals, obtained 25 written statements, and reviewed numerous other materials. This included speaking with ten associates of Ms. Swetnick who knew her at various times in her life ranging from junior high to the present day. In doing so, Committee investigators did not find any information to corroborate Ms. Swetnick's claims. On the contrary, they received substantial information calling into question her credibility. Based on this and public reports, it appears Ms. Swetnick has a history of making false legal claims and false accusations of sexual misconduct.

Through his attorney, Richard Vinneccy provided the Committee a signed statement regarding Ms. Swetnick.³² According to his statement, Mr. Vinneccy was in a romantic relationship with Ms. Swetnick for seven years, and he said he submitted his statement to the Committee "to exercise [his] civic duty and attest to the credibility or lack thereof of Ms. Swetnick." Among other odd behavior by Ms. Swetnick that Mr. Vinneccy noted, he described how she "harassed and stalked" him after he ended their relationship. When he told her to stop calling because he had entered a relationship with a woman (who he later married) and that he and his new girlfriend were expecting a child, Mr. Vinneccy says Ms. Swetnick: 1) threatened to murder him, his girlfriend, and their unborn child; 2) threatened to falsely tell the police he had raped her; 3) threatened to have him deported; 4) stated she would not grant him a divorce; and 5) claimed she was pregnant with twins. As Mr. Vinneccy told the Committee, he and Ms. Swetnick were never married, so he found her reference to not granting him a divorce bizarre. Mr. Vinneccy is an American citizen, so he also found her threats of deportation bizarre. He also stated that he confirmed that Ms. Swetnick's claim of being pregnant with twins "was a complete fabrication and that there was no pregnancy."

Because he was afraid that she would harm him and his family, as she had threatened, Mr. Vinneccy filed a restraining order against her. He stated that a temporary injunction was granted, but he understood that for a permanent injunction to be issued in Florida, there would first need to be a hearing which Ms. Swetnick would attend. Fearing for his and his family's safety if Ms. Swetnick confronted him at the

²⁹ *Id.*

³⁰ <https://twitter.com/MichaelAvenatti/status/1047447758993547265>. Mr. Avenatti emailed the same redacted declaration to the Committee on October 2, 2018.

³¹ See, e.g., Avery Anapol, *Avenatti Claims He Represents Three More Women That Were Paid Hush Money*, THE HILL (July 27, 2018). Available at: <https://thehill.com/homenews/administration/399133-avenatti-claims-three-more-women-were-paid-hush-money-by-trump-cohen>.

³² Statement of Richard Vinneccy for Senate Judiciary Committee Investigation (Oct. 4, 2018).

hearing, he did not go through with the hearing. Instead, he moved to a new residence and changed his phone numbers to avoid further contact from Ms. Swetnick.

In addition to describing those actions by Ms. Swetnick, Mr. Vinneccy also stated that during their seven-year relationship, Ms. Swetnick was often financially unstable and was “always seeking financial gain from frivolous law suits.” He also described other odd behavior relevant to her mental stability.³³ Mr. Vinneccy closed his letter by stating:

Based on my history with Ms. Swetnick, I do not believe her allegations against Judge Kavanaugh and it is my opinion that she is perpetuating a fraud against him. Her motives may be for financial gain or notoriety but they are certainly not to expose the truth.³⁴

Furthermore, in a defamation lawsuit filed against Ms. Swetnick by one of her former employers, Webtrends, the company reportedly indicated that Ms. Swetnick engaged in a pattern of lies and made multiple false accusations of sexual misconduct.³⁵ The company stated Ms. Swetnick lied in her employment application, falsely claiming she had earned an undergraduate degree from Johns Hopkins University, but the company subsequently learned the University had no record of her attendance.³⁶ The company also stated that Ms. Swetnick misrepresented the length of time she had worked for a previous employer, and took medical leave while simultaneously claiming unemployment benefits in the District of Columbia.³⁷ Webtrends stated that a few weeks after Ms. Swetnick started working for the company, its human resources department received a complaint that she had engaged in unwelcome and inappropriate sexual conduct towards two male coworkers at a business lunch.³⁸ The company stated that, in response to the complaint received against her, Ms. Swetnick falsely accused multiple male coworkers of sexually harassing her and threatened to sue the company.³⁹ The company later found that Ms. Swetnick had engaged in misconduct but found no evidence to support her sexual harassment claims.⁴⁰

The Committee was also contacted by multiple employees of a different company where Ms. Swetnick previously worked, who stated it was their understanding that when Ms. Swetnick was confronted there about possible misconduct on her part, she responded by making a false sexual harassment or assault claim against that company as well, which it settled in order to avoid negative publicity. The employees

³³ *Id.* Many other associates of Ms. Swetnick also described to the Committee issues with her mental health, substance abuse, and/or credibility issues, but requested confidential treatment from the Committee, which we are honoring. One former associate of Ms. Swetnick, Dennis Ketterer, did provide a signed public statement under penalty of felony in which he told the Committee that Ms. Swetnick’s own father had told him “she had psychological and other problems.” Statement by Dennis Ketterer to Senate Judiciary Committee (Oct. 2, 2018), enclosed below.

³⁴ Statement of Richard Vinneccy for Senate Judiciary Committee Investigation (Oct. 4, 2018), enclosed below.

³⁵ Mike Rogoway, *Julie Swetnick, a Brett Kavanaugh Accuser, Faced Misconduct Allegations at Portland Company*, THE OREGONIAN (Sept. 28, 2018) available at https://www.oregonlive.com/silicon-forest/index.ssf/2018/09/julie_swetnick_one_of_kavanaugh.html; Michael Kunzelman, Michael Biesecker, and Martha Medoza, *3rd Kavanaugh Accuser Has History of Legal Disputes*, THE ASSOCIATED PRESS (Sept. 30, 2018). Available at <https://www.yahoo.com/news/3rd-kavanaugh-accuser-history-legal-disputes-100137653.html>.

³⁶ *Id.*

³⁷ *Id.*

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ *Id.*

requested confidentiality from the Committee regarding their names and the name of the company, which we are honoring.

Ms. Swetnick also reportedly made false claims in a personal injury lawsuit against the Washington Metropolitan Area Transit Authority.⁴¹ According to the *Associated Press*, in the lawsuit Ms. Swetnick “claimed she lost more than \$420,000 in earnings after she hurt her nose in a fall on a train.”⁴² Ms. Swetnick reportedly claimed she was a model and actor with numerous modeling commitments with companies at the time of the accident, but lost them because of her purported injuries.⁴³ To justify these claims, she reportedly named “Konam Studios” as one of the companies promising to employ her, and identified Nam Ko of “Kunam Studios” as a potential witness for her case.⁴⁴ But, reporters from the *AP* spoke with Mr. Ko and discovered the following:

Ko, however, told AP on Friday that he was just a friend of Swetnick’s and that he had never owned a company with a name spelled either way and had never agreed to pay her money for any work before she injured her nose. He said he first met Swetnick at a bar more than a year after her alleged accident. “I didn’t have any money back then. I (was) broke as can be,” Ko said. Ko said he has a hazy memory of Swetnick asking to use him as a “character reference” but doesn’t recall hearing about her lawsuit. “I thought it was for a job application,” he said.⁴⁵

In short, it appears Ms. Swetnick has a substantial history of credibility issues. When viewed in light of the fact there is no credible evidence she ever knew Judge Kavanaugh, and the fact she has contradicted key aspects of her allegations against him, this lends credence to the likelihood that she made materially false statements to the Committee in violation of 18 U.S.C. § 1001. Those statements obstructed the Judiciary Committee’s efforts to investigate allegations against Judge Kavanaugh and the processing of his nomination, potentially in violation of 18 U.S.C. § 1505. Given Mr. Avenatti’s role in this with Ms. Swetnick, along with Mr. Avenatti’s own substantial credibility issues (discussed next), there may have been a conspiracy to violate these laws, in potential violation of 18 U.S.C. § 371.

ISSUES WITH MR. AVENATTI’S CREDIBILITY

In addition to the credibility issues Committee investigators uncovered surrounding Ms. Swetnick, Mr. Avenatti has substantial credibility issues of his own. For example, Mr. Avenatti appears to have several issues stemming from his involvement with Global Baristas, a company he reportedly formed with actor Patrick Dempsey in 2012, which purchased the Tully’s Coffee chain out of bankruptcy.⁴⁶ Mr.

⁴¹ 3rd *Kavanaugh Accuser Has History of Legal Disputes*, THE ASSOCIATED PRESS (Sept. 30, 2018). Available at: <https://www.yahoo.com/news/3rd-kavanaugh-accuser-history-legal-disputes-100137653.html>.

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ *Id.*

⁴⁶ See Kate Briquetelet, *Michael Avenatti Lived the High Life While Owing Millions to IRS*, THE DAILY BEAST (Oct. 21, 2018). Available at: <https://www.thedailybeast.com/michael-avenatti-lived-the-high-life-while-owing-millions-to-irs?ref=scroll>.

Dempsey sued Mr. Avenatti in 2013, stating that Mr. Avenatti had lied to him about serious financial matters.⁴⁷ According to the *Seattle Times*:

“My decision to become a member and manager of Global Baristas was based, in part, on Michael Avenatti’s representation that he would provide both the capital to fund the entire Tully’s acquisition and sufficient working capital to allow Global Baristas to operate the Tully’s Coffee stores once the acquisition was completed,” Dempsey said in the suit.

Instead, he alleged, Avenatti used Global Baristas to borrow \$2 million for working capital without telling him. The loan carries an “exorbitant” interest rate of 15 percent annually, the lawsuit says.⁴⁸

Mr. Avenatti’s company was also reportedly involved in additional litigation implicating his credibility, including one case in which a judge sanctioned his company for misconduct, “an acrimonious landlord-tenant dispute that led to court sanctions, fines and judgments against Avenatti’s coffee firm, in part for failing to comply with court orders to produce evidence.”⁴⁹

Earlier this year, Mr. Avenatti was also reportedly under investigation by the State Bar of California as a result of a complaint regarding “what Mr. Avenatti has done in connection with Global Baristas,” namely a claim that “he bought a company out of bankruptcy and then used it for a ‘pump and dump’ scheme to deprive federal and state taxing authorities out of millions of dollars.”⁵⁰

Mr. Dempsey’s lawsuit against Mr. Avenatti was not the only time a business partner accused him of deception.⁵¹ Jason Frank, a former partner at Mr. Avenatti’s law firm Eagan Avenatti, “resigned in May 2016 after alleging that the firm didn’t pay him millions of dollars that he was owed, misstated the firm’s profits, and wouldn’t provide copies of tax returns and other financial documents.”⁵² Mr. Frank filed for arbitration and “a three-judge panel found that Avenatti’s former firm Eagan Avenatti ‘acted with malice, fraud and oppression,’” by withholding relevant information from Mr. Frank.⁵³ On October 22, 2018, the

⁴⁷ See Melissa Allison, *Dempsey Walks Away From Tully’s After Suing Partner*, THE SEATTLE TIMES (Aug. 23, 2013). Available at: <https://www.seattletimes.com/business/dempsey-walks-away-from-tullyrsquos-after-suing-partner/>.

⁴⁸ *Id.*

⁴⁹ See Lewis Kamb, *California Bar Investigating Attorney Avenatti’s Dealings Involving Tully’s, Letter Says*, THE SEATTLE TIMES (May 18, 2018). Available at: <https://www.seattletimes.com/seattle-news/california-state-bar-investigating-avenattis-tully-dealings-according-to-letter/>.

⁵⁰ Avenatti Bar Complaint, available at <https://www.documentcloud.org/documents/4433390-Avenatti-Bar-Complaint.html>; see Lewis Kamb, *California Bar Investigating Attorney Avenatti’s Dealings Involving Tully’s, Letter Says*, THE SEATTLE TIMES (May 18, 2018); see also California State Bar Letter, available at <https://www.documentcloud.org/documents/4469101-California-State-Bar-letter-to-Nold.html>; Kate Briquet, *Michael Avenatti Lived the High Life While Owing Millions to IRS*, THE DAILY BEAST (Oct. 21, 2018).

⁵¹ See Michael Balsamo, *Judge Orders Law Firm of Stormy Daniel’s Lawyer to Pay \$10M*, THE ASSOCIATED PRESS (May 22, 2018). Available at: <https://www.apnews.com/f12a3b63b2964cf79f09315f8a1ad059>; see also Kate Briquet, *Michael Avenatti Lived the High Life While Owing Millions to IRS*, THE DAILY BEAST (Oct. 21, 2018).

⁵² Michael Balsamo, *Judge Orders Law Firm of Stormy Daniel’s Lawyer to Pay \$10M*, THE ASSOCIATED PRESS (May 22, 2018).

⁵³ Kate Briquet, *Michael Avenatti Lived the High Life While Owing Millions to IRS*, THE DAILY BEAST (Oct. 21, 2018); see Michael Balsamo, *Judge Orders Law Firm of Stormy Daniel’s Lawyer to Pay \$10M*, THE ASSOCIATED PRESS (May 22, 2018).

California judge hearing the case on this issue ruled that Mr. Avenatti was personally liable and ordered him to pay \$4.85 million in back pay to Mr. Frank.⁵⁴

Moreover, Mr. Avenatti reportedly has credibility issues relating to the IRS. According to a report by the *Los Angeles Times*, “Eagan Avenatti, [Mr. Avenatti’s] Newport Beach firm, has defaulted on millions of dollars in debt and fallen years behind in paying its payroll taxes.... The firm has also defaulted on more than \$800,000 in federal payroll taxes, penalties and interest that Avenatti had promised that it would pay.”⁵⁵ In response, federal prosecutors asked that the court hold Mr. Avenatti’s firm in contempt, stating: “In this case, the Debtor and its responsible officer Michael Avenatti made misrepresentations to the detriment of the United States.”⁵⁶ Instead, the parties reached an agreement that Mr. Avenatti’s firm will be allowed to make monthly payments of \$75,000 towards paying back the owed taxes.⁵⁷

In divorce proceedings from his second wife, Lisa Storie-Avenatti, she also referenced potential dishonesty by Mr. Avenatti regarding his earnings.⁵⁸

Storie-Avenatti said in court papers that in November 2016, Avenatti told her he earned \$3.7 million, but that she suspected his actual take-home was “substantially higher” based on his self-publicized verdicts, the couple’s 2016 expenses and his “secreting from me of his tax returns and bank records.”⁵⁹

There seem to be numerous additional press reports that cast doubt on Mr. Avenatti’s credibility. However, having reviewed several already, Committee investigators determined that delving into additional ones would be beating a dead horse.

Mr. Avenatti made allegations against Judge Kavanaugh in his email to Committee staff, and he submitted allegations to the Committee on behalf Ms. Swetnick. He reportedly told the *Associated Press* that he “fully vetted” Ms. Swetnick before taking her claims public,⁶⁰ and he told CNN: “When I when we made the allegations, guess what, I had done significant due diligence in connection with this before we made the allegations.”⁶¹ However, given that he and Ms. Swetnick have contradicted key parts of the claims; that there is no credible evidence that Ms. Swetnick ever even knew Judge Kavanaugh and substantial evidence she did not; and the substantial credibility issues surrounding both Mr. Avenatti and Ms. Swetnick, I ask that the FBI investigate whether Mr. Avenatti criminally conspired with Ms. Swetnick to make materially false statements to the Committee and obstruct the Committee’s investigation.

⁵⁴ Amanda Lee Myers and Michael Malsamo, *Judge: Michael Avenatti Must Pay \$4.85M in Ex-Lawyer Suit*, THE ASSOCIATED PRESS (Oct. 22, 2018). Available at: <https://www.apnews.com/53f6f2f316844b14bdbe24a7b80dcc7c>.

⁵⁵ Michael Finnegan, *Michael Avenatti Gets Judge to Bar Media from his Testimony on Newport Beach Law Firm’s Bankruptcy*, THE LOS ANGELES TIMES (July 25, 2018). Available at <http://www.latimes.com/politics/la-na-pol-avenatti-bankruptcy-20180725-story.html>.

⁵⁶ Kate Briquetelet, *Michael Avenatti Lived the High Life While Owing Millions to IRS*, THE DAILY BEAST (Oct. 21, 2018).

⁵⁷ *Id.*

⁵⁸ *Id.*

⁵⁹ *Id.*

⁶⁰ *3rd Kavanaugh Accuser Has History of Legal Disputes*, THE ASSOCIATED PRESS (Sept. 30, 2018). Available at: <https://www.yahoo.com/news/3rd-kavanaugh-accuser-history-legal-disputes-100137653.html>.

⁶¹ Cuomo Prime Time, *Cuomo Pushes Back on Credibility of Swetnick*, CNN (Oct. 1, 2018). Available at: <https://www.cnn.com/videos/politics/2018/10/02/michael-avenatti-julie-swetnick-credibility-bts-cpt-vpx.cnn>.

CONCLUSION

Committee investigations in support of the judicial nomination process are an essential part of the Committee's constitutional role. The Committee is grateful to citizens who come forward with relevant information in good faith, even if they are not one hundred percent sure about what they know. But when individuals intentionally mislead the Committee, they divert Committee resources during time-sensitive investigations and materially impede our work. Such acts are not only unfair; they are potentially illegal. It is illegal to knowingly and willfully make materially false, fictitious, or fraudulent statements to Congressional investigators. It is illegal to obstruct Committee investigations. It is illegal to conspire to do either of those things. When charlatans make false claims to the Committee claims that may earn them short-term media exposure and financial gain, but which hinder the Committee's ability to do its job there should be consequences. These laws exist to ensure there are.

Accordingly, in light of the seriousness of these facts, and the threat these types of actions pose to the Committee's ability to perform its constitutional duties, I hope you will give this referral the utmost consideration. Thank you for your prompt attention to this matter. If you have any questions, please contact a professional investigative counsel in the Committee's Oversight and Investigations Unit at (202) 224-5225.

Sincerely,



Charles E. Grassley
Chairman
Committee on the Judiciary

Enclosures:

1. Email exchange between the Chief Counsel for Nominations Mike Davis and Michael Avenatti on Sept. 23, 2018
2. Swetnick Sworn Statement
3. Letter from Mark Judge to Chairman Grassley and Ranking Member Feinstein
4. Letter from Michael C. Fegan to Chairman Grassley
5. Letter from Kavanaugh High School Friends to Chairman Grassley and Ranking Member Feinstein
6. Statement of Richard Vinneccy for Senate Judiciary Committee Investigation
7. Statement by Dennis Ketterer to Senate Judiciary Committee

cc: The Honorable Dianne Feinstein
Ranking Member
Committee on the Judiciary

From: [Michael J. Avenatti](#)
To: [Davis, Mike \(Judiciary-Rep\)](#)
Subject: Re: SCOTUS -- Avenatti claim of evidence
Date: Sunday, September 23, 2018 10:16:43 PM

Mike: I represent a client. And seeing as we are talking about an appointment to the SCOTUS, there is nothing wrong with this process being public.

What is the status of Mark Judge's testimony?

I look forward to receiving the answers to the questions.

Michael

Michael J. Avenatti, Esq.

The preceding email message (including any attachments) contains information that may be confidential, protected by the attorney-client or other applicable privileges, or constitutes non-public information. It is intended to be conveyed only to the designated recipient(s). If you are not an intended recipient of this message, please notify the sender by replying to this message and then delete it from your system. Use, dissemination, or reproduction of this message by unintended recipients is not authorized and may be unlawful.

On Sep 23, 2018, at 6:26 PM, Davis, Mike (Judiciary-Rep) <[REDACTED]> > wrote:

Mr. Avenatti,

Thank you for reaching out to me. I noticed that you just publicly Tweeted our email conversation below.

In your email below, you mentioned "we" several times. To clarify, are you representing a client? Or are you making these allegations yourself? On behalf of anyone else?

I look forward to receiving your evidence.

Thank you,
Mike Davis

Mike Davis, Chief Counsel for Nominations
United States Senate Committee on the Judiciary
Senator Chuck Grassley (R-IA), Chairman
224 Dirksen Senate Office Building
Washington, DC 20510

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

From: Michael J. Avenatti [REDACTED]
Sent: Sunday, September 23, 2018 9:07 PM
To: Davis, Mike (Judiciary-Rep) <[REDACTED]>
Subject: RE: SCOTUS -- Avenatti claim of evidence

Dear Mr. Davis:

Thank you for your email. We are aware of significant evidence of multiple house parties in the Washington, D.C. area during the early 1980s during which Brett Kavanaugh, Mark Judge and others would participate in the targeting of women with alcohol/drugs in order to allow a "train" of men to subsequently gang rape them. There are multiple witnesses that will corroborate these facts and each of them must be called to testify publicly. As a starting point, Senate investigators should pose the following questions to Judge Kavanaugh without delay and provide the answers to the American people:

1. Did you ever target one or more women for sex or rape at a house party? Did you ever assist Mark Judge or others in doing so?
2. Did you ever attend any house party during which a woman was gang raped or used for sex by multiple men?
3. Did you ever witness a line of men outside a bedroom at any house party where you understood a woman was in the bedroom being raped or taken advantage of?
4. Did you ever participate in any sexual conduct with a woman at a house party whom you understood to be intoxicated or under the influence of drugs?
5. Did you ever communicate with Mark Judge or anyone else about your participation in a "train" involving an intoxicated woman?
6. Did you ever object or attempt to prevent one or more men from participating in the rape, or taking advantage, of a woman at any house party?

Please note that we will provide additional evidence relating to the above conduct

both to the Committee and the American public in the coming days.

Regards,

Michael Avenatti

From: Davis, Mike (Judiciary-Rep) [REDACTED]
Sent: Sunday, September 23, 2018 4:42 PM
To: Michael J. Avenatti
Subject: SCOTUS -- Avenatti claim of evidence

Dear Mr. Avenatti,

According to your Tweet from 7:33 p.m. E.T. this evening, you claim to have information you consider credible regarding Judge Kavanaugh and Mark Judge. Please advise of this information immediately so that Senate investigators may promptly begin an inquiry.

Thank you,
Mike Davis

Mike Davis, Chief Counsel for Nominations
United States Senate Committee on the Judiciary
Senator Chuck Grassley (R-IA), Chairman
224 Dirksen Senate Office Building
Washington, DC 20510

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

1 of Brett Kavanaugh during the 1980s, especially as it relates to his actions toward
2 women.

3 7. Following that first introduction, I attended well over ten house parties in the
4 Washington, D.C. area during the years 1981-1983 where Mark Judge and Brett
5 Kavanaugh were present. These parties were a common occurrence in the area and
6 occurred nearly every weekend during the school year. On numerous occasions at these
7 parties, I witnessed Mark Judge and Brett Kavanaugh drink excessively and engage in
8 highly inappropriate conduct, including being overly aggressive with girls and not taking
9 "No" for an answer. This conduct included the fondling and grabbing of girls without
10 their consent.

11 8. I observed Brett Kavanaugh drink excessively at many of these parties and
12 engage in abusive and physically aggressive behavior toward girls, including pressing
13 girls against him without their consent, "grinding" against girls, and attempting to remove
14 or shift girls' clothing to expose private body parts. I likewise observed him be verbally
15 abusive towards girls by making crude sexual comments to them that were designed to
16 demean, humiliate and embarrass them. I often witnessed Brett Kavanaugh speak in a
17 demeaning manner about girls in general as well as specific girls by name. I also
18 witnessed Brett Kavanaugh behave as a "mean drunk" on many occasions at these
19 parties.

20 9. I have been told by other women that this conduct also occurred during the
21 Summer months in Ocean City, Maryland on numerous occasions. I also witnessed such
22 conduct on one occasion in Ocean City, Maryland during "Beach Week."

23 10. I have reviewed Brett Kavanaugh's recent claim on Fox News regarding his
24 alleged "innocence" during his high school years and lack of sexual activity. This claim
25 is absolutely false and a lie. I witnessed Brett Kavanaugh consistently engage in
26 excessive drinking and inappropriate contact of a sexual nature with women during the
27 early 1980s.

1 11. During the years 1981-82, I became aware of efforts by Mark Judge, Brett
2 Kavanaugh and others to "spike" the "punch" at house parties I attended with drugs
3 and/or grain alcohol so as to cause girls to lose their inhibitions and their ability to say
4 "No." This caused me to make an effort to purposely avoid the "punch" at these parties.
5 I witnessed efforts by Mark Judge, Brett Kavanaugh and others to "target" particular girls
6 so they could be taken advantage of; it was usually a girl that was especially vulnerable
7 because she was alone at the party or shy.

8 12. I also witnessed efforts by Mark Judge, Brett Kavanaugh and others to cause
9 girls to become inebriated and disoriented so they could then be "gang raped" in a side
10 room or bedroom by a "train" of numerous boys. I have a firm recollection of seeing
11 boys lined up outside rooms at many of these parties waiting for their "turn" with a girl
12 inside the room. These boys included Mark Judge and Brett Kavanaugh.

13 13. In approximately 1982, I became the victim of one of these "gang" or "train"
14 rapes where Mark Judge and Brett Kavanaugh were present. Shortly after the incident, I
15 shared what had transpired with at least two other people. During the incident, I was
16 incapacitated without my consent and unable to fight off the boys raping me. I believe I
17 was drugged using Quaaludes or something similar placed in what I was drinking.

18 14. I am aware of other witnesses that can attest to the truthfulness of each of the
19 statements above.

20 I declare, under penalty of perjury and under the laws of the United States of
21 America, that the foregoing is true and correct. I have executed this declaration on
22 September 25, 2018.

23
24
25 
26 Julie Swetnick
27
28

September 28, 2018

VIA E-MAIL

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Dianne Feinstein
Ranking Member
Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Grassley and Ranking Member Feinstein:

In response to the Committee's request for information, I, MARK JUDGE, declare:

1. The allegations in the Swetnick affidavit are so bizarre that, even while suffering from my addiction, I would remember actions so outlandish. I categorically deny them.
2. I do not know Julie Swetnick.
3. I do not recall attending parties during 1981-1983 when I fondled or grabbed women in an aggressive or unwanted manner.
4. I have never spiked punch to get anyone drunk or disoriented. Nor have I witnessed Brett Kavanaugh spike punch.
5. I have never engaged in gang rape of any woman, including Ms. Swetnick.
6. I will cooperate with any law enforcement agency that is assigned to confidentially investigate these allegations.

I am submitting this letter under penalty of felony.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Judge", written in a cursive style.

Mark Judge

October 1, 2018

Michael C. Fegan

[REDACTED]

Chairman Grassley
Senate Judiciary Committee
Room SD-224
Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Grassley,

I am writing to you regarding the character of Judge Brett Kavanaugh. Brett and I attended Georgetown Prep High School together from 1979 to 1983. We were classmates, teammates and friends. I attended most of the same social events that Brett attended in high school, and many after high school as well. I also attended "Beach Week" with him in June 1982. I have never seen Brett out of control from drinking alcohol. I have never seen Brett out of control in any situation, whether it be in the classroom, on the football field, on the basketball court or in any social setting.

Regarding the allegation by Christine Blasey Ford, I never heard of such a gathering. We were a tight knit group, and I believe that if anything happened like Professor Ford described, I would have known about it. I never met Christine Blasey, and had never heard her name until mid-September 2018.

I cannot speak for the allegation from the Yale student, Deborah Ramirez, because I did not attend Yale. I can tell you that what Ms. Ramirez described would be completely out of character of the man I have known for almost 40 years.

As to the allegation made by Julie Swetnick, I have never heard of Ms. Swetnick. My understanding is that she graduated from Gaithersburg High School three years before we graduated from Georgetown Prep. During my high school years, I did not know any girls from Gaithersburg High School. We did not socialize with girls from Gaithersburg High School. We did not have any kind of punch drinks, hard liquor or drugs at our parties. I never witnessed any kind of sexual situation at any of our parties. If there was any kind of mistreatment of girls at any of our parties, I assure you that my friends and I, including Brett Kavanaugh, would have put a stop to it immediately and would have reported it to the Montgomery County, MD Police Department.

I know that last week was tough on you, as it was for many people throughout our country, and I appreciate the way that you have conducted the confirmation hearings. I urge all senators to vote to confirm Judge Brett Kavanaugh. He is one of the most ethical and moral men I know, and has been for the almost 40 years that I have known him.

I appreciate your time in this matter and for your service to our country.

Sincerely,



Michael C. Fegan

September 26, 2018

The Honorable Charles Grassley
Chairman
Committee on the Judiciary
United States Senate
135 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Dianne Feinstein
Ranking Member
Committee on the Judiciary
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

Dear Chairman Grassley and Ranking Member Feinstein:

We are men and women who knew Brett Kavanaugh well in high school. We have seen reports today that Julie Swetnick, who says she graduated from Gaithersburg High School, submitted a declaration to the Committee alleging that Brett participated in horrific conduct during high school, including targeting girls for gang rape. Nonsense. We never witnessed any behavior that even approaches what is described in this allegation. It is reprehensible.

In the extensive amount of time we collectively spent with Brett, we do not recall having ever met someone named Julie Swetnick. Nor did we ever observe Brett engaging in any conduct resembling that described in Ms. Swetnick's declaration.

Brett Kavanaugh is a good man. He has always treated women with respect and decency. He is a man of honor, integrity, and compassion. These shameful attacks must end. This process is a disgrace and is harming good people.

Russell Aaronson
Daniel Anastasi
Steve Barnes
Patrick Beranek
Michael Bidwill
Michael Boland
David Brigati
Missy Bigelow Carr
Sharon Crouch Clark
Steve Combs
Citsi Conway
Mark Daly
DeLancey Davis
Julie DeVol
Meg Williams Dietrick
Paula Duke Ebel
Michael Fegan
Maura Fitzgerald
Susan Fitzgerald
Jim Foley

Timothy Gaudette
James Gavin
William Geimer
Mary Beth Greene
Mary Ellen Greene
Daniel Hanley
Melissa Hennessy
Beccy Moran Jackson
Brian H. Johnston
Maura Kane
Kevin Kane
Thomas Kane
Amarie Kappaz
George M. Kappaz
Timothy Kirlin
Kelly Leonard
Maura M. Lindsay
John F. Loome, IV
Suzanne Matan
Meghan McCaleb

Scott McCaleb
Bernard McCarthy, Jr.
Michael R. McCarthy
Stephanie McGill
Stephanie McGrail
Byron J. Mitchell
Sean Murphy
Paul G. Murray
Douglas D. Olson
John F. Ostronic
Elizabeth (Betsy) Manfuso Pothier
Matthew Quinn

Mark A. Quinn
Mae Joyce Rhoten
Mark Richardson
L. Maurice Rowe, IV
Stephen Royston
Alice Kelley Scanlon
James Sullivan
Cynthia Urgo
Donald Urgo, Jr
Patrick T. Waters
Megan Williams
Jodi Yeager



October 4th, 2018

STATEMENT OF RICHARD VINNECCY
For the Senate Judiciary Committee Investigation

I, Richard Vinneccy, do hereby swear and affirm that all of the statements made herein are true and accurate to the best of my knowledge.

First and foremost, I never wanted to come out publicly on this issue. However, numerous media outlets bombarded me with phone calls and questions when someone discovered the history of the restraining order I had sought against Ms. Swetnick in Miami, Florida. Unfamiliar in this arena, I mistakenly spoke to Politico, made a short two phrase statement to them which was then transmitted nationwide without my authority. Thereafter, I was thrown into the national spotlight and, consequently, I felt compelled to set the record straight against false accusations made by Ms. Swetnick's lawyer and, more importantly, to exercise my civic duty and attest to the credibility or lack thereof of Ms. Swetnick.

I was involved in a romantic relationship for 7 years with Julie Swetnick. For 2 out of those 7 years we lived together in Bethesda, Maryland. Thereafter, my work transferred me internationally to Panama and ultimately to Miami. Thus, due to geographics much of the relationship was long distance.

Despite the distance, we remained close and not once did Ms. Swetnick ever mention that she had been raped or sexually assaulted. Not once did Ms. Swetnick ever mention that she had attended any parties where she witnessed, train rapes, gang rapes, or other sordid sexual activity. Not once did she ever mention Brett Kavanaugh.

As to her mental stability, or lack thereof, throughout the relationship, I noticed odd behaviors exhibited by Ms. Swetnick. For the most part she was financially unstable and always seeking financial gain from frivolous law suits. She was abnormally possessive and jealous of me. She always wanted to be the center of attention and exaggerated everything in her life. When we would have disagreements she would try to provoke me to hit her. As to why she did that, I can only believe it was to instigate me to do something physically violent to her so that she could play the victim, contact the police and have me arrested. At times she threatened me not to mistreat her because she could do to me what she had done with her ex-boyfriend. While I do not know the entire story, I recall her telling me that her ex-boyfriend was in jail. Perhaps one of the most bizarre things about her was a closet that she kept in our Bethesda home. The closet was

4000 Ponce De Leon Blvd., Suite 470
Coral Gables, Fl. 33146
TEL. (305) 777-0474
mgh@thehansenlawfirm.com



“off limits” to me, however, one day I opened it and found three large boxes filled with years and years of receipts from grocery stores.

Looking back, I am not sure why I stayed in this relationship for so long. As a 60 year old wiser and more experienced man now, I can only blame inexperience, immaturity and whatever else it is that causes one to stay in an unhealthy relationship for too long. Ultimately, once I was transferred to Miami, I finally decided it would be best to end the relationship. I did and thereafter, Ms. Swetnick harassed and stalked me for almost 2 months via telephone and appeared at a trade show conference in Seattle that I was attending, unannounced and uninvited.

For obvious reasons this was difficult and uncomfortable for me, but even more so since I began a new relationship with the woman who would ultimately become my wife of 12 years and with whom I had two children. Finally, I told her to stop the calls, that I had moved on, that I had met someone and that we were expecting a baby.

Ms. Swetnick’s reaction was scary, frightening and bizarre causing me to fear for my life and that of my new girlfriend and our unborn child. In a nutshell she: 1) told me that she was going to kill me, my girlfriend and our unborn child; 2) she was going to report me to the FBI and have me deported; 3) she was going to tell the police that I raped her in Seattle; 4) she was not going to grant me a divorce and; 5) that she was pregnant with twins.

- I have been a citizen of this country since the 80’s so as far as deporting me, this did not make sense.
- I have never raped Ms. Swetnick.
- Ms. Swetnick and I were never married however in her opinion we were due to a Maryland statute, which she claimed, qualified us as a married couple since we co-habitated in that state for 2 years.
- I asked Ms. Swetnick for the medical records proving that she was pregnant with twins and after consulting with her “doctor”, I confirmed the story was a complete fabrication and that there was no pregnancy.

I decided to file a restraining order in Miami, Florida because that is where I was residing and I was afraid she was going to come to Miami to do harm to my family and I as she had threatened. The temporary injunction was granted. (In Florida, the legal process to obtain a restraining order consists of a two phase process. First, one applies for a temporary injunction via a petition. A judge then reviews the petition and if that is granted, a temporary injunction is put in place until a hearing for a permanent injunction is held.)

Ultimately, I did not go through with the hearing on the permanent injunction for several reasons. First, not being a lawyer and never having done this before, I did not know that the final step to obtain the permanent injunction would entail confronting Ms. Swetnick personally in court at the hearing. When I found out about this, I thought it over with my girlfriend at the time

4000 Ponce De Leon Blvd., Suite 470
Coral Gables, Fl. 33146
TEL. (305) 777-0474
mgh@thehansenlawfirm.com



Hansen

LAW FIRM

who was fearful for her own life, and together we determined not to perpetuate my connection with Ms. Swetnick or instigate her any further. I was not sure how Ms. Swetnick was going to retaliate if she was forced to fly down to Miami and confront me in court in front of a judge. So, instead we moved to a new residence and changed our telephone numbers in hopes that we would never have to see Ms. Swetnick again.

Thankfully, we never did see or hear from her again.

Based on my history with Ms. Swetnick, I do not believe her allegations against Judge Kavanaugh and it is my opinion that she is perpetuating a fraud against him. Her motives may be for financial gain or notoriety but they are certainly not to expose the truth.

Richard Vinneccy

Date: Oct 4, 2018

Bumatay, Patrick (OAG)

From: Bumatay, Patrick (OAG)
Sent: Friday, October 26, 2018 9:36 AM
To: Barnett, Gary E. (OAG); Cook, Steven H. (ODAG); Wiles, Morgan (OAG); Cutrona, Danielle (OAG); Hudson, Andrew (OLP)
Cc: Whitaker, Matthew (OAG)
Subject: FW: NIC Director
Attachments: Biograph (b) (6) pdf

All – I confirmed with (b) (6) that he is very interested in the NIC Director position.

Gary – can you please start the paperwork as quickly as possible? Let me know if anyone wants to interview him.

Regards,

Patrick J. Bumatay
Office of the Attorney General
950 Pennsylvania Avenue
Washington, D.C. 20530

(b) (6)

(b) (6)

Davis, Mike (Judiciary-Rep)

From: Davis, Mike (Judiciary-Rep)
Sent: Friday, October 26, 2018 5:19 PM
To: Davis, Mike (Judiciary-Rep)
Subject: SCOTUS -- Third Criminal Referral from Chairman Grassley to the Attorney General and FBI Director
Attachments: 2018-10-26 CEG to DOJ FBI (Second Avenatti Referral) - with enclosures_Redacted.pdf

FYI, Senate Judiciary Committee Chairman Chuck Grassley just made a second criminal referral to the Justice Department against attorney Michael Avenatti, after NBC reported that he likely submitted a false declaration to Congress from another woman (separate from Julie Swetnick).

Please see below and attached. (NOTE: In the attached file, we redacted Mr. Avenatti's email address. The file sent to the Justice Department is un-redacted.)

This is the third criminal referral that Chairman Grassley has made to the Justice Department related to Justice Kavanaugh's confirmation.

Thank you,
Mike Davis

Mike Davis, Chief Counsel for Nominations
United States Senate Committee on the Judiciary
Senator Chuck Grassley (R-IA), Chairman
224 Dirksen Senate Office Building
Washington, DC 20510

(b) (6) (direct)

(b) (6) (cell)

202-224-9102 (fax)

(b) (6)

From: Davis, Mike (Judiciary-Rep)
Sent: Friday, October 26, 2018 5:02 PM
To: 'Tyson, Jill C. (DO) (OGA)' (b) (6), (b) (7)(C) >; 'Boyd, Stephen E. (OLA) (JMD)' (b) (6) >
Cc: 'Escalona, Prim F. (OLA) (JMD)' (b) (6) >; 'Lasseter, David F. (OLA) (JMD)' (b) (6) >; 'Duck, Jennifer (Judiciary-Dem)' (b) (6) >
Subject: SCOTUS -- Third Criminal Referral from Chairman Grassley to the Attorney General and FBI Director

Mr. Boyd and Ms. Tyson:

Please find the attached letter (and enclosures) from the Chairman.

Please confirm receipt.

Thank you,
Mike Davis

Mike Davis, Chief Counsel for Nominations
United States Senate Committee on the Judiciary

Senator Chuck Grassley (R-IA), Chairman
224 Dirksen Senate Office Building
Washington, DC 20510

(b) (6) (direct)

(b) (6) (cell)

202-224-9102 (fax)

(b) (6)

From: Davis, Mike (Judiciary-Rep)

Sent: Thursday, October 25, 2018 12:26 PM

To: Tyson, Jill C. (DO) (OGA) (b) (6), (b) (7)(C) >; Boyd, Stephen E. (OLA) (JMD) (b) (6) >

Cc: Escalona, Prim F. (OLA) (JMD) (b) (6) >; Lasseter, David F. (OLA) (JMD)

(b) (6) >; Duck, Jennifer (Judiciary-Dem) (b) (6) >

Subject: RE: SCOTUS -- Second Criminal Referral from Chairman Grassley to the Attorney General and FBI Director

Appreciate it, Ms. Tyson.

Thank you,
Mike Davis

Mike Davis, Chief Counsel for Nominations
United States Senate Committee on the Judiciary
Senator Chuck Grassley (R-IA), Chairman
224 Dirksen Senate Office Building
Washington, DC 20510

(b) (6) (direct)

(b) (6) (cell)

202-224-9102 (fax)

(b) (6)

From: Tyson, Jill C. (DO) (OGA) (b) (6), (b) (7)(C)]

Sent: Thursday, October 25, 2018 12:24 PM

To: Davis, Mike (Judiciary-Rep) (b) (6) >; Boyd, Stephen E. (OLA) (JMD)

(b) (6) >

Cc: Escalona, Prim F. (OLA) (JMD) (b) (6) >; Lasseter, David F. (OLA) (JMD)

(b) (6) >; Duck, Jennifer (Judiciary-Dem) (b) (6) >

Subject: Re: SCOTUS -- Second Criminal Referral from Chairman Grassley to the Attorney General and FBI Director

Mr. Davis:

Confirming receipt for FBI.

Thank you.

Jill C. Tyson
Acting Assistant Director
FBI Office of Congressional Affairs

-

----- Original message -----

From: "Davis, Mike (Judiciary-Rep)" (b) (6) >

Date: 10/25/18 12:16 PM (GMT-05:00)

To: "Boyd, Stephen E. (OLA) (JMD)" (b) (6) >, "Tyson, Jill C. (DO) (OGA)"

(b) (6), (b) (7)(C) >

Cc: "Escalona, Prim F. (OLA) (JMD)" (b) (6) >, "Lasseter, David F. (OLA) (JMD)"

(b) (6) >, "Duck, Jennifer (Judiciary-Dem)" (b) (6)

>

Subject: SCOTUS -- Second Criminal Referral from Chairman Grassley to the Attorney General and FBI Director

Mr. Boyd and Ms. Tyson:

Please find the attached letter (and enclosures) from the Chairman.

Please confirm receipt.

Thank you,
Mike Davis

Mike Davis, Chief Counsel for Nominations
United States Senate Committee on the Judiciary
Senator Chuck Grassley (R-IA), Chairman
224 Dirksen Senate Office Building
Washington, DC 20510

(b) (6) (direct)

(b) (6) (cell)

202-224-9102 (fax)

(b) (6)

CHARLES E. GRASSLEY, IOWA, CHAIRMAN

ORRIN G. HATCH, UTAH	DIANNE FEINSTEIN, CALIFORNIA
LINDSEY O. GRAHAM, SOUTH CAROLINA	PATRICK J. LEAHY, VERMONT
JOHN CORNYN, TEXAS	RICHARD J. DURBIN, ILLINOIS
MICHAEL S. LEE, UTAH	SHELDON WHITEHOUSE, RHODE ISLAND
TED CRUZ, TEXAS	AMY KLOBUCHAR, MINNESOTA
BEN SASSE, NEBRASKA	CHRISTOPHER A. COONS, DELAWARE
JEFF FLAKE, ARIZONA	RICHARD BLUMENTHAL, CONNECTICUT
MIKE CRAPO, IDAHO	MAZIE HIRONO, HAWAII
THOM TILLIS, NORTH CAROLINA	CORY A. BOOKER, NEW JERSEY
JOHN KENNEDY, LOUISIANA	KAMALA D. HARRIS, CALIFORNIA

KOLAN L. DAVIS, Chief Counsel and Staff Director
JEFFREY DUCK, Democratic Chief Counsel and Staff Director

United States Senate
COMMITTEE ON THE JUDICIARY
WASHINGTON, DC 20510-6275

October 26, 2018

VIA ELECTRONIC TRANSMISSION

The Honorable Jeff Sessions
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

The Honorable Christopher A. Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Washington, DC 20535

Dear Attorney General Sessions and Director Wray:

Yesterday, I wrote to you referring Mr. Michael Avenatti and Ms. Julie Swetnick for investigation of potential violations of 18 U.S.C. §§ 371, 1001, and 1505, for materially false statements they made to the Senate Judiciary Committee during the course of the Committee's investigation into allegations against Judge Brett M. Kavanaugh. I write today because of important additional information regarding Mr. Avenatti that has since come to the Committee's attention. In light of this new information, I am now referring Mr. Avenatti for investigation of additional potential violations of those same laws, stemming from a second declaration he submitted to the Committee that also appears to contain materially false statements. As explained below, according to NBC News, the purported declarant of that sworn statement has disavowed its key allegations and claimed that Mr. Avenatti "twisted [her] words."¹

On October 2, 2018, Mr. Avenatti emailed Committee staff, stating:

[A]ttached please find another declaration from another witness who supports a number of allegations of Ms. Swetnick. She knows both Ms. Swetnick and Dr. Ford. The identify [sic] of this witness will be released to the FBI once they contact me to arrange an interview as she does not want her name publicly disclosed at this time.²

The anonymous sworn statement attached to that email contained two key allegations against Judge Kavanaugh, ostensibly based on the "personal knowledge" of the declarant and made "under

¹ Kate Snow and Anna Schechter, *New Questions Raised About Avenatti Claims Regarding Kavanaugh*, NBC NEWS (Oct. 25, 2018), enclosed below and available at <https://www.nbcnews.com/politics/justice-department/new-questions-raised-about-avenatti-claims-regarding-kavanaugh-n924596>.

² Email exchange between the Chief Counsel for Nominations Mike Davis and Michael Avenatti on Oct. 2, 2018, enclosed below.

penalty of perjury.”³ According to the sworn statement, the declarant, whose name was redacted, claimed knowledge of Judge Kavanaugh being “overly aggressive and verbally abusive towards girls ... includ[ing] inappropriate physical contact with girls of a sexual nature” while at house parties in the early 1980s.⁴ The sworn statement also said:

During the years 1981-82, I witnessed firsthand Brett Kavanaugh, together with others, “spike” the “punch” at house parties I attended with Quaaludes and/or grain alcohol. I understood this was being done for the purpose of making girls more likely to engage in sexual acts and less likely to say “No.”⁵

In my previous referral, I noted the existence of this anonymous declaration and that Mr. Avenatti neither provided the identity of the declarant to the Committee nor made her available for an interview with Committee staff. I also noted that, as of then, it did not appear that any media outlet had been able to report any interview with the purported declarant or validate anything in the anonymous declaration.

However, after I sent you my referral, NBC News revealed yesterday evening that its reporters in fact had a series of contacts with the purported declarant between September 30, 2018, and October 5, 2018.⁶ According to that report, the declarant denied the key allegations contained in the sworn statement, both before and after the statement was publicly released. Despite the fact the sworn statement Mr. Avenatti sent to the Committee stated she “witnessed firsthand” Judge Kavanaugh spiking punch, she expressly denied this. As noted in the report:

[L]ess than 48 hours before Avenatti released her sworn statement on Twitter, the same woman told NBC News a different story. Referring to Kavanaugh spiking the punch, “I didn’t ever think it was Brett,” the woman said to reporters in a phone interview arranged by Avenatti on Sept. 30 after repeated requests to speak with other witnesses who might corroborate Swetnick’s claims.⁷

According to the NBC News report, after Mr. Avenatti tweeted the sworn statement on October 2 with the name of the declarant redacted, “Avenatti confirmed to NBC News that it was the same woman interviewed by phone on Sept. 30.”⁸ The woman reportedly denied the allegation yet again after the release of the sworn statement:

[R]eached by phone independently from Avenatti on Oct. 3, the woman said she only “skimmed” the declaration. After reviewing the statement, she wrote in a text on Oct. 4 to NBC News: “It is

³ Anonymous Sworn Statement dated Oct. 2, 2018, enclosed below.

⁴ *Id.*

⁵ *Id.*

⁶ Kate Snow and Anna Schecter, *New Questions Raised About Avenatti Claims Regarding Kavanaugh*, NBC NEWS (Oct. 25, 2018)

⁷ *Id.*

⁸ *Id.*

incorrect that I saw Brett spike the punch. I didn't see anyone spike the punch...**I was very clear with Michael Avenatti from day one.**"⁹

The declarant similarly disavowed the other allegation that Judge Kavanaugh was aggressive and abusive towards girls, once again both before and after the statement attributed to her was released. As reported by NBC News, "[w]hen asked in the [September 30] phone interview if she ever witnessed Kavanaugh act inappropriately towards girls, the woman replied 'no.'"¹⁰ After the sworn statement was released, "[w]hen pressed about abusive behavior towards girls, she wrote in a text: 'I would not ever allow anyone to be abusive in my presence. Male or female.'"¹¹

Despite the fact Mr. Avenatti had already confirmed to NBC News that the woman they spoke to on September 30 was the declarant:

[W]hen questioned on Oct. 3 about the discrepancies between what she said in the phone interview and the serious allegations in the sworn declaration, Avenatti said he was "disgusted" with NBC News. At one point, in an apparent effort to thwart the reporting process, he added in the phone call, "How about this, on background, it's not the same woman. What are you going to do with that?"¹²

Mr. Avenatti then reportedly backtracked on this attempted tactic, instead claiming to NBC that he confirmed with her again that the allegations were true, and she must have been "confused" by the reporter's question.¹³ The report says that five minutes later, the reporters received a "formally-worded text" from the woman's phone number backing Mr. Avenatti.¹⁴

But when reached by phone minutes later, the woman again insisted that she never saw Kavanaugh spike punch or act inappropriately toward women. She said she's "been consistent in what [she's] told Michael." In a subsequent text on Oct. 5, she wrote, "I will definitely talk to you again and no longer Avenatti. I do not like that **he twisted my words.**"¹⁵

Simply put, the sworn statement Mr. Avenatti provided the Committee on October 2 appears to be an outright fraud. According to NBC News, the purported declarant denied - both before and after the sworn statement was released - the key allegations Mr. Avenatti attributed to her. She stated she was clear and consistent "from day one" with Mr. Avenatti that those claims

⁹ *Id.* (emphasis added).

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.* (emphasis added).

were not true. And she said Mr. Avenatti “twisted [her] words.” When reporters pressed him on these discrepancies, Mr. Avenatti attempted to deceive them in an apparent effort to thwart the truth coming out.

Accordingly, in light of the seriousness of these facts, and the threat these types of actions pose to the Committee’s ability to perform its constitutional duties, I hope you will give this referral, as well as my prior one related to Mr. Avenatti, the utmost consideration. Thank you for your prompt attention to this matter. If you have any questions, please contact a professional investigative counsel in the Committee’s Oversight and Investigations Unit at (202) 224-5225.

Sincerely,



Charles E. Grassley
Chairman
Committee on the Judiciary

Enclosures:

1. Email exchange between the Chief Counsel for Nominations Mike Davis and Michael Avenatti on Oct. 2, 2018
2. Anonymous Sworn Statement dated Oct. 2, 2018
3. Kate Snow and Anna Schechter, *New Questions Raised About Avenatti Claims Regarding Kavanaugh*, NBC NEWS (Oct. 25, 2018).

cc: The Honorable Dianne Feinstein
Ranking Member
Committee on the Judiciary

[REDACTED]

From: Michael J. Avenatti [Email Redacted]
Sent: Tuesday, October 02, 2018 4:39 PM
To: Davis, Mike (Judiciary-Rep)
Cc: Duck, Jennifer (Judiciary-Dem); Sawyer, Heather (Judiciary-Dem)
Subject: RE: Kavanaugh Nomination - Allegations of Julie Swetnick
Attachments: Declaration.pdf

Importance: High

Mr. Davis:

On repeated occasions, you have failed to respond to my correspondence relating to the nomination of Brett Kavanaugh and the ability of my client Ms. Swetnick to sit down with the FBI and share facts and witnesses regarding what she witnessed. This is entirely unprofessional and demonstrates a complete lack of good faith on your part and those that you report to. I once again ask that you immediately respond and take all steps to arrange an FBI interview.

Further, attached please find another declaration from another witness who supports a number of allegations of Ms. Swetnick. She knows both Ms. Swetnick and Dr. Ford. The identify of this witness will be released to the FBI once they contact me to arrange an interview as she does not want her name publicly disclosed at this time.

Time is of the essence. Please respond.

Michael

From: Michael J. Avenatti
Sent: Friday, September 28, 2018 2:13 PM
To: Davis, Mike (Judiciary-Rep)
Cc: Duck, Jennifer (Judiciary-Dem); Sawyer, Heather (Judiciary-Dem)
Subject: RE: Kavanaugh Nomination - Allegations of Julie Swetnick

Mr. Davis:

Please respond. Time is of the essence.

Regards,

Michael

From: Michael J. Avenatti
Sent: Friday, September 28, 2018 11:03 AM
To: Davis, Mike (Judiciary-Rep)
Cc: Duck, Jennifer (Judiciary-Dem); Sawyer, Heather (Judiciary-Dem)
Subject: RE: Kavanaugh Nomination - Allegations of Julie Swetnick

Mr. Davis:

We are STILL awaiting a response to my email. It has now been over 30 hours and you have failed to respond. We have heard nothing from the Committee.

In light of Senator Flake's comments moments ago, please let us know when we can meet with the FBI and provide the facts and evidence supporting my client's sworn declaration. Time is of the essence.

Regards,

Michael

From: Michael J. Avenatti
Sent: Thursday, September 27, 2018 3:05 PM
To: Davis, Mike (Judiciary-Rep)
Cc: Duck, Jennifer (Judiciary-Dem); Sawyer, Heather (Judiciary-Dem)
Subject: RE: Kavanaugh Nomination - Allegations of Julie Swetnick

Mr. Davis:

I sent the below e-mail nine (9) hours ago and have yet to receive any response. As you know, time is of the essence.

As stated below, my client Julie Swetnick is prepared to come to Washington, D.C. to testify under oath before the Committee. I also believe that at least one, if not two, other witness(es) are likewise prepared to come to Washington, D.C. to testify as to the accuracy of the statements in my client's declaration.

Please confirm that my client and the supporting witness(es) will be permitted to testify under oath before the Committee ASAP. Under no circumstances should a vote be taken on the nominee without first hearing from my client and the supporting witness(es).

Please get back to me as soon as possible.

Thank you.

Michael

From: Michael J. Avenatti
Sent: Thursday, September 27, 2018 5:58 AM
To: Davis, Mike (Judiciary-Rep)
Cc: Duck, Jennifer (Judiciary-Dem); Sawyer, Heather (Judiciary-Dem)
Subject: Kavanaugh Nomination - Allegations of Julie Swetnick

Mr. Davis:

As you know, I represent Ms. Julie Swetnick, a woman that has provided a detailed declaration under **penalty of perjury** relating to the claimed abhorrent conduct of Brett Kavanaugh, including sexual assault.

You and the Committee leadership first learned of these allegations on Sunday and yet have done basically nothing to investigate them. In fact, after I emailed you in detail on Monday morning, you failed to even respond for days. Simply put, you blew us off all day Monday and Tuesday. It was not until yesterday that you finally responded and you only did so then because the press started contacting you for comment.

Your conduct does not evidence any desire to get to the truth or to fulfill your duties to the American people (who pay your salary). To the contrary, you and the leadership seem intent on

confirming Brett Kavanaugh as quickly as possible so as to avoid any real investigation into the facts and circumstances surrounding the allegations made by my client and many other women. To be clear, my client Ms. Swetnick demands the following:

FBI Investigation. The Committee and Senator Grassley must immediately refer this matter to the FBI for a complete and fair investigation. My client is prepared to meet with the FBI today to disclose how she was victimized and what she observed. She is also prepared to disclose multiple additional corroborating witnesses with knowledge of the conduct of Brett Kavanaugh and Mark Judge, as well as additional evidence.

In my experience, women that are fabricating stories do not offer to immediately meet with FBI agents to discuss their allegations. The FBI is used to investigate the many of the most serious allegations and crimes in America every day (i.e. 9/11 and the Oklahoma City bombing). *Why are you and Senator Grassley refusing to refer this matter to the FBI for investigation or request that they intervene?*

Sworn Testimony Before the Committee. Ms. Swetnick demands the opportunity to present sworn testimony before the Committee as to what she witnessed and how she was victimized. She is prepared to be questioned as to her allegations for as long as it takes to get to the truth. Please confirm that she will be allowed to testify and contact me so that we may agree on the logistics.

Polygraph Examination. My client is prepared to undergo a polygraph examination in further substantiation of her claims provided that Mr. Kavanaugh likewise agrees to undergo an examination. As you know, while the results of such an examination are generally not admissible in a court of law, they are routinely used in the federal government for the granting of security clearances and the like at the highest levels, including at our intelligence agencies. There is no reason why they cannot be used in this circumstance. Please confirm that both polygraph examinations will proceed.

Mark Judge. I am still awaiting an answer as to if the Committee has requested that Mark Judge appear to testify and if not, why not. As detailed in my client's sworn declaration, Mr. Judge has detailed knowledge of the conduct of Mr. Kavanaugh and witnessed it firsthand. This is likewise true as it relates to other allegations from other women. Thus, there is no excuse for the Committee refusing to make a demand that he testify. Indeed, seeing as Mr. Judge is one of Mr. Kavanaugh's closest friends from the time period at issue, one would think that Mr. Kavanaugh would want him to testify unless he is hiding something. Please confirm that Mr. Judge is being asked to provide sworn testimony.

Knowledge by the Committee. Press reports have stated that certain members of the Committee were aware of allegations similar to those set forth in my client's declaration well before Sunday. Is this accurate? If so, please provide the details of this knowledge and explain why it was not investigated sooner.

Please respond to the above as quickly as possible as time is of the essence. Once again, this process must be a search for the truth as opposed to a partisan attempt to ram a Supreme Court nominee through at all costs, including at the expense of women who claim to be victims of sexual assault.

Regards,

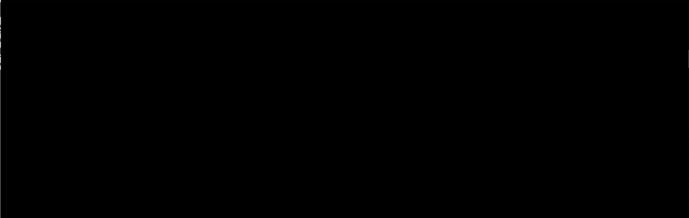
Michael

1 6. During the years 1981-82, I witnessed firsthand Brett Kavanaugh,
2 together with others, "spike" the "punch" at house parties I attended with
3 Quaaludes and/or grain alcohol. I understood this was being done for the
4 purpose of making girls more likely to engage in sexual acts and less likely to say
5 "No."

6 7. I am aware of other witnesses that can attest to the truthfulness of
7 each of the statements above.

8 8. I am aware of other inappropriate conduct by Brett Kavanaugh but do
9 not feel comfortable stating it at this time in this declaration. I am fully, willing,
10 and able to speak with the FBI and tell them everything I know about Brett
11 Kavanaugh and his misconduct if I am contacted.

12 I declare, under penalty of perjury and under the laws of the United States
13 of America, that the foregoing is true and correct. I have executed this
14 declaration on October 2, 2018.



New questions raised about Avenatti claims regarding Kavanaugh

Kate Snow Kate Snow is a national correspondent for NBC News.

6-7 minutes

Breaking News Emails

Get breaking news alerts and special reports. The news and stories that matter, delivered weekday mornings.

Oct. 25, 2018 / 6:53 PM EDT

By Kate Snow and Anna Schechter

When Sen. Chuck Grassley referred attorney Michael Avenatti and his client Julie Swetnick to the Justice Department for [criminal investigation](#) Thursday, he cited Swetnick's interview with NBC News as evidence the two were trying to mislead the Senate Judiciary Committee.

In the NBC News interview that aired on Oct. 1, [Swetnick](#) backtracked on or contradicted parts of her sworn statement where she alleged she witnessed then-Supreme Court nominee Brett Kavanaugh "cause girls to become inebriated and disoriented so they could then be 'gang raped' in a side room or bedroom by a 'train' of boys."

NBC News also found other apparent inconsistencies in a second

sworn statement from another woman whose statement Avenatti provided to the Senate Judiciary Committee in a bid to bolster Swetnick's claims.

In the second statement, the unidentified woman said she witnessed Kavanaugh "spike" the punch at high school parties in order to sexually take advantage of girls. But less than 48 hours before Avenatti released her sworn statement on Twitter, the same woman told NBC News a different story.

Referring to Kavanaugh spiking the punch, "I didn't ever think it was Brett," the woman said to reporters in a phone interview arranged by Avenatti on Sept. 30 after repeated requests to speak with other witnesses who might corroborate Swetnick's claims. As soon as the call began, the woman said she never met Swetnick in high school and never saw her at parties and had only become friends with her when they were both in their 30s.

When asked in the phone interview if she ever witnessed Kavanaugh act inappropriately towards girls, the woman replied, "no." She did describe a culture of heavy drinking in high school that she took part in, and said Kavanaugh and his friend Mark Judge were part of that group.

In a statement Thursday about his referral of Swetnick and Avenatti for a criminal investigation, Grassley said, "When a well-meaning citizen comes forward with information relevant to the committee's work, I take it seriously....But in the heat of partisan moments, some do try to knowingly mislead the committee. That's unfair to my colleagues, the nominees and others providing information who are seeking the truth."

Avenatti responded in a statement to NBC News saying, "Senator

Grassley has just made a major mistake. Let the investigation into Kavanaugh and his lies begin."

Kavanaugh and Judge denied the allegations leveled by Swetnick and other women. Avenatti, asked about the inconsistencies within the second woman's account, said: "It is a sworn declaration that she read and signed and repeatedly stood behind."



Senate Judiciary Committee Chairman Chuck Grassley, R-Iowa, speaks to reporters as he leaves the chamber following a procedural vote to advance the confirmation of Supreme Court nominee Brett Kavanaugh, at the Capitol in Washington on Oct. 5, 2018. J. Scott Applewhite / AP

According to the second woman's declaration that Avenatti provided to the Senate Judiciary Committee, she said: "During the years 1981-82, I witnessed firsthand Brett Kavanaugh, together with others, 'spike' the 'punch' at house parties I attended with Quaaludes and/or grain alcohol. I understood this was being done

for the purpose of making girls more likely to engage in sexual acts and less likely to say 'No.'"

The statement also said that Kavanaugh was "overly aggressive and verbally abusive to girls. This conduct included inappropriate physical contact with girls of a sexual nature."

But reached by phone independently from Avenatti on Oct. 3, the woman said she only "skimmed" the declaration. After reviewing the statement, she wrote in a text on Oct. 4 to NBC News: "It is incorrect that I saw Brett spike the punch. I didn't see anyone spike the punch...I was very clear with Michael Avenatti from day one."

When pressed about abusive behavior towards girls, she wrote in a text: "I would not ever allow anyone to be abusive in my presence. Male or female."



Julie SwetnickMichael Avenatti / via AP

Shortly after tweeting out the woman's allegations on Oct. 2, Avenatti confirmed to NBC News that it was the same woman interviewed by phone on Sept. 30. But when questioned on Oct. 3 about the discrepancies between what she said in the phone interview and the serious allegations in the sworn declaration, Avenatti said he was "disgusted" with NBC News. At one point, in an apparent effort to thwart the reporting process, he added in the phone call, "How about this, on background, it's not the same woman. What are you going to do with that?"

After NBC News received text messages from the woman refuting some of the claims in the declaration, NBC reached out again to Avenatti, who defended the declaration.

"I have no idea what you are talking about," he said in a text. "I have a signed declaration that states otherwise together with multiple audio recordings where she stated exactly what is in the declaration. There were also multiple witnesses to our discussions."

He sent a follow-up message moments later: "I just confirmed with her yet again that everything in the declaration is true and correct," Avenatti said. "She must have been confused by your question."

Roughly five minutes later, the woman sent a formally-worded text backing Avenatti. "Please understand that everything in the declaration is true and you should not contact me anymore regarding this issue," the text read.

But when reached by phone minutes later, the woman again insisted that she never saw Kavanaugh spike punch or act inappropriately toward women. She said she's "been consistent in what she's told Michael."

In a subsequent text on Oct. 5, she wrote, "I will definitely talk to

you again and no longer Avenatti. I do not like that he twisted my words."



Anna Schechter

Anna Schechter is a producer for the investigations unit of NBC News.

Rich Schapiro contributed.

Davis, Mike (Judiciary-Rep)

From: Davis, Mike (Judiciary-Rep)
Sent: Friday, October 26, 2018 6:08 PM
To: Davis, Mike (Judiciary-Rep)
Subject: SCOTUS UPDATE: Swetnick, Avenatti Referred for Criminal Investigation

From: Chairman Grassley (Judiciary-Rep)
Sent: Friday, October 26, 2018 6:07 PM
To: Hartmann, George (Judiciary-Rep) (b) (6) >; Foy, Taylor (Judiciary-Rep) (b) (6) >
Subject: UPDATE: Swetnick, Avenatti Referred for Criminal Investigation

FOR IMMEDIATE RELEASE

Friday, October 26, 2018

Senate Judiciary Committee Chairman Chuck Grassley today submitted a [second referral](#) to the Justice Department and FBI following a [news report yesterday](#) that cast doubt on the veracity of allegations in a second sworn statement provided by Michael Avenatti to the committee.

Avenatti submitted an anonymous declaration on October 2, 2018, purporting to corroborate allegations raised by Julie Swetnick. However, according to yesterday's news report, the declarant denied making the key allegations, saying that Avenatti "twisted [her] words."

Grassley is referring Avenatti for investigation of potential violations of the same statutes noted in yesterday's criminal referral. More on yesterday's referral is available [here](#) or below.

From: Chairman Grassley (Judiciary-Rep)
Sent: Thursday, October 25, 2018 12:54 PM
To: Foy, Taylor (Judiciary-Rep) (b) (6) >; Hartmann, George (Judiciary-Rep) (b) (6) >
Subject: Swetnick, Avenatti Referred for Criminal Investigation



COMMITTEE *on the* **JUDICIARY**
CHAIRMAN CHUCK GRASSLEY WWW.JUDICIARY.SENATE.GOV

FOR IMMEDIATE RELEASE

Thursday, October 25, 2018

Swetnick, Avenatti Referred for Criminal Investigation

Providing False Statements, Obstructing Congressional Investigations, and Conspiracy All

Violate Federal Law

WASHINGTON – Senate Judiciary Committee Chairman Chuck Grassley today referred Julie Swetnick and her attorney Michael Avenatti to the Justice Department for criminal investigation relating to a potential conspiracy to provide materially false statements to Congress and obstruct a congressional committee investigation, three separate crimes, in the course of considering Justice Brett M. Kavanaugh’s nomination to the Supreme Court of the United States.

While the Committee was in the middle of its extensive investigation of the late-breaking sexual-assault allegations made by Dr. Christine Blasey Ford against Supreme Court nominee Judge Brett Kavanaugh, Avenatti publicized his client’s allegations of drug- and alcohol-fueled gang rapes in the 1980s. The obvious, subsequent contradictions along with the suspicious timing of the allegations necessitate a criminal investigation by the Justice Department.

“When a well-meaning citizen comes forward with information relevant to the committee’s work, I take it seriously. It takes courage to come forward, especially with allegations of sexual misconduct or personal trauma. I’m grateful for those who find that courage,” Grassley said. “But in the heat of partisan moments, some do try to knowingly mislead the committee. That’s unfair to my colleagues, the nominees and others providing information who are seeking the truth. It stifles our ability to work on legitimate lines of inquiry. It also wastes time and resources for destructive reasons. Thankfully, the law prohibits such false statements to Congress and obstruction of congressional committee investigations. For the law to work, we can’t just brush aside potential violations. I don’t take lightly making a referral of this nature, but ignoring this behavior will just invite more of it in the future.”

Grassley referred Swetnick and Avenatti for investigation in a letter sent today to the Attorney General of the United States and the Director of the Federal Bureau of Investigation. The letter notes potential violations of 18 U.S.C. §§ 371, 1001 and 1505, which respectively define the federal criminal offenses of conspiracy, false statements and obstruction of Congress. The referral seeks further investigation only, and is not intended to be an allegation of a crime.

The referral methodically details the issues with Swetnick’s allegations as relayed by Avenatti, the immediate diversion of committee resources to investigate those allegations, the subsequent contradictions by both Swetnick and Avenatti, the lack of substantiating or corroborating evidence, and the overarching and serious credibility problems pervading the presentation of these allegations.

Swetnick made her allegations in a [sworn statement](#) to the committee on September 26. In an October 1 interview with NBC News, however, Swetnick specifically and explicitly back-tracked or contradicted key parts of her sworn statement on these and other allegations. In subsequent interviews, Avenatti likewise cast serious doubt on or contradicted the allegations while insisting that he had thoroughly vetted his client.

Last month, Grassley [referred for criminal investigation](#) an individual who made false sexual-assault allegations against Justice Kavanaugh, which were then investigated by committee staff before the individual recanted the claims on social media.

The full letter of referral of Swetnick and Avenatti can be found [HERE](#).



Thank you,
Mike Davis

Mike Davis, Chief Counsel for Nominations
United States Senate Committee on the Judiciary
Senator Chuck Grassley (R-IA), Chairman
224 Dirksen Senate Office Building
Washington, DC 20510

(b) (6) (direct)

(b) (6) (cell)

202-224-9102 (fax)

(b) (6)

Davis, Mike (Judiciary-Rep)

From: Davis, Mike (Judiciary-Rep)
Sent: Friday, November 2, 2018 5:57 PM
To: Davis, Mike (Judiciary-Rep)
Subject: SCOTUS: Grassley Refers More False Statements for Criminal Investigation
Attachments: 2018-11-02 CEG to DOJ FBI (Munro-Leighton Referral) with redacted enclos....pdf;
2018-11-02 Kavanaugh Report.zip

FYI, Chairman Chuck Grassley made another criminal referral to the Justice Department, including the Attorney General and the FBI, after an individual potentially made false statements to congressional investigators and obstructed a congressional investigation during the confirmation proceedings for Justice Kavanaugh.

Here is a Tweet thread: <https://twitter.com/senjudiciary/status/1058472888406290434>

Attached is a report summarizing the Chairman's investigation of the numerous allegations made against Justice Kavanaugh during the Senate confirmation proceedings.

Thank you,
Mike Davis

Mike Davis, Chief Counsel for Nominations
United States Senate Committee on the Judiciary
Senator Chuck Grassley (R-IA), Chairman
224 Dirksen Senate Office Building
Washington, DC 20510
(b) (6) (direct)
(b) (6) (cell)
202-224-9102 (fax)
(b) (6)

From: Hartmann, George (Judiciary-Rep)
Sent: Friday, November 02, 2018 5:39 PM
To: Hartmann, George (Judiciary-Rep) (b) (6) >; Zona, Michael (Grassley)
(b) (6) >
Subject: Grassley Refers More False Statements for Criminal Investigation

Good evening,

This afternoon Chairman Grassley referred another individual, Judy Munro-Leighton, to the Justice Department for investigation of potential criminal false statements made to the Senate Judiciary Committee. You can find the letter of referral here:

https://www.judiciary.senate.gov/download/grassley-to-justice-dept-fbi_-munro-leighton-referral-

Ms. Munro-Leighton claimed to be the author of an anonymous allegation regarding Justice Kavanaugh originally sent to Senator Harris. When questioned by committee investigators, she admitted to having fabricated that claim.

Thanks,
George Hartmann

George Hartmann | *Press Secretary*
[Senate Judiciary Committee](#)
Chairman Chuck Grassley (R-Iowa)

CHARLES E. GRASSLEY, IOWA, CHAIRMAN
ORRIN G. HATCH, UTAH
LINDSEY O. GRAHAM, SOUTH CAROLINA
JOHN CORNYN, TEXAS
MICHAEL S. LEE, UTAH
TED CRUZ, TEXAS
BEN SASSE, NEBRASKA
JEFF FLAKE, ARIZONA
MIKE CRAPO, IDAHO
THOM TILLIS, NORTH CAROLINA
JOHN KENNEDY, LOUISIANA
DIANNE FEINSTEIN, CALIFORNIA
PATRICK J. LEAHY, VERMONT
RICHARD J. DURBIN, ILLINOIS
SHELDON WHITEHOUSE, RHODE ISLAND
AMY KLOBUCHAR, MINNESOTA
CHRISTOPHER A. COONS, DELAWARE
RICHARD BLUMENTHAL, CONNECTICUT
MAZIE HIRONO, HAWAII
CORY A. BOOKER, NEW JERSEY
KAMALA D. HARRIS, CALIFORNIA

United States Senate
COMMITTEE ON THE JUDICIARY
WASHINGTON, DC 20510-6275

KOLAN L. DAVIS, Chief Counsel and Staff Director
JENNIFER DUCK, Democratic Chief Counsel and Staff Director

November 2, 2018

VIA ELECTRONIC TRANSMISSION

The Honorable Jeff Sessions
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

The Honorable Christopher A. Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Washington, DC 20535

Dear Attorney General Sessions and Director Wray:

I am once again writing regarding fabricated allegations the United States Senate Committee on the Judiciary recently received. As you know, the Senate Judiciary Committee processed the nomination of Judge Brett M. Kavanaugh to serve as an Associate Justice on the Supreme Court of the United States, leading to his eventual confirmation on October 6, 2018. As part of that process, the Committee has investigated various allegations made against Judge Kavanaugh. The Committee's investigation has involved communicating with numerous individuals claiming to have relevant information. While many of those individuals have provided the Committee information in good faith, it unfortunately appears some have not. As explained below, I am writing to refer Ms. Judy Munro-Leighton for investigation of potential violations of 18 U.S.C. §§ 1001 (materially false statements) and 1505 (obstruction), for materially false statements she made to the Committee during the course of the Committee's investigation.

On September 25, 2018, staffers for Senator Harris, a Committee member, referred an undated handwritten letter to Committee investigators that her California office had received signed under the alias "Jane Doe" from Oceanside, California.¹ The letter contained highly graphic sexual-assault accusations against Judge Kavanaugh. The anonymous accuser alleged that Justice Kavanaugh and a friend had raped her "several times each" in the backseat of a car. In addition to being from an anonymous accuser, the letter listed no return address, failed to provide any timeframe, and failed to provide any location -- beyond an automobile -- in which these alleged incidents took place.

Regardless, Committee staff quickly began investigating the claims as part of the broader investigation, hindered by the limited information provided. On September 26, 2018, Committee staff questioned Judge Kavanaugh about these allegations in a transcribed interview conducted

¹ See Undated Letter from "Jane Doe" to Senator Harris, enclosed below.

under penalty of felony.² They read him the letter in full as part of the questioning.³ In response to the anonymous allegations, Judge Kavanaugh unequivocally stated: “[T]he whole thing is ridiculous. Nothing ever -- anything like that, nothing . . . [T]he whole thing is just a crock, farce, wrong, didn’t happen, not anything close.”⁴ Later that day, September 26th, the Committee publicly released the transcript of that interview with Judge Kavanaugh, which included the full text of the Jane Doe letter.⁵

Then, on October 3, 2018, Committee staff received an email from a Ms. Judy Munro-Leighton with a subject line claiming: “I am Jane Doe from Oceanside CA -- Kavanaugh raped me.”⁶ Ms. Munro-Leighton wrote that she was “sharing with you the story of the night that Brett Kavanaugh and his friend sexually assaulted and raped me in his car” and referred to “the letter that I sent to Sen. Kamala Harris on Sept. 19 with details of this vicious assault.” She continued: “I know that [‘]Jane Doe[’] will get no media attention, but I am deathly afraid of revealing any information about myself or my family.” She then included a typed version of the Jane Doe letter.

Committee investigators began investigating Ms. Munro-Leighton’s allegations. Given her relatively unique name, Committee investigators were able to use open-source research to locate Ms. Munro-Leighton and determine that she: (1) is a left-wing activist; (2) is decades older than Judge Kavanaugh; and (3) lives in neither the Washington DC area nor California, but in Kentucky. In order to investigate her sexual-assault claims, Committee investigators first attempted to reach her by phone on October 3, 2018, but were unsuccessful. On October 29, Committee investigators again attempted contact, leaving a voicemail. In response, Ms. Munro-Leighton left Committee investigators a voicemail on November 1, 2018.

Eventually, on November 1, 2018, Committee investigators connected with Ms. Munro-Leighton by phone and spoke with her about the sexual-assault allegations against Judge Kavanaugh she had made to the Committee. Under questioning by Committee investigators, Ms. Munro-Leighton admitted, contrary to her prior claims, that she had not been sexually assaulted by Judge Kavanaugh and was not the author of the original “Jane Doe” letter. When directly asked by Committee investigators if she was, as she had claimed, the “Jane Doe” from Oceanside California who had sent the letter to Senator Harris, she admitted: “No, no, no. I did that as a way to grab attention. I am not Jane Doe . . . but I did read Jane Doe’s letter. I read the transcript of the call to your Committee. . . . I saw it online. It was news.”

She further confessed to Committee investigators that (1) she “just wanted to get attention”; (2) “it was a tactic”; and (3) “that was just a ploy.” She told Committee investigators that she had called Congress multiple times during the Kavanaugh hearing process – including prior to the time Dr. Ford’s allegations surfaced – to oppose his nomination. Regarding the false sexual-assault

² Senate Judiciary Committee Interview with Judge Kavanaugh 5-10 (Sept, 26, 2018). Available at: [https://www.judiciary.senate.gov/imo/media/doc/09.26.18%20BMK%20Interview%20Transcript%20\(Redacted\).pdf](https://www.judiciary.senate.gov/imo/media/doc/09.26.18%20BMK%20Interview%20Transcript%20(Redacted).pdf).

³ *Id.*

⁴ *Id.*

⁵ <https://www.judiciary.senate.gov/press/rep/releases/judiciary-committee-releases-transcripts-of-kavanaugh-interviews>

⁶ Email from Judy Munro-Leighton to Senate Judiciary Committee (Oct. 3, 2018), enclosed below.

allegation she made via her email to the Committee, she said: "I was angry, and I sent it out." When asked by Committee investigators whether she had ever met Judge Kavanaugh, she said: "Oh Lord, no."

In short, during the Committee's time-sensitive investigation of allegations against Judge Kavanaugh, Ms. Munro-Leighton submitted a fabricated allegation, which diverted Committee resources. When questioned by Committee investigators she admitted it was false, a "ploy," and a "tactic." She was opposed to Judge Kavanaugh's confirmation.

As I have repeatedly stated, Committee investigations in support of the judicial nomination process are an essential part of the Committee's constitutional role. The Committee is grateful to citizens who come forward with relevant information in good faith, even if they are not one hundred percent sure about what they know. But when individuals intentionally mislead the Committee, they divert Committee resources during time-sensitive investigations and materially impede our work. Such acts are not only unfair; they are potentially illegal. It is illegal to make materially false, fictitious, or fraudulent statements to Congressional investigators. It is illegal to obstruct Committee investigations.

Accordingly, in light of the seriousness of these facts, and the threat these types of actions pose to the Committee's ability to perform its constitutional duties, I hope you will give this referral the utmost consideration. Thank you for your prompt attention to this matter. If you have any questions, please contact a professional investigative counsel in the Committee's Oversight and Investigations Unit at (202) 224-5225.

Sincerely,



Charles E. Grassley
Chairman
Committee on the Judiciary

Enclosures:

Undated Letter from "Jane Doe" to Senator Harris
Email from Judy Munro-Leighton to Senate Judiciary Committee (Oct. 3, 2018)

cc: The Honorable Dianne Feinstein
Ranking Member
Committee on the Judiciary

DRGEAR

SAN DIEGO CA 920
19 SEP 2018 PM 5 L



Kamala Harris
Senate Judiciary Committee
600 B St Suite 2040
San Diego CA 92101

DEAR SENATOR GRASSLEY, ET AL

THE CURRENT SITUATION REGARDING THE ACCUSATIONS MADE BY DR FORD AGAINST BRETT KAVANAUGH HAVE PROMPTED ME TO WRITE YOU TODAY.

I HAVE MOVED ON WITH MY LIFE SINCE HE FORCED HIMSELF ON ME AS WELL. THE TIMES WERE SO DIFFERENT AND I DIDN'T EXPECT TO BE TAKEN SERIOUSLY, EMBARRASS MY FAMILY BE BELIEVED AT ALL.

I WAS AT A PARTY WITH A FRIEND. I HAD BEEN DRINKING. SHE LEFT WITH ANOTHER BOY LEAVING ME TO FIND MY OWN WAY HOME.

KAVANAUGH AND A FRIEND OFFERED ME A RIDE HOME. I DON'T KNOW THE OTHER BOYS NAME. I WAS IN HIS CAR TO GO HOME. HIS FRIEND WAS BEHIND ME IN THE BACK SEAT.

KAVANAUGH KISSED ME FORCEFULLY

I TOLD HIM I ONLY WANTED A RIDE HOME. KAVANAUGH CONTINUED TO GROPE ME OVER MY CLOTHES, FORCING HIS KISSES ON ME AND PUTTING HIS HAND UNDER MY SWEATER.

"NO!" I YELLED AT HIM.

THE BOY IN THE BACK SEAT REACHED AROUND PUTTING HIS HAND OVER MY MOUTH AND

AND HOLDING MY ARM TO KEEP ME IN THE CAR. I SCREAMED INTO HIS HAND.

KAVANAUGH CONTINUED HIS FORCING HIMSELF ON ME. HE PULLED UP MY SWEATER AND BRA EXPOSING MY BREASTS AND REACHED INTO MY PANTIES INSERTING HIS FINGERS INTO MY VAGINA

MY SCREAMS WERE SILENCED BY THE BOY IN THE BACK SEAT COVERING MY MOUTH AND GROPING ME AS WELL.

KAVANAUGH SLAPPED ME AND TOLD ME TO BE QUIET AND FORCED ME TO PERFORM ORAL SEX ON HIM. HE CLIMAXED IN MY MOUTH.

THEY FORCED ME INTO THE BACKSEAT AND TOOK TURNS RAPIING ME SEVERAL TIMES EACH.

THEY DROPPED ME OFF TWO BLOCKS FROM MY HOME. "NO ONE WILL BELIEVE YOU IF YOU TELL. BE A GOOD GIRL." HE TOLD ME

WATCHING WHAT HAS HAPPENED TO ANITA HILL AND DR FORD HAS ME DETERMINED TO COME FORWARD IN PERSON OR EVEN PROVIDE MY NAME. A GROUP OF WHITE MEN POWERFUL SENATORS WHO WON'T BELIEVE ME WILL COME AFTER ME

Like Dr FORD. IM A TEACHER,
I HAVE AN EDUCATION. A FAMILY. A CHILD
A HOME.

I HAVE CREDIBILITY. JUST BECAUSE
SOMETHING HAPPENS A LONG TIME AGO
BECAUSE A RAPE VICTIM DOESN'T WANT
TO PERSONALLY COME FORWARD DOES NOT
MEAN SOMETHING CAN'T BE TRUE!

June Doe
OCEANSIDE CA

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Fwd: I am Jane Doe from Oceanside CA -- Kavanaugh raped me
Date: Wednesday, October 03, 2018 7:27:42 AM

Begin forwarded message:

From: Judy Munro-Leighton <[REDACTED]>
Date: October 3, 2018 at 6:42:35 AM EDT
To: [REDACTED]
Subject: I am Jane Doe from Oceanside CA – Kavanaugh raped me
Reply-To: [REDACTED]

To all Republican Senators, 10/3/18

My name is Jane Doe, from Oceanside CA. I am sharing with you the story of the night that Brett Kavanaugh and his friend sexually assaulted and raped me in his car. Here is the letter that I sent to Sen. Kamala Harris on Sept. 19 with details of this vicious assault. The Senate Judiciary Comm had a phone interview on Sept. 26 with Kavanaugh to ask him about my letter.

I refuse to allow Donald J. Trump to use me or my story as an ugly chant at one of his Republican rallies. I know that Jane Doe will get no media attention, but I am deathly afraid of revealing any information about myself or my family. I watched in horror as Trump vilified Dr. Blasey-Ford. I will not allow this abuse to be directed toward me.

Dear, Senator Grassley, et al.

The current situation regarding the accusations made by Dr. Ford against Brett Kavanaugh have prompted me to write you today. I have moved on with my life since he forced himself on me as well. The times were so different, and I didn't expect to be taken seriously, embarrass my family, be believed at all. I was at a party with a friend. I had been drinking. She left with another boy, leaving me to find my own way home. Kavanaugh and a friend offered me a ride home. I don't know the other boy's name. I was in his car to go home. His friend was behind me in the backseat. Kavanaugh kissed me forcefully.

I told him I only wanted a ride home. Kavanaugh continued to grope me over my clothes, forcing his kisses on me and putting his hand under my sweater. 'No,' I yelled at him. The boy in the backseat reached around, putting his hand over my mouth and holding my arm

to keep me in the car. I screamed into his hand. Kavanaugh continued his forcing himself on me. He pulled up my sweater and bra exposing my breasts, and reached into my panties, inserting his fingers into my vagina. My screams were silenced by the boy in the backseat covering my mouth and groping me as well. Kavanaugh slapped me and told me to be quiet and forced me to perform oral sex on him. He climaxed in my mouth. They forced me to go into the backseat and took turns raping me several times each.

They dropped me off two blocks from my home. ‘No one will believe if you tell. Be a good girl,’ he told me. Watching what has happened to Anita Hill and Dr. Ford has me petrified to come forward in person or even provide my name. A group of white men, powerful senators who won’t believe me, will come after me. Like Dr. Ford, I’m a teacher, I have an education, a family, a child, a home. I have credibility. Just because something happens a long time ago, because a rape victim doesn’t want to personally come forward, does not mean something can’t be true.

Jane Doe, Oceanside, California.

MEMORANDUM



TO: Senate Republicans
FROM: Office of the Chairman, Senator Chuck Grassley (R-IA)
DATE: November 2, 2018
RE: Senate Judiciary Committee Investigation of Numerous Allegations Against Justice Brett Kavanaugh During the Senate Confirmation Proceedings

Introduction

In the weeks leading up to Justice Brett Kavanaugh's Senate confirmation vote on October 6, 2018, investigators from the United States Senate Committee on the Judiciary ("Committee") diligently pursued all relevant allegations made against the nominee. This memorandum summarizes the Committee's work and provides a status update on the Committee's ongoing efforts to review and address additional matters that arose during the course of the investigation, including potential violations of Senate rules, potential witness tampering, and potential false statements made to the Committee in violation of federal law.

Background

On July 9, 2018, the President announced the nomination of then-Judge Brett Kavanaugh to serve as an Associate Justice on the Supreme Court of the United States. Justice Kavanaugh had served with distinction for more than 12 years on the United States Court of Appeals for the District of Columbia Circuit, the nation's most important federal circuit court. The Senate received the nomination the next day. Shortly after the nomination, the White House Counsel's Office provided a routine copy of the FBI background-investigation report on the nominee. The report marked the sixth occasion the FBI conducted a full-field background investigation of Justice Kavanaugh for a public service position, going back to his first FBI report in 1993. As is routine, the FBI report included statements from individuals who knew the nominee, as well as an examination of his finances and credit history, tax payments, criminal and employment histories, medical history, substance abuse history, and foreign contacts. These six FBI reports over a 25-year period, containing interviews with nearly 150 individuals who knew Justice Kavanaugh personally (including many individuals who have known Justice Kavanaugh his entire life), did not reveal any alcohol abuse or inappropriate sexual behavior.

Over the course of the next two months, the Committee continued to gather relevant information about the nominee to best assist its members in evaluating Justice Kavanaugh's qualifications and fitness to serve on the Supreme Court. The Committee sent Justice Kavanaugh the most comprehensive Senate Judiciary Questionnaire (SJQ) submitted to any Supreme Court nominee in history, and it received and reviewed Justice Kavanaugh's response of nearly 18,000 pages. The Committee reviewed all of Justice Kavanaugh's published writings, his 307 judicial opinions and the hundreds more opinions he joined, all available footage and transcripts from his public appearances, all books that used him as a resource, and more than 500,000 pages of documents related to his past legal service in the Executive Branch. While the Committee reviewed these materials, Justice Kavanaugh participated in one-on-one meetings with 65 senators. Justice Kavanaugh also testified before the Senate Judiciary Committee for more than 32 hours

from September 4-6, 2018. He subsequently responded to nearly 1,300 post-hearing written questions for the record (QFRs) submitted by members of the Committee—more questions than have been asked of all prior Supreme Court nominees combined.

Despite the Committee’s best efforts to ensure a timely and thorough review, an eleventh-hour news report released the day before a scheduled Committee vote on Justice Kavanaugh’s nomination disrupted the Senate’s exhaustive confirmation process. On September 12, 2018, the media reported that Ranking Member Feinstein possessed a letter from an unidentified woman detailing an incident involving her and Justice Kavanaugh when they were in high school. As details of that allegation unfolded, the Committee’s Majority Nominations Unit paired with the Committee’s Oversight and Investigations Unit to investigate the allegations. These joint efforts, with up to 40 attorneys, law clerks, and other professionals from the Chairman’s staff, continued over the following month as the Committee received several additional allegations of sexual misconduct.

Summary of the Investigation

The Committee’s investigative efforts consistently modeled the standard process and procedure employed by its Oversight and Investigation Unit. Committee investigators gathered information from various sources, including: (a) individuals who contacted the Committee directly by phone, email, or through the whistleblower tip line; (b) interviews of individuals with knowledge relevant to the allegations; (c) information referrals from individual Senate member offices; (d) media reports; (e) the Department of Justice; (f) Dr. Christine Blasey Ford; and (g) Justice Kavanaugh. If the Committee determined through its initial review of information and investigative research that a particular individual had relevant information, Committee investigators attempted to verify the identity of the individual using open-source research tools and other methods. Committee investigators then contacted the individual or the individual’s counsel if the Committee knew the individual was represented by an attorney. As a general practice, interviews of this nature are staffed by teams of two or three investigators, which include attorneys and federal law enforcement detailees with years of experience conducting government investigations.

A court reporter transcribed each interview with Justice Kavanaugh. For all other interviews, investigators took live notes via computer and in written form to document the conversation in the greatest detail possible under significant time restraints. If a witness was willing to provide a written statement to the Committee, investigators discussed the process and procedure for doing so and the possibility of, and risks attendant to, the statement or any portion thereof becoming public. The Committee’s Majority staff investigative practices are designed to ensure a certain level of confidentiality for those who request it. During this investigative process, depending on the level of confidentiality requested, witnesses were explicitly cautioned that confidentiality could not be guaranteed in every case because information would be shared with Senate offices that may not have the same confidentiality policy. Some witnesses wrote statements independently before being interviewed by Committee investigators. Importantly, witness statements to the Committee are subject to 18 U.S.C. § 1001, a statute that criminalizes making

materially false statements to Congress, and 18 U.S.C. § 1505, a statute that criminalizes obstructing a congressional investigation.

All interviews were conducted in an objective and fair manner aimed at producing a final determination of fact with respect to the allegations levied against Justice Kavanaugh. In order to accomplish that, investigators conducted extensive interviews with individuals who knew Justice Kavanaugh in high school and college; investigators also conducted extensive interviews with individuals who knew the accusers in order to better weigh the credibility of their allegations. In sum, the Committee spoke to 45 individuals and collected 25 written statements.

A large portion of individuals providing testimony in support of Justice Kavanaugh asked that their names be redacted out of fear that their statements might result in personal or professional retribution or personal physical harm – or even risk the safety and well-being of their families and friends. The Committee respected all requests for anonymity. Accordingly, some aspects of this memorandum are redacted.

In addition to conducting interviews, Committee investigators continuously monitored social media and news reports. They also reviewed all documentary evidence submitted by Justice Kavanaugh, his accusers, and other witnesses. Finally, the Committee conducted a supplemental daylong hearing and asked the White House to direct the FBI to reopen its investigation of Justice Kavanaugh to explore potential credible allegations pending against the nominee. The Committee received that supplemental FBI background investigation report on October 4. All senators and a limited number of appropriately cleared Committee staff had the opportunity to review it in a secure facility on October 5 and 6.

After an extensive investigation that included the thorough review of all potentially credible evidence submitted and interviews of more than 40 individuals with information relating to the allegations, including classmates and friends of all those involved, Committee investigators found no witness who could provide any verifiable evidence to support any of the allegations brought against Justice Kavanaugh. In other words, following the separate and extensive investigations by both the Committee and the FBI, there was no evidence to substantiate any of the claims of sexual assault made against Justice Kavanaugh. The details of the Committee's investigation, broken down by claim, are provided below.

The Ford Allegations

In a letter to Senator Feinstein dated July 30, 2018, Dr. Christine Blasey Ford alleged that Justice Kavanaugh sexually assaulted her in the early 1980s, while they were both high-school students, at a gathering in a home near the Columbia Country Club in Maryland. However, Senator Feinstein kept the Committee in the dark about the letter until September 12, 2018, when she briefed Committee Democrats, but not Republicans, on the contents of the letter. The *Intercept* reported on the existence of the letter on September 12, 2018, and provided limited details regarding its content.¹ The following day, the *New York Times* stated that “[t]wo officials familiar

¹ Ryan Grim, *Dianne Feinstein Withholding Brett Kavanaugh Document from Fellow Judiciary Committee Democrats*, The Intercept (Sept. 12, 2018), Available at <https://theintercept.com/2018/09/12/brett-kavanaugh-confirmation-dianne-feinstein/>.

with the matter say the incident involved possible sexual misconduct.”² Additional details emerged in a September 14 *New Yorker* article which reported that the letter alleged that Justice Kavanaugh held a woman down and forced himself on her.³ Two days later, on September 16, Dr. Ford identified herself in a *Washington Post* article that she was the letter’s author.⁴

Immediately upon learning of Dr. Ford’s identity for the first time through the *Washington Post* on September 16, Chairman Grassley instructed his staff to investigate her allegations. Committee staff contacted Dr. Ford’s attorney to schedule an interview of Dr. Ford, but her lawyers refused the request. When Debra Katz, Dr. Ford’s counsel, said in a September 17 CNN segment that Dr. Ford would be willing to testify before the Committee,⁵ the Committee immediately scheduled a hearing on the allegations for Monday, September 24. The Committee also contacted Justice Kavanaugh who agreed to immediately take part in a sworn telephonic interview which took place on September 17. On that call, he unequivocally denied all allegations made by Dr. Ford.⁶

Over the next several days, the Committee made numerous attempts to schedule an interview with Dr. Ford via her attorneys. The Committee twice offered to travel to California or to send Committee investigators to a location comfortable for Dr. Ford to conduct an interview. The Committee also gave Dr. Ford the option of testifying in either a private or public setting. Dr. Ford’s attorneys denied all requests for an interview, at any location, which interfered with the Committee’s ability to gather relevant facts. During this process, her attorneys also did not comply with several response deadlines set by the Committee. These delays hindered the Committee’s ability to make logistical arrangements for the hearing, arrangements which sometimes take several days, including for example organizing the necessary level of security for all parties involved.

When her attorneys finally responded, they insisted on a Thursday, September 27 hearing date. Dr. Ford’s attorneys refused to agree to earlier dates. The Committee was informed that Dr. Ford had a fear of flying caused by Justice Kavanaugh’s alleged sexual assault on her more than 35 years before. Dr. Ford’s attorneys also made several demands regarding the number of witnesses, the order of witnesses, the number of cameras, the specific reporters and media outlets granted access, Justice Kavanaugh’s location during Dr. Ford’s testimony, and the Committee’s manner of questioning Dr. Ford. The Committee does not typically entertain such demands from witnesses. However, at the Chairman’s direction to ensure a safe, dignified, and comfortable

² Nicholas Fandos and Catie Edmondson, *Dianne Feinstein Refers a Kavanaugh Matter to Federal Investigators*, New York Times (Sept. 13, 2018), Available at <https://www.nytimes.com/2018/09/13/us/politics/brett-kavanaugh-dianne-feinstein.html>.

³ Ronan Farrow and Jane Mayer, *A Sexual-Misconduct Allegation against the Supreme Court nominee Brett Kavanaugh Stirs Tension among Democrats in Congress*, New Yorker (Sept. 14, 2018), Available at <https://www.newyorker.com/news/news-desk/a-sexual-misconduct-allegation-against-the-supreme-court-nominee-brett-kavanaugh-stirs-tension-among-democrats-in-congress>.

⁴ Emma Brown, California Professor, *Writer of Confidential Brett Kavanaugh Letter, Speaks out about Her Allegation of Sexual Assault*, Washington Post (Sept. 16, 2018), Available at https://www.washingtonpost.com/investigations/california-professor-writer-of-confidential-brett-kavanaugh-letter-speaks-out-about-her-allegation-of-sexual-assault/2018/09/16/46982194-b846-11e8-94eb-3bd52dfe917b_story.html?utm_term=.bd8123291ef9.

⁵ *Lawyer: Kavanaugh Accuser Willing to Testify*, CNN (Sept. 17, 2018), Available at <https://www.cnn.com/videos/politics/2018/09/17/kavanaugh-accuser-christine-ford-attorney-debra-katz-newday-sot.cnn>.

⁶ Transcript of September 17, 2018 interview with Justice Kavanaugh. Available at [https://www.judiciary.senate.gov/imo/media/doc/09.17.18%20BMK%20Interview%20Transcript%20\(Redacted\).pdf](https://www.judiciary.senate.gov/imo/media/doc/09.17.18%20BMK%20Interview%20Transcript%20(Redacted).pdf).

forum for Dr. Ford, the Committee accommodated the majority of Dr. Ford's requests and agreed to move the hearing date to September 27. The Committee also moved the hearing to a smaller room, limited the number of cameras, invited the news outlets requested by Ms. Ford, and arranged for Justice Kavanaugh to wait outside of the hearing room throughout her testimony.

In preparation for the hearing, the Committee collected 24 pages of evidence from Dr. Ford. The materials included Dr. Ford's resume, her initial text messages with the *Washington Post*, her letter to Senator Feinstein, her communications with the Senate Judiciary Committee staff, declarations from her husband and three friends stating that she mentioned to them an incident of sexual assault, a brief polygraph summary examination report, and the handwritten note created by Dr. Ford for the polygraph examination. Despite the Committee's requests, Dr. Ford refused to produce the polygraphs or any audio or videotapes from the polygraph examination, along with the therapy notes that she shared with the press. From Justice Kavanaugh, the Committee received five pages of calendar entries from the summer of 1982, when Justice Kavanaugh was 17 years old and Dr. Ford accused him of sexual assault.

On September 27, the Committee heard roughly eight hours of testimony related to Dr. Ford's allegations. Nominations Investigative Counsel Rachel Mitchell, an experienced sex crimes prosecutor hired on the Majority staff, questioned Dr. Ford about her account of the incident, including the number of people who attended the gathering, the number of people in the bedroom when she was allegedly assaulted, whether one of the individuals she claimed attended the party was a "bystander," and whether she could hear her alleged assailants talking while she hid in the bathroom after the alleged assault.⁷ Ms. Mitchell also asked Dr. Ford about her fear of flying and about whether she had ever helped anyone prepare for a polygraph examination.⁸ Dr. Ford acknowledged that she flew to the hearing and traveled by plane for work and leisure.⁹ Indeed, Dr. Ford listed on her CV that one of her hobbies includes international surf travel. She denied ever giving anyone advice for taking a polygraph exam.¹⁰ Committee investigators later obtained a signed statement from Dr. Ford's ex-boyfriend, ██████████, casting doubt on Dr. Ford's credibility. ██████████ told the Committee that during the course of a six-year dating relationship, Dr. Ford had never mentioned the alleged assault, a fear of flying, or a phobia of

⁷ Before coming to the Senate, Mitchell served as the Deputy County Attorney in the Maricopa County Attorney's Office. In that capacity, she was the Office's chief sex-crimes prosecutor. Earlier in her career, Mitchell worked as the Division Chief of the Special Victims Division, an office that handles sex crimes, family violence, and other issues. Mitchell also spent twelve years as a leader in the county bureau responsible for the prosecution of sex-related felonies, including child molestation, adult sexual assault, cold cases, child prostitution, and computer-related sexual offenses. In addition to her day-to-day work as a prospector, Mitchell regularly lectures Arizona Peace Officers, District Attorneys, educators, and medical professionals on topics such as forensic interviewing, courtroom practice, and assessing sex-crime evidence. Her work has earned many professional accolades. In 2003, then Governor Janet Napolitano recognized Mitchell as the Outstanding Arizona Sexual Assault Prosecutor of the Year. In 2006, the Maricopa County Attorney's Office named Mitchell Prosecutor of the Year. *See also*, unofficial transcript available at https://www.washingtonpost.com/news/national/wp/2018/09/27/kavanaugh-hearing-transcript/?noredirect=on&utm_term=.d927c5ec0e65.

⁸ Unofficial transcript available at https://www.washingtonpost.com/news/national/wp/2018/09/27/kavanaugh-hearing-transcript/?noredirect=on&utm_term=.d927c5ec0e65.

⁹ *Id.*

¹⁰ *Id.*

small spaces.¹¹ He also said that, contrary to Dr. Ford's testimony, she had helped prepare her roommate, former FBI agent Monica McLean, for a polygraph examination. A classmate of Dr. Ford's at the University of North Carolina also provided a statement to the Committee that cast doubt on her phobia of small spaces. Although the *Washington Post* reported that Dr. Ford provided the press with her therapy notes, Dr. Ford said that she did not recall ever giving the notes to a reporter.¹²

Justice Kavanaugh testified that Dr. Ford's allegations against him were false. He denied sexually assaulting any person, and he cited his 1982 calendar as evidence to prove that he did not attend any gathering matching the one described by Dr. Ford.¹³

In addition to conducting the hearing, the Committee contacted seventeen individuals with information relevant to Dr. Ford's allegations. Investigators began with the three individuals Dr. Ford identified as attending the 1982 gathering: Mark Judge, Patrick J. (P.J.) Smyth, and Leland Keyser. On September 18, P.J. Smyth and Mark Judge submitted statements denying that they attended any such gathering. Mr. Judge also attested that he has no memory of the alleged incident and never saw Justice Kavanaugh act in the manner Dr. Ford alleged. On September 22, Leland Keyser, a close friend of Dr. Ford, submitted a statement saying that she did not know Justice Kavanaugh and had no memory of the alleged gathering. In a September 28 e-mail to Committee staff, Ms. Keyser's attorney reiterated that Ms. Keyser does not know Justice Kavanaugh, has no recollection of being at a gathering with him, and cannot corroborate Dr. Ford's account because she "has no recollection of the incident in question." Other individuals contacted by Committee investigators included [REDACTED] and [REDACTED], two men who separately and independently had contacted the Committee claiming that they believed they had an encounter with Dr. Ford around the time of the alleged incident. Although each individual described details that in some respects seemed to fit Dr. Ford's allegations against Justice Kavanaugh, both men described consensual encounters. The Committee also contacted fourteen former classmates of Justice Kavanaugh and Dr. Ford. None of them had any knowledge of the conduct alleged against Justice Kavanaugh by Dr. Ford or of the gathering at which she claimed to have been assaulted. The Committee also reviewed a letter submitted by 65 women who have known Justice Kavanaugh since high school stating that he has a reputation for treating women with decency and respect.

During the hearing, Judiciary Committee Democrats challenged the meaning Justice Kavanaugh ascribed to his high school yearbook entries. Following the hearing, four former

¹¹ *Id.* In contrast to her ex-boyfriend's statement, and in response to questioning from Senator Feinstein, Dr. Ford stated, "Well, I think that the sequelae of sexual assault varies by person, so for me personally, anxiety, phobia and PTSD-like symptoms are the types of things that I've been coping with. So, more specifically, claustrophobia, panic and that type of thing."

¹² Emma Brown "California professor, writer of confidential Brett Kavanaugh letter, speaks out about her allegation of sexual assault" *Washington Post* (September 16, 2018), Available at https://www.washingtonpost.com/investigations/california-professor-writer-of-confidential-brett-kavanaugh-letter-speaks-out-about-her-allegation-of-sexual-assault/2018/09/16/46982194-b846-11e8-94eb-3bd52dfe917b_story.html?utm_term=.c0dc5e535c30; "Kavanaugh hearing: Transcript" *Washington Post* (September 27, 2018) Available at: https://www.washingtonpost.com/news/national/wp/2018/09/27/kavanaugh-hearing-transcript/?utm_term=.99f2bc6ee44d.

¹³ The calendar was produced in response to a September 23, 2018, letter from Chairman Grassley that requested documents related to Dr. Ford's allegations and Justice Kavanaugh's testimony. September 23, 2018, Letter from Chairman Charles E. Grassley, U.S. Senate Committee on the Judiciary, to Beth Wilkinson and Alexandra Walsh, Attorneys for Justice Brett M. Kavanaugh. Available at: <https://www.judiciary.senate.gov/imo/media/doc/2018-09-23%20Grassley%20to%20Kavanaugh's%20Attorney%20-%20Evidence%20Request.pdf>.

classmates of Justice Kavanaugh—DeLancey Davis, Bernard McCarthy, Jr., Paul Murray, and Matthew Quinn—wrote to the Committee to express support for Justice Kavanaugh’s explanation of the term “Devil’s Triangle.” Two other friends of Justice Kavanaugh, Greg Aceto and Bill Van Pelt, IV, also provided a statement to the Committee indicating that they understood that the Devil’s Triangle drinking game originated at Georgetown Prep. ██████████ ██████████ said that students purposely pushed the envelope on captions and yearbook entries. Another Georgetown Prep classmate and friend of Justice Kavanaugh, Donald Urgo, submitted a statement confirming that Justice Kavanaugh’s testimony about the terms “boofed,” “Devil’s Triangle,” and “Renate Alumnus” was “entirely correct and consistent with [his] independent understanding.”

Justice Kavanaugh’s high-school and college drinking habits also received significant attention during the hearing. As a result, several individuals who knew Justice Kavanaugh in high school and college contacted the Committee and the media to say they had never seen Justice Kavanaugh black out or lose control when drinking. These included Michael Fegan, Chris Dudley, Donald Urgo, and ██████████. The Committee also interviewed other classmates at Yale who stated that Justice Kavanaugh drank heavily. However, none of them could independently confirm any alleged sexual misconduct committed by Justice Kavanaugh.

Committee Interviews Related to the Ford Allegations

The Committee spoke to the following individuals in connection to Dr. Ford’s allegations:

- **Justice Kavanaugh (Sept. 17, Sept. 25, Sept. 27):** During the committee hearing on September 27, Justice Kavanaugh “categorically and unequivocally” denied the allegations against him.
- **Dr. Christine Blasey Ford (Sept. 27):** At the hearing, Dr. Ford reiterated the allegations in her letter.
- **██████████ (Oct. 2):** ██████████ stated that he dated Dr. Ford for six years. He said that she never mentioned being the victim of sexual assault or misconduct. He also stated that Dr. Ford did not mention any fear of close quarters or flying, and that the two traveled together, including on a small propeller plane. ██████████ also said that he witnessed Dr. Ford, drawing from her background in psychology, help prepare her roommate, Ms. Monica McLean, for a potential polygraph examination when Ms. McLean was interviewing for jobs with the FBI and the U.S. Attorney’s Office. He stated that Dr. Ford helped Ms. McLean become familiar and less nervous about the exam.
- **Donald Urgo (Sept. 26, Sept. 27):** Urgo, a lifelong friend of Justice Kavanaugh’s, said that he does not recall ever meeting Dr. Ford at a high school party. He said that the allegations against Justice Kavanaugh are completely contradictory to his character; he never saw him engage in any sexual misconduct of any kind nor did he hear of any allegations until the news stories. He also never saw Justice Kavanaugh pass out or black out.

- [REDACTED] (Oct. 4): [REDACTED]
[REDACTED]. He described Justice Kavanaugh as being “great, hardworking—a leader” and said that he is not the type of person who would commit the acts that Dr. Ford alleged. He said he has no specific recollection of Justice Kavanaugh and Dr. Ford socializing together.
- [REDACTED] (Sept. 26): [REDACTED]
[REDACTED]. He knew Justice Kavanaugh but has not kept in touch with him since high school. [REDACTED] said that he and others pushed “the envelope on captions and yearbook entries with the objective of seeing what we could get by the Jesuits.” He described Justice Kavanaugh as being quiet, very nice and someone with a good reputation who was known for being involved in sports.
- [REDACTED] (Sept. 24, Sept. 25): [REDACTED] stated that after graduating from high school in Hampton, Virginia in 1982, he made several trips to D.C. that summer. During one of the trips, he attended a house party where he kissed and made out with a woman he met who he believes could have been Dr. Ford. [REDACTED] said that based on old photographs of Justice Kavanaugh he has seen on the news, he believes the two of them share a similar appearance.
- [REDACTED] (Sept. 26): [REDACTED] stated that when he was a 19 year-old college student, he visited D.C. over spring break and kissed a girl he believes was Dr. Ford. He said that the kiss happened in the bedroom of a house which was about a 15-to20 minute walk from the Van Ness Metro, that Dr. Ford was wearing a swimsuit under her clothing, and that the kissing ended when a friend jumped on them as a joke. [REDACTED] said that the woman initiated the kissing and that he did not force himself on her.
- [REDACTED] (Sept. 25): [REDACTED] said that she attended UNC with Dr. Ford who along with her friend [REDACTED], used to purchase drugs from [REDACTED] and regularly attended parties with members of his fraternity. [REDACTED] said that she was present at [REDACTED] apartment one night in April 1987 when Dr. Ford and [REDACTED] arrived to consume drugs. [REDACTED] said that the Dr. Ford she knew had an active and robust social life in college.
- [REDACTED] (Sept. 25): [REDACTED] said that [REDACTED], knows Justice Kavanaugh because she previously dated [REDACTED], one of Justice Kavanaugh’s best friends. [REDACTED] said that [REDACTED] would not have associated with Justice Kavanaugh if there was any indication of inappropriate behavior on his part.
- [REDACTED] (Sept. 25): [REDACTED] said that she knew Justice Kavanaugh during his college years [REDACTED]
[REDACTED]. [REDACTED] said she had been in every kind of situation

and party with Justice Kavanaugh and his friends during that time, and that she could never see him doing something like what Dr. Ford alleged. She described Justice Kavanaugh as “a fair, honest, good man.” She said, “To even have his name in the same sentence [relating to the allegations] is just beyond my comprehension.”

- [REDACTED] (Oct. 3): [REDACTED] graduated from Georgetown Prep with Justice Kavanaugh in 1983 and has remained close friends with him since they met in 1979. [REDACTED] confirmed that Devil’s Triangle was a drinking game he and his friends came up with in high school. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- **Jim McCarthy (Oct. 4):** During the nomination process, McCarthy acted as a representative for a group of Georgetown Prep graduates including Donald Urgo. He said that many of the men in the group take exception to the way their yearbook entries have been distorted in the press.
- **Matt Wolf (Oct. 4):** Wolf works for Arnold & Porter, the law firm that represents the Columbia Country Club. Wolf said the club has no records of daily activities for the 1980s or early 1990s. Wolf confirmed that the Blasey family were members of the club in the early 1980s.
- **William Rand (Oct. 4, Oct. 5):** Rand went to the University of North Carolina with Dr. Ford from 1984 to 1986. In his interview, he attested that Dr. Ford had a very robust and active social life which contradicts Dr. Ford’s narrative that she had a difficult time making friends due to the alleged sexual assault. He also stated that Dr. Ford did not seem to be afraid to be in rooms or apartments with only one entrance, which contradicts her claim to the Committee that she had to build a second front door to her house due to the trauma of the alleged assault.
- [REDACTED] (Sept. 28): [REDACTED] works for an investment firm [REDACTED] and said that one of their clients who is a close family friend ([REDACTED]) has a photograph of Dr. Ford with George Soros that was taken several years ago. She said she would forward the photo to the Committee but it was never received. [NOTE: Reports of the existence of this photo surfaced in the media and have been proven not to be accurate.]
- [REDACTED] (Oct. 5): [REDACTED] confirmed that the Safeway located in Potomac, Maryland (where Dr. Ford claims to have run into Mark Judge several weeks after the alleged sexual assault) was constructed with two separate entrances/exits.

- [REDACTED] (Oct. 3, Oct. 5): [REDACTED] said that her family is familiar with the Blasey family as both were members of the Columbia Country Club. [REDACTED]
[REDACTED]
[REDACTED] She told the Committee she was in contact with several individuals who knew Dr. Ford from high school and who have information regarding her drinking and partying, but none are willing to come forward and identify themselves. [REDACTED]
[REDACTED] said, “I wish I could say all of the things I know, but I don’t want to put myself out there.”

*Committee investigators contacted two members of Ford’s immediate family for input into the investigation. Both individuals refused to provide statements or participate in an interview.

Evidence Reviewed Related to Dr. Ford’s Allegations

- **Washington Post article of September 16, 2018¹⁴**
- **Dr. Ford’s Résumé (Sept. 25):** The document outlines Dr. Ford’s professional achievements, and it states that her hobbies include “Surf travel (Hawai’i, Costa Rica, South Pacific Islands, French Polynesia).”¹⁵
- **Dr. Ford’s Texts to the Washington Post (dated July 6, 10):** Dr. Ford sent a WhatsApp text to the *Washington Post* tip line stating that a “Potential Supreme Court nominee with assistance from his friend assaulted me in mid 1980s in Maryland.” She also said she had “therapy records talking about it.” Over an hour after that message, she texted “Brett Kavanaugh with Mark Judge and a bystander named PJ.”¹⁶
- **Dr. Ford’s Letter to Senator Feinstein (dated July 30):** In this letter, Dr. Ford recounted being sexually assaulted by Justice Kavanaugh in the early 1980s, when they were both in high school. Dr. Ford stated that a drunk, teenage Justice Kavanaugh pushed her into a bedroom, covered her mouth, and tried to undress her. She alleged that she managed to escape after Mark Judge jumped on Justice Kavanaugh and they toppled from the bed.¹⁷
- **Dr. Ford’s Letter to Chairman Grassley (dated Sept. 22):** Dr. Ford explained that her sense of civic duty motivated her to report the assault to her Congresswoman. She

¹⁴ Exhibit 1, *Washington Post* article of September 16, 2018.

¹⁵ Exhibit 2, Dr. Ford’s Résumé (Sept. 25).

¹⁶ Exhibit 3, Dr. Ford’s Texts to the *Washington Post* (dated July 6, 10).

¹⁷ Exhibit 4, Dr. Ford’s Letter to Senator Feinstein (dated July 30).

expressed a desire to speak to the Committee as it decides whether to confirm Justice Kavanaugh.¹⁸

- **Declaration of Russell Ford (dated Sept. 25):** Ford said that his wife first mentioned being the victim of sexual assault during couple’s therapy in 2012. He remembered that his wife named Brett Kavanaugh as her attacker and that she was concerned he would be nominated to fill a vacancy on the Supreme Court.¹⁹
- **Declaration of Keith Koegler (dated Sept. 24):** According to Koegler, Dr. Ford told Koegler in 2016 that she had been assaulted in high school by a man who later became a federal Justice in Washington, D.C. Dr. Ford told Koegler the name of the person was Brett Kavanaugh in June 2018.²⁰
- **Declaration of Adela Gildo-Mazzon (dated Sept. 24):** Gildo-Mazzon stated that Dr. Ford told her in 2013 that she “had been almost raped by someone who [became] a federal Justice” when she was much younger.²¹
- **Declaration of Rebecca White (dated Sept. 25):** White said that Dr. Ford told her in 2017 that she had been sexually assaulted by an older teen who later became a federal Justice.²²
- **Polygraph Examination Report (dated Aug. 10):** The report stated that Dr. Ford prepared her written statement with attorney Katz without the examiner present. The examiner received the written statement when he returned. He then interviewed Dr. Ford “in an effort to formulate the relevant questions.” The examination consisted of two questions: (1) Is any part of your statement false?” and (2) “Did you make up any part of your statement?” Dr. Ford answered no to both questions. The examiner concluded that the test results did not indicate deception.²³
- **Handwritten Note by Dr. Ford for Polygraph Examination (dated Aug. 7):** This note served as the basis for the polygraph examination. Dr. Ford wrote that she attended a party with “4 boys and a couple of girls” in the 1980s. At the party, she was pushed into a room and Justice Kavanaugh laid on top of her and tried to remove her clothes while groping her. She also wrote that he covered her mouth to stop her from yelling for help. Dr. Ford said she managed to escape after Mark Judge jumped on top of Justice Kavanaugh.²⁴

¹⁸ Exhibit 5, Dr. Ford’s Letter to Chairman Grassley (dated Sept. 22).

¹⁹ Exhibit 6, Declaration of Russell Ford (dated Sept. 25).

²⁰ Exhibit 7, Declaration of Keith Koegler (dated Sept. 24).

²¹ Exhibit 8, Declaration of Adela Gildo-Mazzon (dated Sept. 24).

²² Exhibit 9, Declaration of Rebecca White (dated Sept. 25).

²³ Exhibit 10, Polygraph Examination Report (dated Aug. 10).

²⁴ Exhibit 11, Handwritten Note by Dr. Ford for Polygraph Examination (dated Aug. 7).

- **Justice Kavanaugh’s calendars from 1982:** Justice Kavanaugh testified at the hearing that he has kept calendars as diaries for the past 38 years. The May, June, July, and August pages of Justice Kavanaugh’s 1982 calendar showed a very thorough recordkeeping of his daily activities and engagements. No entry matches the description of the party described by Dr. Ford.²⁵
- **Statement from Mark Judge (dated Sept. 18):** Through his attorney, Judge issued a statement to the Committee saying that he and Justice Kavanaugh were friends in high school, he has no memory of the party described in Dr. Ford’s letter, and that he “never saw Brett act in the manner Dr. Ford describes.”²⁶
- **Affidavit of Elizabeth Rasor (dated Sept. 26):** Ms. Rasor dated Mark Judge from approximately 1986 through 1988. In her affidavit, Ms. Rasor stated that she met Justice Kavanaugh at “a couple of social gatherings” in or around 1987. She stated that the parties that “Brett and Mark” attended during the period that she dated Mr. Justice included widespread alcohol consumption. Ms. Rasor stated that in or around 1988 when she and Mark discussed how they lost their virginities, Mark told her “in a voice that seemed to convey a degree of shame, about an incident that had occurred a few years prior, where he and several other boys from Georgetown Prep took turns having sex with a woman who was drunk.” Ms. Rasor did not attest to Justice Kavanaugh having been present. Lastly, Ms. Rasor noted, “[i]t was Mark’s perception that the sexual activity was consensual.”²⁷
- **Statement from ██████████ (dated Oct. 2):** Through his attorney, ██████████, Dr. Ford’s ex-boyfriend of 6 years, issued a statement to the Committee saying that Dr. Ford never mentioned being a victim of sexual assault, harassment, or misconduct and never mentioned Justice Kavanaugh. ██████████ also stated that he witnessed Dr. Ford prepare her roommate, Monica McLean, for a potential polygraph exam. Lastly, ██████████ said that Dr. Ford never indicated a fear of flying or tight spaces, and that ██████████ and Ford flew on small propeller planes together.²⁸
- **Statement from Donald Urgo (dated Oct. 4):** Urgo, a lifelong friend of Justice Kavanaugh’s, said that he does not recall ever meeting Dr. Ford at a high school party. He said that the allegations made toward Justice Kavanaugh are completely contradictory to his character; he never saw him engage in any sexual misconduct of any kind nor did he hear of any allegations until the news stories. He also never saw Justice Kavanaugh pass out or black out.²⁹

²⁵ Exhibit 12, Judge Kavanaugh’s calendars from 1982.

²⁶ Exhibit 13, Statement from Mark Judge (dated Sept. 18).

²⁷ Exhibit 14, Affidavit of Elizabeth Rasor (dated Sept. 26).

²⁸ Exhibit 15, Statement from ██████████ (dated Oct. 2).

²⁹ Exhibit 16, Statement from Donald Urgo (dated Oct. 4).

- **Statement from P.J. Smyth (dated Sept. 18):** Smyth said he has no recollection of the party or of Justice Kavanaugh engaging in any improper conduct with Dr. Ford. He described Justice Kavanaugh as “a person of great integrity” and “a great friend.” He said he never witnessed any improper conduct by Justice Kavanaugh towards women.³⁰
- **Statements from Leland Keyser (dated Sept. 22, Sept. 28):** On September 22, Keyser, through counsel, informed the Committee that she does not know Justice Kavanaugh and that she “has no recollection of ever being at a party or gathering where he was present, with, or without, Dr. Ford.” On September 28, Keyser, again through counsel, reiterated that she does not know Justice Kavanaugh, has no recollection of being at a gathering with him, and cannot corroborate Dr. Ford’s account because she “has no recollection of the incident in question.”³¹
- **Letter from Michael Fegan (dated Oct. 1):** Fegan was Justice Kavanaugh’s classmate at Georgetown Prep. He stated that he attended many social gatherings with Justice Kavanaugh and never saw Justice Kavanaugh out of control due to drinking. He said that he never heard of any gathering matching Dr. Ford’s description or of any assault against Dr. Ford.³²
- **Statement of Paul Rendon (dated Oct. 1):** Rendon attended and graduated from Georgetown Prep with Justice Kavanaugh. Rendon stated that the football players at the school, including Justice Kavanaugh, bragged about how much they drank and of their “sexual conquests.”³³
- **Statement of William Rand (dated Oct. 5):** Rand went to the University of North Carolina with Dr. Ford from 1984 to 1986. In his statement, he attested that Dr. Ford had a very robust and active social life which contradicts Dr. Ford’s narrative that she had a limited social life due to the alleged sexual assault. He also stated that Dr. Ford did not seem to be afraid to be in rooms or apartments with only one entrance, which contradicts her claim to the Committee that she had to build a second front door to her house due to the trauma of the alleged assault.³⁴
- **Statement of Joseph Hennessey (dated Oct. 3):** Hennessey, an individual who attended Gonzaga College High School in Washington D.C., submitted a statement to the FBI describing Justice Kavanaugh in high school as “regularly stupid drunk, aggressive, and confrontational towards me because I did not attend Prep.”³⁵

³⁰ Exhibit 17, Statement from P.J. Smyth (dated Sept. 18).

³¹ Exhibit 18, Statements from Leland Keyser (dated Sept. 22, Sept. 28) (Ms. Keyser, through counsel, also stated that as she told the press, she believed Dr. Ford).

³² Exhibit 19, Letter from Michael Fegan (dated Oct. 1).

³³ Exhibit 20, Statement of Paul Rendon (dated Oct. 1).

³⁴ Exhibit 21, Statement of William Rand (dated Oct. 5).

³⁵ Exhibit 22, Statement of Joseph Hennessey (dated Oct. 3).

- **Letter from Women who knew Justice Kavanaugh in High School (dated Sept. 14):** Sixty-five women wrote to the Committee to say that Justice Kavanaugh treated women with decency and respect in high school. They commented on his character and integrity and stated that he behaved honorably around them.³⁶
- **Statement from four Georgetown Prep Classmates (dated Oct 4):** DeLancey Davis, Bernard McCarthy Jr., Paul Murray and Matthew Quinn were classmates from Georgetown Prep and submitted a statement clarifying that the phrase “Devil’s Triangle” was a drinking game played in high school and did not refer to any sexual activity.³⁷
- **Statement from friends of Justice Kavanaugh (dated Oct 4):** Greg Aceto and Brian Van Pelt, IV were friends of Justice Kavanaugh in the 1980s and 1990s and claim that the phrase “Devil’s Triangle” was a drinking game.³⁸

Committee Conclusions

Committee investigators found no verifiable evidence that supported Dr. Ford’s allegations against Justice Kavanaugh. The witnesses that Dr. Ford identified as individuals who could corroborate her allegations failed to do so, and in fact, contradicted her.

The Ramirez Allegations

In a September 23, 2018, story published in the *New Yorker*, Deborah Ramirez, who attended Yale at the same time as Justice Kavanaugh, alleged that he “exposed himself at a drunken dormitory party, thrust his penis in her face, and caused her to touch it without her consent as she pushed him away.”³⁹ Almost immediately after its publication, the *New York Times* posted a story that said its staff had interviewed several dozen people but could find no one to corroborate Ramirez’s account or anyone with firsthand knowledge of the alleged event.⁴⁰ The *Times* also reported that Ramirez, in effort to refresh her recollection, “contacted former Yale classmates asking if they recalled the episode and told some of them that she could not be certain Mr. Kavanaugh was the one who exposed himself.”⁴¹

Hours after the *New Yorker* published the story, the Committee contacted Ramirez’s attorney. According to the article, Ramirez had investigated her claims and the Committee asked for any evidence—including statements from witnesses—that she had gathered to support her

³⁶ Exhibit 23, Letter from Women who knew Justice Kavanaugh in High School (dated Sept. 14).

³⁷ Exhibit 24, Statement from four Georgetown Prep Classmates (dated Oct 4).

³⁸ Exhibit 25, Statement from friends of Justice Kavanaugh (dated Oct 4).

³⁹ Ronan Farrow and Jane Mayer, *Senate Democrats Investigate a New Allegation of Sexual Misconduct, from Brett Kavanaugh’s College Years*, *The New Yorker* (Sept. 23, 2018), Available at <https://www.newyorker.com/news/news-desk/senate-democrats-investigate-a-new-allegation-of-sexual-misconduct-from-the-supreme-court-nominee-brett-kavanaughs-college-years-deborah-ramirez>.

⁴⁰ Sheryl Gay Stolberg and Nicholas Fandos, *Christine Blasey Ford Reaches Deal to Testify at Kavanaugh Hearing*, *New York Times* (Sept. 23, 2018), Available at <https://www.nytimes.com/2018/09/23/us/politics/brett-kavanaugh-christine-blasey-ford-testify.html?module=inline>.

⁴¹ *Id.*

allegations. Through her attorney, she refused each of the Committee's seven requests for such material.⁴² The Committee also asked her to either speak to Committee investigators or to provide a written statement directly to the Committee, to which she also refused. Ultimately, her attorneys agreed only to contact the FBI to demand that she be included in the supplemental background investigation. The FBI reportedly interviewed Ramirez on Sunday, September 30, 2018.⁴³

Despite the refusal of Ramirez's legal team to assist the Committee in its investigation, Committee investigators attempted to investigate her claims to the greatest extent possible, and interviewed seven witnesses regarding the allegation. They included Justice Kavanaugh's former roommate at Yale, James Roche, several of his college classmates, and classmates and friends associated with Ramirez. Committee investigators also reviewed documents submitted by several former Yale classmates. The Committee also reviewed public statements from three other Yale classmates but found them immaterial because the speakers had no knowledge of the event. Finally, Committee investigators interviewed Justice Kavanaugh in a transcribed phone call on September 25. He unequivocally denied that the alleged incident ever took place.

Committee Interviews Related to the Ramirez Allegations

The Committee communicated with the following individuals in connection to Ramirez's allegation:

- **Justice Kavanaugh (Sept. 25):** When asked by a Committee investigator about the alleged incident described by Ramirez, Justice Kavanaugh stated, "That did not happen."
- **██████████ (Oct. 1):** ██████████ graduated from Yale in 1988, a year after Justice Kavanaugh and Deborah Ramirez. ██████████ said a different classmate named ██████████ was a member of the same fraternity (DKE) as Justice Kavanaugh and allegedly had a reputation for exposing himself publicly. Indeed, ██████████ provided a yearbook photo that shows ██████████ exposing himself. ██████████ said that he had personally witnessed ██████████ expose himself at a party. ██████████ said that ██████████ was in the same residential college as Ramirez (Pierson) and he feels that if a student other than ██████████ engaged in similar lewd behavior, it would have been widely known and discussed around campus.
- **██████████ (Oct. 2):** ██████████ graduated from Yale with Justice Kavanaugh and Ramirez. ██████████, ██████████ said that she would prefer that someone other than Justice Kavanaugh was nominated to the Supreme Court. She said that she knew Justice Kavanaugh while he was in law school at Yale, and she cannot recall a single time where he would drink to excess. She said she has been friends with Justice Kavanaugh for the past 30 years.

⁴² The Committee made one request on September 23, three requests on September 24 (at 1:46 PM, 3:11PM, and 7:11PM), and three requests on September 25 (at 10:05 AM, 7:45PM, and 8:05PM).

⁴³ Ariane de Vogue, *FBI spoke with Deborah Ramirez, second Kavanaugh accuser*, CNN (September 30, 2018), Available at <https://www.cnn.com/2018/09/30/politics/deborah-ramirez-fbi-kavanaugh/index.html>.

- **Dan Murphy (Oct. 4):** The White House released a statement by Mr. Murphy on October 1, where the former Yale roommate of Justice Kavanaugh said that the behavior alleged by Ramirez would be completely out of character for Justice Kavanaugh. When contacted by the Committee, Mr. Murphy referred investigators to his previously released statement.
- **Jennifer Klaus (Oct. 4):** Klaus was a friend of Debbie Ramirez at Yale and also lived with her after college. She stated to Committee investigators that while in college, Justice Kavanaugh partied extensively and often drank to excess. She believes that Ramirez is trustworthy. Klaus stated that she has no recollection of Ramirez ever mentioning the sexual assault by Justice Kavanaugh and also said if the assault took place it would have been the talk of the school.
- **Kerry Berchem (Oct. 3):** Berchem shared a series of text messages with the Committee which she exchanged with fellow Yale graduate and friend of Ramirez, Karen Yarasavage. The text exchange occurred from July to September 2018. Berchem said that she does not know Justice Kavanaugh. Despite her Oct. 3 call with Committee investigators, Berchem continued to send emails to the Committee falsely claiming that no one has bothered to call her.
- **Karen Yarasavage (Oct. 4, Oct. 5):** Committee investigators asked her questions via her attorney. Yarasavage stated that she had heard that Ramirez reached out to her classmates to try and refresh her recollection. However, Yarasavage could not remember whether she heard that from mutual friends or from news reports and was unsure who Ramirez contacted.
- **Dana James (Sept. 28):** James said she has known Ramirez for 17 years and considers her a close and trustworthy friend. She said that Ramirez told her and other friends that she wants the FBI to investigate her allegation and encouraged them to contact Senator Cory Gardner to request an investigation.

Evidence Reviewed Related to the Ramirez Allegations

- ***New Yorker* article (Sept. 23)⁴⁴**
- ***New York Times* article (Sept. 25)⁴⁵**
- **Public Statement of James Roche (dated Sept. 24):** Roche, Justice Kavanaugh’s roommate at Yale during their freshman year, characterized Justice Kavanaugh as a “notably heavy drinker, even by the standards of the time” who “became aggressive and belligerent when he was very drunk.” Roche admitted that he did not witness the incident

⁴⁴ Exhibit 26, *New Yorker* article (Sept. 23).

⁴⁵ Exhibit 27, *New York Times* article (Sept. 25).

of misconduct alleged by Ramirez, but he asserted that he “cannot imagine her making this up.”⁴⁶

- **Public Statement of Dan Murphy (dated Oct. 1):** Murphy, one of Justice Kavanaugh’s roommates at Yale, said “I never saw Brett black out or not be able to remember the prior evening’s events, nor did I ever see Brett act aggressive, hostile, or in a sexually aggressive manner to women.”⁴⁷
- **Letter from ██████████ (dated Sept. 18):** ██████████, a Yale classmate of Justice Kavanaugh and Ramirez, argued that allegations of Kavanaugh being a heavy drinker in college was within range of what was normal at the time. ██████████ further stated that those Yale classmates who accused Justice Kavanaugh of drinking heavily were engaged in the same behavior.
- **Public Statement of Chris Dudley (dated October 1):** Dudley, a friend of Justice Kavanaugh at Yale, stated in a release by the White House, “I never saw Brett blackout. Not one time. And in all the years I have known him, I have never seen him to be disrespectful or inappropriate with women.”⁴⁸
- **Text messages between Kerry Berchem and Karen Yarasavage:** A string of text messages were provided to the media and Congressional investigators by Kerry Berchem, suggesting that Kavanaugh and his team may have contacted classmates about Ramirez’s claims.⁴⁹
- **Photograph of Delta Kappa Epsilon:** A photograph of the DKE fraternity in the 1988 Yale Banner yearbook shows ██████████ (who was identified by a Yale graduate with whom the Committee spoke) with his pants down and his genitals exposed. ██████████ was the classmate identified by ██████████ as the individual known to drop his pants and expose himself at parties.⁵⁰

Conclusions

Committee investigators found no verifiable evidence to support Ramirez’s allegations.

The Swetnick Allegations

On September 23, 2018, Michael Avenatti tweeted that he was representing a woman with “credible information” regarding Justice Kavanaugh.⁵¹ Avenatti revealed his client’s name as Julie

⁴⁶ Exhibit 28, Public Statement of James Roche (Sept. 24).

⁴⁷ Exhibit 29, Public Statement of Dan Murphy (Oct. 1).

⁴⁸ Exhibit 30, Public Statement of Chris Dudley (October 1).

⁴⁹ Exhibit 31, Text messages between Kerry Berchem and Karen Yarasavage.

⁵⁰ Exhibit 32, Photograph of Delta Kappa Epsilon.

⁵¹ Michael Avenatti (@MichaelAvenatti), Twitter (Sept. 23, 2018, 19:33), <https://twitter.com/MichaelAvenatti/status/1044006928416825344>.

Swetnick on September 26.⁵² He simultaneously posted her declaration, in which she alleged that a teenage Justice Kavanaugh orchestrated gang rapes of inebriated women.⁵³

The Committee staff contacted Avenatti ten minutes after he posted his September 23 tweet. Avenatti responded with a list of questions for Justice Kavanaugh related to the allegations by Swetnick. Although Avenatti alluded to having evidence to support his client's claims, he refused to produce anything for several days, notwithstanding the Committee's repeated requests. Ultimately, Avenatti provided the Committee with only a sworn declaration from Swetnick. He posted a redacted declaration from an alleged supporting witness on his Twitter account on October 2 and 3, but he refused to identify the author.⁵⁴

Committee investigators attempted to schedule an interview with Swetnick, but Avenatti refused. Swetnick, however, did participate in a televised interview with Kate Snow of MSNBC.⁵⁵ In that interview, Swetnick made several statements that differed from her declaration. For example, although she maintained that she saw Justice Kavanaugh drink heavily and act aggressively toward women, she did not say that she actually saw him spike the punch or wait in a line to take part in gang rapes at the parties, as she asserted to the Committee via her declaration. Despite the fact her signed statement claimed it was based "on personal information," when challenged by CNN about the inconsistencies, Avenatti later conceded: "One of her friends informed her of what she just put in the declaration or what was attested to in the declaration."⁵⁶

Committee investigators interviewed Justice Kavanaugh regarding the allegations on two occasions—first, after Avenatti posted his September 23 tweet, and second, after Avenatti revealed Swetnick's identity. Justice Kavanaugh categorically denied the allegations during both calls, and stated that he does not even know Swetnick. The Committee also conducted interviews with 11 individuals who knew Justice Kavanaugh or Julie Swetnick during the timeframe of the alleged gang rapes. The Committee also obtained a letter from 64 men and women who knew Justice Kavanaugh well in high school. None of the signers knew Swetnick, and none witnessed any behavior that even approached the conduct described in Swetnick's declaration.

As Mr. Avenatti refused to provide additional information or witnesses, or make Ms. Swetnick available for an interview, Committee investigators attempted to investigate her claims. Committee investigators searched for information about Swetnick to assess her credibility. Committee investigators examined public sources for information on Swetnick's background and

⁵² Michael Avenatti (@MichaelAvenatti), Twitter (Sept. 26, 2018, 10:44), <https://twitter.com/MichaelAvenatti/status/1044960940884709378>.

⁵³ Michael Avenatti (@MichaelAvenatti), Twitter (Sept. 26, 2018, 10:42), <https://twitter.com/MichaelAvenatti/status/1044960428730843136>.

⁵⁴ Michael Avenatti (@MichaelAvenatti), Twitter (Sept. 2, 2018, 1:46 pm), Available at <https://twitter.com/MichaelAvenatti/status/1047226356831059970>; Michael Avenatti (@MichaelAvenatti), Twitter (Oct. 3, 2018, 4:26 am), Available at <https://twitter.com/MichaelAvenatti/status/1047447758993547265>.

⁵⁵ *Julie Swetnick Speaks out about Alleged Behavior by Justice Kavanaugh*, MSNBC (Oct. 2, 2018), Available at <https://www.msnbc.com/msnbc/watch/julie-swetnick-speaks-about-alleged-behavior-by-justice-kavanaugh-1334265923929?v=raila&>.

⁵⁶ Daniel Chairin, "Michael Avenatti: One of Julie Swetnick's friends told her Kavanaugh was spiking punch," *Washington Examiner* (October 1, 2018) Available at: <https://www.washingtonexaminer.com/news/michael-avenatti-one-of-julie-swetnicks-friends-told-her-kavanaugh-was-spiking-the-punch>.

readily determined that she has a lengthy history of litigation, including as a plaintiff in a sexual-harassment suit in which she was represented by Debra Katz’s firm, the same Debra Katz who represented Dr. Ford.⁵⁷ Committee investigators learned that Swetnick was sued for defamation for making apparent false statements and retaliatory allegations against an Oregon company. The company also alleged she engaged in unwelcome sexual innuendo and inappropriate conduct at work. Committee investigators also received statements from two ex-boyfriends—Richard Vinneccy and Dennis Ketterer. Investigators also received additional information from another individual, ██████████, who had frequent contact with Swetnick at local bars in the D.C. area. These men separately and independently described Swetnick as not credible and stated that she had never mentioned the name “Brett Kavanaugh” or any of the alleged sexual misconduct described in her affidavit. Another man, ██████████, said Swetnick never mentioned to him being raped or the name Brett Kavanaugh. Some witnesses described her as “opportunistic” and Committee investigators determined that Swetnick was in significant debt. Her ex-boyfriend also sought a restraining order against her after she threatened to kill him and his unborn child.

Committee Interviews Related to Swetnick’s Allegations

The Committee spoke to the following individuals in connection to Swetnick’s allegation:

- **Justice Kavanaugh (Sept. 25 & 26):** During his transcribed interviews, Justice Kavanaugh told Committee investigators that “it’s an outrageous accusation.” He further stated that he did not know Julie Swetnick, that the allegations made by her were a lie and that the whole scheme was “ridiculous.”
- ██████████ (Sept. 26): ██████████ contacted the Committee to report that his friend ██████████ is friends with ██████████, a longtime associate and possible boyfriend to Julie Swetnick. ██████████ helped the Committee facilitate contact with both ██████████ and ██████████.
- ██████████ (Sept. 26): ██████████ claims that he has been friends with Swetnick for 10 years and that ██████████. He said that she has never mentioned Justice Kavanaugh or being gang raped.
- ██████████ (Sept. 26, Oct. 1, Oct. 2): ██████████, a friend of ██████████, called Swetnick “a gold digger who hangs out with older guys.” He stated that he believes Swetnick is not trustworthy.
- **Dennis Ketterer (Oct. 2):** Ketterer stated that he and Swetnick met at a bar in 1993 and maintained a physical relationship. He said that Swetnick never mentioned being the victim of sexual assault or rape and that she never mentioned Brett Kavanaugh “in any capacity.” According to Ketterer, Swetnick’s father warned him that Swetnick had psychological

⁵⁷ Ariane de Vogue and Eli Watkins, *New Kavanaugh Accuser Has Tie to Firm of Christine Blasey Ford’s Attorney*, CNN (Sept. 26, 2018), Available at <https://www.cnn.com/2018/09/26/politics/julie-swetnick-debra-katz-settlement/index.html>.

problems. Ketterer also stated that Swetnick told him that she enjoyed having group sex with more than one man at a time and that her first experience was in high school.

- **Richard Vinneccy (Oct. 4):** Vinneccy stated that he was involved in a romantic relationship with Swetnick for seven years. While they were dating, she never mentioned being raped or attending any parties where she witnessed sordid sexual activities. Vinneccy characterized Swetnick as financially unstable and said she “always wanted to be the center of attention and exaggerated everything in her life.” Vinneccy asserted that Swetnick stalked him for two months after their breakup and that she threatened to kill him and his unborn child, accuse him of rape, or have him deported. He informed the Committee that although he sought a restraining order against Swetnick, he ultimately decided not to pursue it when he learned he would have to confront Swetnick in court.
- **██████████ (Oct. 2):** ██████████ said that his family were ██████████ with the Swetnick family while growing up in suburban Maryland. He said that after her allegation surfaced, ██████████ described Swetnick as being “the least credible person you can ever imagine.” He said that ██████████ Swetnick’s mother spoke frequently about problems Swetnick was causing for her family. ██████████ said that ██████████ know Swetnick better than he does.
- **██████████ (Oct. 2):** ██████████ said that Swetnick was “always a problem” for her parents and that Swetnick’s mother complained how she was “bleeding them dry financially.” ██████████ said that Swetnick’s mother used the term “elder abuse” to explain how their daughter treated them and that she commented that “Julie’s going to be the death of me.”
- **██████████ (Oct. 2):** ██████████ said that Swetnick’s mother talked about Swetnick having substance abuse and financial problems. ██████████ said that she and Swetnick kept in casual contact with each other until approximately ██████████ and that Swetnick once bragged to her about dating former TV weatherman Dennis Ketterer.
- **██████████ (Oct. 1):** ██████████ confirmed that Swetnick is a former employee at ██████████. ██████████ described Swetnick as “beyond crazy” and a “serial manipulator” who reportedly received a six-figure settlement from the company over an issue with another coworker. They said they heard multiple reports from co-workers who witnessed Swetnick at bars after work where she would get drunk and rub up against men at the bar.
- **██████████ (Oct. 2):** ██████████ said he met Swetnick one time at ██████████ during a business meeting with a man for whom she used to work. ██████████ provided the Committee with names of additional people who knew Swetnick and who have had more recent contact with her. In addition, ██████████ said he spoke with the owner of a local restaurant that Justice Kavanaugh has attended on multiple occasions. He said that the owner told him that he

has never witnessed Justice Kavanaugh drink to excess, nor has he ever seen him behave inappropriately toward female patrons.

Evidence Reviewed Related to Swetnick's Allegations

- **Declaration of Julie Swetnick (dated Sept. 25):** Swetnick alleged that she attended house parties with Justice Kavanaugh and Mark Judge during 1981 to 1983. She stated that the two men spiked the punch at high school parties with alcohol or drugs in order to take advantage of women. She also asserted that Judge and Justice Kavanaugh lined up to take part in the gang rape of inebriated women.⁵⁸
- **Declaration of Mark Judge (dated Sept. 28):** Judge categorically denied Swetnick's allegations and stated that he does not know her. He said that he did not spike punch to get anyone drunk, nor did he witness Justice Kavanaugh engaging in that conduct. He also said that he never engaged in the gang rape of any woman.⁵⁹
- **Declaration of Anonymous Witness (dated Oct. 2):** Michael Avenatti sent the Committee a redacted declaration from an unidentified witness who claimed to know Mark Judge and Justice Kavanaugh. The witness asserted that he or she attended house parties with Judge and Justice Kavanaugh and observed Justice Kavanaugh spike punch, drink excessively, and become sexually aggressive with women.⁶⁰
- **Letter from Michael Fegan (dated Oct. 1):** Fegan was Justice Kavanaugh's classmate at Georgetown Prep. He stated that he and Justice Kavanaugh did not know any girls from Swetnick's high school, and that the parties they attended never had punch drinks, hard liquor, or drugs. He said that he would have reported any sexual misconduct to police.⁶¹
- **Letter from High School Friends of Justice Kavanaugh (dated Sept. 26):** Sixty-four men and women who knew Justice Kavanaugh in high school wrote to the Committee to say that none of them ever recalled meeting Swetnick. They asserted that they never witnessed Justice Kavanaugh engage in any of the conduct alleged by Swetnick, and they described him as "a man of honor, integrity, and compassion."⁶²
- **Text messages between Dennis Ketterer and [REDACTED] (dated Sept. 27):** A Facebook Messenger conversation provided to Committee investigators by Ketterer showed a conversation he had with a friend where he was notified of the existence of Twitter messages that mentioned an individual who knew Julie Swetnick and had a negative opinion of her. One of those messages was from an individual Committee

⁵⁸ Exhibit 33, Declaration of Julie Swetnick (dated Sept. 25).

⁵⁹ Exhibit 34, Declaration of Mark Judge (dated Sept. 28).

⁶⁰ Exhibit 35, Declaration of Anonymous Witness (dated Oct. 2).

⁶¹ Exhibit 36, Letter from Michael Fegan (dated Oct. 1).

⁶² Exhibit 37, Letter from High School Friends of Justice Kavanaugh (dated Sept. 26).

investigators later interviewed, and that message mentioned that Swetnick was known to have suffered from mental problems.⁶³

- **MSNBC Interview (Oct. 2):** Swetnick took part in a televised interview on MSNBC. During the interview, she walked back several of the claims in her declaration. Instead of saying she saw Justice Kavanaugh spike the punch, she said she saw him “near” the punch bowl at the house parties. She also refused to go so far as to accuse of him taking part in gang rape. She instead said that she saw him huddle with other boys outside closed rooms, but she admitted that she did not know what occurred inside.⁶⁴
- **NBC News article (Oct. 25):** Mr. Avenatti submitted an anonymous declaration on October 2, 2018, purporting to corroborate allegations raised by Julie Swetnick. However, according to this news report, the declarant denied making the key allegations, saying that Avenatti “twisted [her] words.”⁶⁵ The article thus suggests that Mr. Avenatti likely committed a fraud with a second sworn declaration.
- **Declaration of Dennis Ketterer (dated Oct. 2)** Ketterer stated that he and Swetnick met at a bar in 1993 and maintained a physical relationship. He said that Swetnick never mentioned being the victim of sexual assault or rape and that she never mentioned Brett Kavanaugh “in any capacity.” According to Ketterer, Swetnick’s father warned him that Swetnick had “psychological and other problems.” Ketterer also noted that Swetnick said she enjoyed having group sex with more than one man at a time and that her first experience was in high school.⁶⁶
- **Declaration of Richard Vinneccy (dated Oct. 4)** Vinneccy stated that he was involved in a romantic relationship with Swetnick for seven years. While they were dating, she never mentioned being raped or attending any parties where she witnessed sordid sexual activities. Vinneccy characterized Swetnick as financially unstable and said she “always wanted to be the center of attention and exaggerated everything in her life.” Vinneccy asserted that Swetnick stalked him for almost two months after their breakup and that she threatened to kill him and his unborn child, accuse him of rape, or have him deported. He informed the Committee that although he sought a restraining order against Swetnick, he ultimately decided not to pursue it when he learned he would have to confront Swetnick in court.⁶⁷

Committee Conclusions

The Committee found no verifiable evidence to support Swetnick’s allegations. Indeed, the evidence appears to support the position that Julie Swetnick and Mr. Avenatti criminally

⁶³ Exhibit 38, Text messages between Dennis Ketterer and [REDACTED] (Sept. 26).

⁶⁴ Exhibit 39, MSNBC Interview (Oct. 2).

⁶⁵ Exhibit 40, Kate Snow and Anna Schechter, *New Questions Raised About Avenatti Claims Regarding Kavanaugh*, NBC News (Oct. 25, 2018), Available at <https://www.nbcnews.com/politics/justice-department/new-questions-raised-about-avenatti-claims-regarding-kavanaugh-n924596>.

⁶⁶ Exhibit 41, Declaration of Dennis Ketterer (dated Oct. 2).

⁶⁷ Exhibit 42, Declaration of Richard Vinneccy (dated Oct. 4).

conspired to make materially false statements to the Committee and obstruct the Committee's investigation. Accordingly, the Committee referred both to the Department of Justice and FBI for investigation and potential violations of 18 U.S.C. § 371, § 1001, and § 1505 on October 25, 2018. In addition, on October 26, 2018, the Committee made a second criminal referral against Michael Avenatti to the Justice Department and FBI for investigation of potential violations of 18 U.S.C. §§ 1001 (knowingly providing materially false statements) and 1505 (obstruction of a congressional investigation), based upon the NBC story that evidenced that Mr. Avenatti may have fabricated allegations by a second declarant.⁶⁸

Rhode Island Allegation

On September 24, 2018, Senator Whitehouse's staff informed the Committee that a constituent had called the office to say that two men named "Brett and Mark" sexually assaulted a woman on a boat in August of 1985 and that he believed "Brett" to be Justice Kavanaugh based on a yearbook photo of Kavanaugh that he saw on television. Although Senator Whitehouse refused to provide the constituent's contact information to the Judiciary Committee majority staff, he provided the man's name—[REDACTED]—to the Committee. Senator Whitehouse, in addition to contacting the Chairman and Ranking Member, referred his constituent to a reporter.

Committee investigators questioned Justice Kavanaugh about the allegations during a transcribed phone call on September 25. He categorically denied the allegations. The Committee released the transcript of the call the next day. Shortly thereafter, [REDACTED] posted on Twitter: "Do [sic] everyone who is going crazy about what I had said I have recanted because I have made a mistake and apologize for such mistake."⁶⁹ The Committee referred [REDACTED] to the Justice Department and FBI for investigation of potential violations of 18 U.S.C. § 1001 (knowingly providing materially false statements) and § 1505 (obstruction of a congressional investigation) on September 29, 2018.⁷⁰

⁶⁸ Senate Judiciary Committee Press Release (Oct. 26, 2018), Available at https://www.judiciary.senate.gov/download/2018-10-26-ceg-to-doj-fbi-second-avenatti-referral_redacted.

⁶⁹ [REDACTED] (@[REDACTED]), Twitter (Sept. 26, 2018, 19:51), Available at [https://twitter.com/\[REDACTED\]/status/1045098674081214464](https://twitter.com/[REDACTED]/status/1045098674081214464).

⁷⁰ 18 U.S.C. § 1001 states: (a) Except as otherwise provided in this section, whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully (1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact; (2) makes any materially false, fictitious, or fraudulent statement or representation; or (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry; shall be fined under this title, imprisoned not more than 5 years or, if the offense involves international or domestic terrorism (as defined in section 2331), imprisoned not more than 8 years, or both. If the matter relates to an offense under chapter 109A, 109B, 110, or 117, or section 1591, then the term of imprisonment imposed under this section shall be not more than 8 years. (b) Subsection (a) does not apply to a party to a judicial proceeding, or that party's counsel, for statements, representations, writings or documents submitted by such party or counsel to a Justice or magistrate in that proceeding. (c) With respect to any matter within the jurisdiction of the legislative branch, subsection (a) shall apply only to (1) administrative matters, including a claim for payment, a matter related to the procurement of property or services, personnel or employment practices, or support services, or a document required by law, rule, or regulation to be submitted to the Congress or any office or officer within the legislative branch; or (2) any investigation or review, conducted pursuant to the authority of any committee, subcommittee, commission or office of the Congress, consistent with applicable rules of the House or Senate. 18 U.S.C. § 1505 states: Whoever, with intent to avoid, evade, prevent, or obstruct compliance, in whole or in part, with any civil investigative demand duly and properly made under the Antitrust Civil Process Act, willfully withholds, misrepresents, removes from any place, conceals, covers up, destroys, mutilates, alters, or by other means falsifies any documentary material, answers to written interrogatories, or oral testimony, which is the subject of such demand; or attempts to do so or solicits another to do so; or

Committee Interviews Related to the Rhode Island Allegations

The Committee spoke to the following individuals in connection to ██████ allegation:

- **Justice Kavanaugh (Sept. 25):** Committee investigators conducted a phone call with Justice Kavanaugh to ask about the allegation. Justice Kavanaugh denied that he had ever been on a boat with Mark Judge in Newport. He denied sexually assaulting a woman in Rhode Island. He said he does not know ██████. He characterized the allegation as ridiculous.

Evidence Reviewed Related to the Rhode Island Allegations

- **█████ Allegation (dated Sept. 24):** According to an e-mail from Senator Whitehouse’s staff, a Rhode Island constituent named ██████ called Whitehouse’s office on September 24 to report that in August of 1985, two men named “Brett and Mark” allegedly sexually assaulted a close acquaintance of his on a boat in the harbor at Newport, Rhode Island. Subsequently, ██████ and another individual allegedly physically confronted the two men and left them with significant injuries. When ██████ saw Kavanaugh’s yearbook photo on television, he believed that the “Brett” he had confronted in 1985 was Justice Kavanaugh.⁷¹
- **█████ Twitter Feed Prior to the Accusation:** ██████ Twitter feed included several statements critical of President Trump. The statements called for the military to intervene to “protect us from the domestic terrorist in the Oval Office.”⁷²
- **█████ Recanting Tweet (dated Sept. 26):** ██████ tweeted “Do [sic] everyone who is going crazy about what I had said I have recanted because I have made a mistake and apologize for such mistake.”⁷³

Committee Conclusion

The Committee found no verifiable evidence to support the allegations. Indeed, the evidence supports the position that ██████ provided false information. Accordingly, on September 29, 2018, the Committee referred ██████ to the Department of Justice and FBI for investigation of potential violations of 18 U.S.C. § 1001 (knowingly providing materially false statements) and § 1505 (obstruction of a congressional investigation).

Whoever corruptly, or by threats or force, or by any threatening letter or communication influences, obstructs, or impedes or endeavors to influence, obstruct, or impede the due and proper administration of the law under which any pending proceeding is being had before any department or agency of the United States, or the due and proper exercise of the power of inquiry under which any inquiry or investigation is being had by either House, or any committee of either House or any joint committee of the Congress—Shall be fined under this title, imprisoned not more than 5 years or, if the offense involves international or domestic terrorism (as defined in section 2331), imprisoned not more than 8 years, or both.

⁷¹ Exhibit 43, ██████ Allegation.

⁷² Exhibit 44, ██████ Twitter Feed Prior to the Accusation.

⁷³ Exhibit 45, ██████ Recanting Tweet (Sept. 26).

The Colorado Allegations

On September 24, 2018, Senator Gardner’s office provided the Committee an anonymous letter that the Senator received at his Denver office. According to the letter, in 1998 at a bar in Washington D.C., Justice Kavanaugh pushed a woman he was dating against a wall “very aggressively and sexually.” The letter stated that the event occurred “[w]hen [Justice Kavanaugh] was the author of the Starr Report.” It contained few additional details.

In response to this allegation, the Committee asked Justice Kavanaugh about the claims in a telephonic interview on September 25. He denied the events ever transpired. The Committee received a tip that U.S. District Court Judge Dabney Friedrich had dated Justice Kavanaugh in 1998, the year Justice Kavanaugh wrote portions of the Starr Report. The Committee contacted her for any information about the incident. After hearing the allegations, Justice Friedrich provided the Committee with a signed statement in which she characterized the claims as “offensive and absurd.” She said that Justice Kavanaugh never shoved her against a wall and that she never observed or heard of him “acting in a physically inappropriate or aggressive manner toward anyone.” Finally, she asserted that Justice Kavanaugh treated her “with the utmost respect.”

Committee Interviews Related to the Colorado Allegations

The Committee spoke to the following individuals in connection to the anonymous Colorado allegation:

- **Justice Kavanaugh (Sept. 25):** Justice Kavanaugh denied shoving a woman against a wall in a sexual or aggressive manner while leaving a bar. He denied behaving violently toward any woman when working on the Starr investigation. He said he did not recall socializing with any woman from Boulder, Colorado.

Evidence Reviewed Related to the Colorado allegations

- **Anonymous Letter (dated Sept. 22):** The author of the letter said that her daughter occasionally socialized with Justice Kavanaugh and on one occasion witnessed him shove her friend up against the wall in a sexual manner.⁷⁴
- **Statement from Judge Dabney Friedrich (dated Sept. 26):** Judge Friedrich acknowledged that she dated Justice Kavanaugh in 1998, the year he authored parts of the Starr Report. She said he never shoved her against a wall and that the allegations are “offensive and absurd.” She characterized him as respectful, noted that the two remain friends, and that she never saw him act inappropriately toward anyone.⁷⁵

Committee Conclusions

The Committee found no evidence to support the allegations in the anonymous Colorado letter. The alleged victim of the incident—the woman Justice Kavanaugh was dating when he

⁷⁴ Exhibit 46, Anonymous Letter (Sept. 22).

⁷⁵ Exhibit 47, Statement from Judge Dabney Friedrich (Sept. 26).

authored parts of the Starr Report—denied the event ever took place. Justice Kavanaugh similarly denied engaging in the alleged conduct. The letter is anonymous, and the Committee has no way to identify the sender for further investigation. The Committee found no verifiable evidence to support the allegations.

The California Allegation

On September 25, 2018, Senator Harris’s staff referred a handwritten letter to the Committee signed by Jane Doe. Senator Harris’s San Diego office received the letter; however the envelope listed no return address. According to the letter, Justice Kavanaugh, with the help of a friend, sexually assaulted Doe while driving her home from a party. Doe claimed that Justice Kavanaugh slapped her, forced her to perform oral sex, and groped her. Doe also claimed that both men raped her “several times each” and that Justice Kavanaugh warned her that no one would believe her if she reported the incident. The author did not provide the year or any location (city, state, or country) in which this incident allegedly took place. Because the author’s identity was unknown, the Committee was only able to interview Justice Kavanaugh regarding the allegations. He denied ever engaging in the misconduct described.

After the Committee released the transcript of the interview with Justice Kavanaugh, a woman named Judy Munro-Leighton sent an email to the Senate Judiciary Committee claiming to be Jane Doe. She included a version of the letter’s text and said she felt compelled to contact the Committee because she “refuse[d] to allow Donald J. Trump to use me or my story as an ugly chant at one of his Republican rallies.” The Committee quickly concluded that Munro-Leighton was unlikely to be the author. The text of the letter in Munro-Leighton’s email to the Committee differed from the original handwritten letter in several respects, including punctuation and the omission of a duplicate instance of the word “and.” Committee investigators determined that the text from Munro-Leighton’s email was, however, identical in all respects to the previously publicly released transcript from the telephonic interview, suggesting she copied it from the press. Investigators also examined Munro-Leighton’s background and determined she was a liberal activist who resided in Kentucky, far from the location of the letter’s San Diego postmark. Committee investigators tried to contact her on multiple occasions. On November 1, 2018, Munro-Leighton called back and admitted that she was not “Jane Doe” and that her email to the committee “was just a ploy” and that she used it as a way to “get attention.” Investigators asked her if she had ever met Justice Kavanaugh, to which she replied, “Oh Lord, no.”

Committee Interviews Related to the California Allegation

The Committee spoke to the following individuals in connection to Jane Doe’s allegation:

- **Justice Kavanaugh (Sept. 26):** Justice Kavanaugh denied engaging in any of the conduct alleged in the letter. Justice Kavanaugh referred to the accusation as “ridiculous.” He said, “The whole thing is just a crock, farce, wrong, didn’t happen, not anything close.”
- **Judy Munro-Leighton (Nov. 1):** Committee investigators spoke with her and she admitted that she was not “Jane Doe,” that her email to the committee “was just a ploy,” that was used as a way to “get attention.” When asked whether she had ever met Justice

Kavanaugh, she stated, “Oh Lord, no.” She also admitted that, contrary to her email, she did not send the original letter to Sen. Harris.

Evidence Reviewed Related to the California Allegation

- **Anonymous “Jane Doe” Letter (Sept. 19):** An anonymous letter sent by “Jane Doe” to Senator Kamala Harris and then forwarded to the Committee claimed that Justice Kavanaugh and a friend raped her multiple times.⁷⁶
- **Email from Judy Munro-Leighton (dated Oct. 3):** Munro-Leighton sent an email to several Senate offices claiming to be Jane Doe. Her email included an identical copy of the letter printed in the publicly released transcript of the Committee investigators’ conversation with Justice Kavanaugh. Both her version and the transcript differed from the original letter in several respects, including punctuation and the omission of one duplicate word. A detailed comparison is included in the appendix.⁷⁷

Committee Conclusions

The Committee found no credible evidence to support the allegations in the Jane Doe letter. Justice Kavanaugh denied engaging in the alleged conduct. The letter is anonymous, and the Committee has no way to identify the sender for further investigation. Although Judy Munro-Leighton emailed several Senate offices to claim responsibility for the letter, she later admitted that she was not the author of it and merely used it as a “ploy” to “get attention” and had never met Justice Kavanaugh.

Ongoing Committee Efforts

Although the Senate confirmed Justice Kavanaugh on October 6, Committee investigators continue to pursue several issues related to the allegations against Justice Kavanaugh.

Several media outlets have reported that the FBI’s supplemental report indicated that Leland Keyser, a friend of Dr. Ford, felt pressure from Dr. Ford’s allies to revisit her initial statement to the Committee that she did not know Justice Kavanaugh or have any knowledge of the alleged incident.⁷⁸ According to the news articles, Keyser reported that former FBI employee Monica McLean, whom Dr. Ford allegedly coached in a polygraph exam years earlier, and others contacted her to suggest she “clarify” her account. Committee investigators continue to pursue this lead to determine whether McLean or others tampered with a critical witness.

Finally, Committee investigators will refer for investigation by the Justice Department and FBI any potential violations of federal law, when warranted. These referrals will identify individuals who appear to have made materially false statements to the Committee or otherwise

⁷⁶ Exhibit 48, Anonymous “Jane Doe” Letter (Sept. 19).

⁷⁷ Exhibit 49, Email from Judy Munro-Leighton (Oct. 3).

⁷⁸ See, e.g., Natalie Andrews, Rebecca Ballhaus, and Sadie Gurman, *Friend of Dr. Ford Felt Pressure to Revisit Statement*, Wall Street Journal (Oct. 5, 2018), Available at <https://www.wsj.com/articles/friend-of-dr-ford-felt-pressure-to-revisit-statement-1538715152>.

obstructed the Committee's investigation in connection with allegations against Justice Kavanaugh.

As noted in this memorandum, Committee investigators referred ██████████ for investigation on September 29, 2018.⁷⁹

The Committee also referred Michael Avenatti and his client Julie Swetnick to the Justice Department and FBI for investigation of potential violations of 18 U.S.C. §§ 371 (conspiracy), 1001 (knowingly providing materially false statements), and 1505 (obstruction of a congressional investigation) on October 25, 2018.⁸⁰ In an October 1 interview with MSNBC News,⁸¹ Ms. Swetnick retracted several egregious allegations from the declaration she submitted to the Senate on September 26. Additionally, on October 26, 2018, the Committee made a second criminal referral against Michael Avenatti to the Department of Justice and FBI for investigation of potential violations of 18 U.S.C. §§ 1001 (knowingly providing materially false statements) and 1505 (obstruction of a congressional investigation), based upon a NBC story that evidenced that Mr. Avenatti may have fabricated allegations by a second declarant.⁸² On November 2, 2018, the Committee referred Judy Munro-Leighton to the Justice Department for investigation of potential violations of 18 U.S.C. §§ 1001 (knowingly providing materially false statements) and 1505 (obstruction of a congressional investigation).⁸³

As noted in the Committee's referral of Mr. ██████████, Mr. Avenatti, Ms. Swetnick, and Ms. Munro-Leighton, making any knowing and materially false statement to Committee investigators is a crime.⁸⁴ Such conduct wastes Committee time and resources, has the potential to significantly interfere with congressional investigations, and greatly hinders the Committee's ability to assist the Senate in performing its constitutional responsibilities. The Committee is ready and willing to speak with any individual who comes forward with critical information in good faith. However, the Committee will not tolerate efforts to obstruct its work.

⁷⁹ Exhibit 50, ██████████ Referral (Sept. 29).

⁸⁰ Exhibit 51, Swetnick and Avenatti Referral (Oct. 25).

⁸¹ *Julie Swetnick Speaks out about Alleged Behavior by Judge Kavanaugh*, MSNBC (Oct. 2, 2018), <https://www.msnbc.com/msnbc/watch/julie-swetnick-speaks-about-alleged-behavior-by-judge-kavanaugh-1334265923929?v=raila&>.

⁸² Exhibit 52, Second Avenatti Referral (Oct. 26).

⁸³ Exhibit 53, Munro-Leighton Referral (Nov. 2).

⁸⁴ 18 U.S.C. § 1001 and § 1505.

Exhibit 1

California professor, writer of confidential Brett Kavanaugh letter, speaks out about her allegation of sexual assault

Brown, Emma . The Washington Post (Online) , Washington, D.C.: WP Company LLC d/b/a The Washington Post. Sep 16, 2018.

[ProQuest document link](#)

FULL TEXT

Earlier this summer, Christine Blasey **Ford** wrote a confidential letter to a senior Democratic lawmaker alleging that Supreme Court nominee Brett M. Kavanaugh sexually assaulted her more than three decades ago, when they were high school students in suburban Maryland. Since Wednesday, she has watched as that bare-bones version of her story became public without her name or her consent, drawing a blanket denial from Kavanaugh and roiling a nomination that just days ago seemed all but certain to succeed.

Now, **Ford** has decided that if her story is going to be told, she wants to be the one to tell it.

Speaking publicly for the first time, **Ford** said that one summer in the early 1980s, Kavanaugh and a friend —both "stumbling drunk," **Ford** alleges —corralled her into a bedroom during a gathering of teenagers at a house in Montgomery County.

While his friend watched, she said, Kavanaugh pinned her to a bed on her back and groped her over her clothes, grinding his body against hers and clumsily attempting to pull off her one-piece bathing suit and the clothing she wore over it. When she tried to scream, she said, he put his hand over her mouth.

"I thought he might inadvertently kill me," said **Ford**, now a 51-year-old research psychologist in northern California. "He was trying to attack me and remove my clothing."

Ford said she was able to escape when Kavanaugh's friend and classmate at Georgetown Preparatory School, Mark Judge, jumped on top of them, sending all three tumbling. She said she ran from the room, briefly locked herself in a bathroom and then fled the house.

Ford said she told no one of the incident in any detail until 2012, when she was in couples therapy with her husband. The therapist's notes, portions of which were provided by **Ford** and reviewed by The Washington Post, do not mention Kavanaugh's name but say she reported that she was attacked by students "from an elitist boys' school" who went on to become "highly respected and high-ranking members of society in Washington." The notes say four boys were involved, a discrepancy **Ford** says was an error on the therapist's part. **Ford** said there were four boys at the party but only two in the room.

Notes from an individual therapy session the following year, when she was being treated for what she says have been long-term effects of the incident, show **Ford** described a "rape attempt" in her late teens.

In an interview, her husband, Russell **Ford**, said that in the 2012 sessions, she recounted being trapped in a room with two drunken boys, one of whom pinned her to a bed, molested her and prevented her from screaming. He said he recalled that his wife used Kavanaugh's last name and voiced concern that Kavanaugh —then a federal judge —might one day be nominated to the Supreme Court.

On Sunday, the White House sent The Post a statement Kavanaugh issued last week, when the outlines of **Ford**'s account became public: "I categorically and unequivocally deny this allegation. I did not do this back in high school or at any time."

Through a White House spokesman, Kavanaugh declined to comment further on **Ford**'s allegation and did not

respond to questions about whether he knew her during high school. The White House had no additional comment. Reached by email Sunday, Judge declined to comment. In an interview Friday with The Weekly Standard, before Ford's name was known, he denied that any such incident occurred. "It's just absolutely nuts. I never saw Brett act that way," Judge said. He told the New York Times that Kavanaugh was a "brilliant student" who loved sports and was not "into anything crazy or illegal."

Christine Ford is a professor at Palo Alto University who teaches in a consortium with Stanford University, training graduate students in clinical psychology. Her work has been widely published in academic journals.

She contacted The Post through a tip line in early July, when it had become clear that Kavanaugh was on the shortlist of possible nominees to replace retiring justice Anthony M. Kennedy but before Trump announced his name publicly. A registered Democrat who has made small contributions to political organizations, she contacted her congresswoman, Democrat Anna G. Eshoo, around the same time. In late July, she sent a letter via Eshoo's office to Sen. Dianne Feinstein of California, the ranking Democrat on the Judiciary Committee.

In the letter, which was read to The Post, Ford described the incident and said she expected her story to be kept confidential. She signed the letter as Christine Blasey, the name she uses professionally.

Though Ford had contacted The Post, she declined to speak on the record for weeks as she grappled with concerns about what going public would mean for her and her family —and what she said was her duty as a citizen to tell the story.

She engaged Debra Katz, a Washington lawyer known for her work on sexual harassment cases. On the advice of Katz, who said she believed Ford would be attacked as a liar if she came forward, Ford took a polygraph test administered by a former FBI agent in early August. The results, which Katz provided to The Post, concluded that Ford was being truthful when she said a statement summarizing her allegations was accurate.

By late August, Ford had decided not to come forward, calculating that doing so would upend her life and probably would not affect Kavanaugh's confirmation. "Why suffer through the annihilation if it's not going to matter?" she said.

Her story leaked anyway. On Wednesday, the Intercept reported that Feinstein had a letter describing an incident involving Kavanaugh and a woman while they were in high school and that Feinstein was refusing to share it with her Democratic colleagues.

Feinstein soon released a statement: "I have received information from an individual concerning the nomination of Brett Kavanaugh to the Supreme Court," she wrote. "That individual strongly requested confidentiality, declined to come forward or press the matter further, and I have honored that decision. I have, however, referred the matter to federal investigative authorities."

The FBI redacted Ford's name and sent the letter to the White House to be included in Kavanaugh's background file, according to a Judiciary Committee aide. The White House sent it to the Senate Judiciary Committee, making it available to all senators.

As pressure grew, the New York Times reported that the incident involved "possible sexual misconduct."

By then, Ford had begun to fear she would be exposed. People were clearly learning her identity: A BuzzFeed reporter visited her at her home and tried to speak to her as she was leaving a classroom where she teaches graduate students. Another reporter called her colleagues to ask about her.

On Friday, the New Yorker reported the letter's contents but did not reveal Ford's identity. Soon after, Senate Judiciary Committee Chairman Charles E. Grassley (R-Iowa) released a letter from 65 women who say they knew Kavanaugh when he attended high school from 1979 to 1983 at Georgetown Prep, an all-boys school in North Bethesda.

"Through the more than 35 years we have known him, Brett has stood out for his friendship, character, and integrity," the women wrote. "In particular, he has always treated women with decency and respect. That was true when he was in high school, and it has remained true to this day."

As the story snowballed, Ford said, she heard people repeating inaccuracies about her and, with the visits from reporters, felt her privacy being chipped away. Her calculation changed.

"These are all the ills that I was trying to avoid," she said, explaining her decision to come forward. "Now I feel like my civic responsibility is outweighing my anguish and terror about retaliation."

Katz said she believes Feinstein honored Ford's request to keep her allegation confidential, but "regrettably others did not."

"Victims must have the right to decide whether to come forward, especially in a political environment that is as ruthless as this one," Katz said. "She will now face vicious attacks by those who support this nominee."

After so many years, Ford said, she does not remember some key details of the incident. She said she believes it occurred in the summer of 1982, when she was 15, around the end of her sophomore year at the all-girls Holton-Arms School in Bethesda. Kavanaugh would have been 17 at the end of his junior year at Georgetown Prep.

At the time, Ford said, she knew Kavanaugh and Judge as "friendly acquaintances" in the private-school social circles of suburban Maryland. Her Holton-Arms friends mostly hung out with boys from the Landon School, she said, but for a period of several months socialized regularly with students from Georgetown Prep.

Ford said she does not remember how the gathering came together the night of the incident. She said she often spent time in the summer at the Columbia Country Club pool in Chevy Chase, where in those pre-cellphone days, teenagers learned about gatherings via word of mouth. She also doesn't recall who owned the house or how she got there.

Ford said she remembers that it was in Montgomery County, not far from the country club, and that no parents were home at the time. Ford named two other teenagers who she said were at the party. Those individuals did not respond to messages on Sunday morning.

She said she recalls a small family room where she and a handful of others drank beer together that night. She said that each person had one beer but that Kavanaugh and Judge had started drinking earlier and were heavily intoxicated.

In his senior-class yearbook entry at Georgetown Prep, Kavanaugh made several references to drinking, claiming membership to the "Beach Week Ralph Club" and "Keg City Club." He and Judge are pictured together at the beach in a photo in the yearbook.

Judge is a filmmaker and author who has written for the Daily Caller, the Weekly Standard and The Post. He chronicled his recovery from alcoholism in "Wasted: Tales of a Gen-X Drunk," which described his own blackout drinking and a culture of partying among students at his high school, renamed in the book "Loyola Prep."

Kavanaugh is not mentioned in the book, but a passage about partying at the beach one summer makes glancing reference to a "Bart O'Kavanaugh," who "puked in someone's car the other night" and "passed out on his way back from a party."

Through the White House, Kavanaugh did not respond to a question about whether the name was a pseudonym for him.

Ford said that on the night of the party, she left the family room to use the bathroom, which was at the top of a narrow stairway. She doesn't remember whether Kavanaugh and Judge were behind her or already upstairs, but she remembers being pushed into a bedroom and then onto a bed. Rock-and-roll music was playing with the volume turned up high, she said.

She alleges that Kavanaugh —who played football and basketball at Georgetown Prep —held her down with the weight of his body and fumbled with her clothes, seemingly hindered by his intoxication. Judge stood across the room, she said, and both boys were laughing "maniacally." She said she yelled, hoping that someone downstairs would hear her over the music, and Kavanaugh clapped his hand over her mouth to silence her.

At one point, she said, Judge jumped on top of them, and she tried unsuccessfully to wriggle free. Then Judge jumped on them again, toppling them, and she broke away, she said.

She said she locked herself in the bathroom and listened until she heard the boys "going down the stairs, hitting the walls." She said that after five or 10 minutes, she unlocked the door and made her way through the living room and outside. She isn't sure how she got home.

Ford said she has not spoken with Kavanaugh since that night. And she told no one at the time what had

happened to her. She was terrified, she said, that she would be in trouble if her parents realized she had been at a party where teenagers were drinking, and she worried they might figure it out even if she did not tell them.

"My biggest fear was, do I look like someone just attacked me?" she said. She said she recalled thinking: "I'm not ever telling anyone this. This is nothing, it didn't happen, and he didn't rape me."

Years later, after going through psychotherapy, **Ford** said, she came to understand the incident as a trauma with lasting impact on her life.

"I think it derailed me substantially for four or five years," she said. She struggled academically and socially, she said, and was unable to have healthy relationships with men. "I was very ill-equipped to forge those kinds of relationships."

She also said that in the longer term, it contributed to anxiety and post-traumatic stress disorder symptoms with which she has struggled.

She married her husband in 2002. Early in their relationship, she told him she had been a victim of physical abuse, he said. A decade later, he learned the details of that alleged abuse when the therapist asked her to tell the story, he said.

He said he expects that some people, upon hearing his wife's account, will believe that Kavanaugh's high school behavior has no bearing upon his fitness for the nation's high court. He disagrees.

"I think you look to judges to be the arbiters of right and wrong," Russell **Ford** said. "If they don't have a moral code of their own to determine right from wrong, then that's a problem. So I think it's relevant. Supreme Court nominees should be held to a higher standard."

CORRECTION: An earlier version of this story said Christine Blasey **Ford's** letter to Sen. Dianne **Feinstein** had been redacted when it went from **Feinstein's** office to the **FBI**. The story has been updated to reflect subsequent information that the **FBI** did the redacting before sending the letter on to the White House to be included in Kavanaugh's background file.

emma.brown@washpost.com

Beth Reinhard, Seung Min Kim, Alice Crites and Julie Tate contributed to this report.

Credit: By Emma Brown

DETAILS

Database copyright © 2018 ProQuest LLC. All rights reserved.

[Terms and Conditions](#) [Contact ProQuest](#)

Exhibit 2

Exhibit 3



WaPo

last seen today at 9:23 AM



Fri, Jul 6

Messages to this chat and calls are now secured with end-to-end encryption. Tap for more info.

Potential Supreme Court nominee with assistance from his friend assaulted me in mid 1980s in Maryland. Have therapy records talking about it. Feel like I shouldn't be quiet but not willing to put family in DC and CA through a lot of stress

10:26 AM

Brett Kavanaugh with Mark Judge and a bystander named PJ.

11:47 AM

Tue, Jul 10

Been advised to contact senators or NYT. Haven't heard back from WaPo

8:03 AM

I will get you in touch with reporter

9:21 AM



Exhibit 4

July 30, 2018

CONFIDENTIAL

Senator Dianne Feinstein

Dear Senator Feinstein:

I am writing with information relevant in evaluating the current nominee to the Supreme Court. As a constituent, I expect that you will maintain this as confidential until we have further opportunity to speak.

Brett Kavanaugh physically and sexually assaulted me during High School in the early 1980's. He conducted these acts with the assistance of his close friend, Mark G. Judge. Both were 1-2 years older than me and students at a local private school. The assault occurred in a suburban Maryland area home at a gathering that included me and 4 others. Kavanaugh physically pushed me into a bedroom as I was headed for a bathroom up a short stairwell from the living room. They locked the door and played loud music, precluding any successful attempts to yell for help. Kavanaugh was on top of me while laughing with Judge, who periodically jumped onto Kavanaugh. They both laughed as Kavanaugh tried to disrobe me in their highly inebriated state. With Kavanaugh's hand over my mouth, I feared he may inadvertently kill me. From across the room, a very drunken Judge said mixed words to Kavanaugh ranging from "go for it" to "stop". At one point when Judge jumped onto the bed, the weight on me was substantial. The pile toppled, and the two scrapped with each other. After a few attempts to get away, I was able to take this opportune moment to get up and run across to a hallway bathroom. I locked the bathroom door behind me. Both loudly stumbled down the stairwell, at which point other persons at the house were talking with them. I exited the bathroom, ran outside of the house and went home.

I have not knowingly seen Kavanaugh since the assault. I did see Mark Judge once at the Potomac Village Safeway, where he was extremely uncomfortable seeing me.

I have received medical treatment regarding the assault. On July 6, I notified my local government representative to ask them how to proceed with sharing this information. It is upsetting to discuss sexual assault and its repercussions, yet I felt guilty and compelled as a citizen about the idea of not saying anything.

I am available to speak further should you wish to discuss. I am currently vacationing in the mid-Atlantic until August 7th and will be in California after August 10th.

In Confidence,

Christine Blasey

Palo Alto, California

██████████

Exhibit 5

By Electronic Mail
September 18, 2018

The Honorable Charles E. Grassley
Chairman, Committee on the Judiciary
United States Senate
135 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Grassley:

Thank you for reaching out yesterday afternoon. Dr. Christine Blasey Ford looks forward to working with you and the Committee.

As you know, earlier this summer, Dr. Ford sought to tell her story, in confidence, so that lawmakers would have a fuller understanding of Brett Kavanaugh's character and history. Only after the details of her experience were leaked did Dr. Ford make the reluctant decision to come forward publicly.

In the 36 hours since her name became public, Dr. Ford has received a stunning amount of support from her community and from fellow citizens across our country. At the same time, however, her worst fears have materialized. She has been the target of vicious harassment and even death threats. As a result of these kind of threats, her family was forced to relocate out of their home. Her email has been hacked, and she has been impersonated online.

While Dr. Ford's life was being turned upside down, you and your staff scheduled a public hearing for her to testify at the same table as Judge Kavanaugh in front of two dozen U.S. Senators on national television to relive this traumatic and harrowing incident. The hearing was scheduled for six short days from today and would include interrogation by Senators who appear to have made up their minds that she is "mistaken" and "mixed up." While no sexual assault survivor should be subjected to such an ordeal, Dr. Ford wants to cooperate with the Committee and with law enforcement officials.

As the Judiciary Committee has recognized and done before, an FBI investigation of the incident should be the first step in addressing her allegations. A full investigation by law enforcement officials will ensure that the crucial facts and witnesses in this matter are assessed in a non-partisan manner, and that the Committee is fully informed before conducting any hearing or making any decisions.

The Honorable Charles E. Grassley
Chairman, Committee on the Judiciary
September 18, 2018
Page 2

We would welcome the opportunity to talk with you and Ranking Member Feinstein to discuss reasonable steps as to how Dr. Ford can cooperate while also taking care of her own health and security.

Sincerely,



Debra S. Katz



Lisa J. Banks
Attorneys for Dr. Christine Blasey Ford

cc: The Honorable Dianne Feinstein
Ranking Member, Committee on the Judiciary

September 22, 2018

Dear Senator Grassley:

There has been a lot of back and forth between your staff and my counsel, and I appreciate the chance to communicate with you directly. I kindly ask you to use your best discretion regarding this personal letter.

When I first learned that Brett Kavanaugh was on the short-list of nominees to fill a Supreme Court vacancy, prior to the President's selection among a list of what seemed to me as similarly-qualified candidates, I contacted my Congressperson's office in an attempt to provide information that could be useful to you and the President when making the selection from among a list of candidates. The decision to first report the assault to my Congresswoman, Rep. Anna Eshoo, was a very difficult one, but I felt that this was something that a citizen couldn't NOT do. I felt agony yet urgency and a civic duty to let it be known, in a confidential manner, prior to the nominee being selected. While it was difficult, I was able to share my information with two contacts during the period between the short list announcement and Mr. Kavanaugh's selection.

Mr. Kavanaugh's actions, while many years ago, were serious and have had a lasting impact on my life. I thought that knowledge of his actions could be useful for you and those in charge of choosing among the various candidates. My original intent was first and foremost to be a helpful citizen – in a confidential way that would minimize collateral damage to all families and friends involved.

I then took the step of sending a confidential letter to one of my Senators, Ranking Member Feinstein, and I understand that you have a copy of that letter. I am certainly prepared to repeat the facts in the letter and to provide further facts under oath at a hearing. I would welcome the opportunity to meet with you and other Senators directly, person to person, to tell you what occurred. I will answer any questions you have. I hope that we can find such a setting and that you will understand that I have one motivation in coming forward – to tell the truth about what Mr. Kavanaugh and his friend Mark Judge did to me. My sincere desire is to be helpful to persons making the decision.

In addition to talking with you and other Senators directly, I have asked my lawyers to continue discussions with your staff about the conditions you have proposed. As I am not a lawyer or a Senator, I am relying on them and you to ensure that the Committee will agree to conditions that will allow me to testify in a fair setting that won't disrupt families and become a media TV show. While the nationwide outpouring of love has been heartwarming, I am spending considerable time managing death threats, avoiding people following me on freeways, and disconcerting media intrusion, including swarms of vans at my home and unauthorized persons entering my classroom and medical settings where I work. I have received an inordinate number of requests to appear on major TV shows to elucidate further information, to which I have not responded. My goal is to return soon to my workplace, once it is deemed safe for me and importantly, for students. Currently, my family has physically relocated and have divided up separately on many nights with the tremendous help of friends in the broader community. Through gracious persons here and across the country, we have been able to afford hiring security. While I am frightened, please know, my fear will not hold me back from testifying and

you will be provided with answers to all of your questions. I ask for fair and respectful treatment.

Kind regards,

Christine Blasey

Exhibit 6

DECLARATION OF RUSSELL FORD

I, Russell Ford, hereby state that I am over eighteen (18) years of age, am competent to testify, and have personal knowledge of the following facts:

1. I have a Master of Science degree and a Doctor of Philosophy degree in mechanical engineering from Stanford University.
2. I have been married to Christine Blasey Ford since June 2002. We have two children.
3. The first time I learned that Christine had any experience with sexual assault was around the time we got married, although she did not provide any details.
4. Christine shared the details of the sexual assault during a couple's therapy session in 2012. She said that in high school she had been trapped in a room and physically restrained by one boy who was molesting her while another boy watched. She said she was eventually able to escape before she was raped, but that the experience was very traumatic because she felt like she had no control and was physically dominated.
5. I remember her saying that the attacker's name was Brett Kavanaugh, that he was a successful lawyer who had grown up in Christine's home town, and that he was well-known in the Washington, D.C. community.
6. In the years following the therapy session, we spoke a number of times about how the assault affected her.
7. The next time she mentioned that Mr. Kavanaugh was the person who sexually assaulted her was when President Trump was in the process of selecting his first nominee for the Supreme Court. Before the President had announced that Judge Neil Gorsuch was the nominee, I remember Christine saying she was afraid the President might nominate Mr. Kavanaugh.

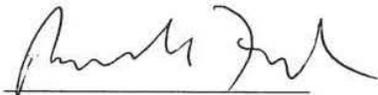
8. These conversations about Mr. Kavanaugh started again shortly after Justice Anthony Kennedy announced his resignation and the media began reporting that Mr. Kavanaugh was on the President's "short list."

9. Christine was very conflicted about whether she should speak publicly about what Mr. Kavanaugh had done to her, as she knew it would be emotionally trying for her to relive this traumatic experience in her life and hard on our family to deal with the inevitable public reaction. However, in the end she believed her civic duty required her to speak out.

10. In our 16 years of marriage I have always known Christine to be a truthful person of great integrity. I am proud of her for her bravery and courage.

I solemnly swear or affirm under the penalties of perjury that the matters set forth in this Declaration are true and correct to the best of my personal knowledge, information, and belief.

Executed on this 25th day of September, 2018.



Russell Ford

Exhibit 7

DECLARATION OF KEITH KOEGLER

I, Keith Koegler, hereby state that I am over eighteen (18) years of age, am competent to testify, and have personal knowledge of the following facts:

1. I graduated from Amherst College in 1992 with a Bachelor's Degree in History. I earned my Juris Doctor degree from Vanderbilt Law School in 1997.

2. I have known Christine Blasey Ford and her husband, Russell Ford, for more than five years, and consider them close friends.

3. We met when I was coaching their son's baseball team. Our children are close friends and have played sports together for years. I have spent a lot of time with Christine and her husband traveling to and attending our kids' games. Our families have also gone on vacation together.

4. The first time I learned that Christine had experienced sexual assault was in early summer of 2016. We were standing together in a public place watching our children play together.

5. I remember the timing of the conversation because it was shortly after Stanford University student Brock Turner was sentenced for felony sexual assault after raping an unconscious woman on Stanford's campus. There was a common public perception that the judge gave Mr. Turner too light of a sentence.

6. Christine expressed anger at Mr. Turner's lenient sentence, stating that she was particularly bothered by it because she was assaulted in high school by a man who was now a federal judge in Washington, D.C.

7. Christine did not mention the assault to me again until June 29, 2018, two days after Justice Anthony Kennedy announced his resignation from the Supreme Court of the United States.

8. On June 29, 2018, she wrote me an email in which she stated that the person who assaulted her in high school was the President's "favorite for SCOTUS."

9. On June 29, 2018, I responded with an email in which I stated:

"I remember you telling me about him, but I don't remember his name. Do you mind telling me so I can read about him?"

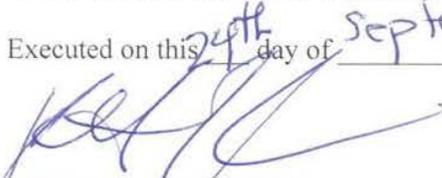
10. Christine responded by email and stated:

"Brett Kavanaugh"

11. In all of my dealings with Christine I have known her to be a serious and honorable person.

I solemnly swear or affirm under the penalties of perjury that the matters set forth in this Declaration are true and correct to the best of my personal knowledge, information, and belief.

Executed on this 24th day of September, 2018.



Keith Koegler

Exhibit 8

DECLARATION OF ADELA GILDO-MAZZON

I, Adela Gildo-Mazzon, hereby state that I am over eighteen (18) years of age, am competent to testify, and have personal knowledge of the following facts:

1. I have known Christine Blasey Ford for over 10 years and consider her to be a good friend. Our children attended elementary school together.
2. In June of 2013, Christine and I met at a restaurant that was then called Pizzeria Venti Mountain View, located at 1390 Pear Avenue, Mountain View, California.
3. I remembered the year of the meeting because I was temporarily working in the South Bay at that time. I would pass Mountain View on my way home, so that restaurant was a convenient place to arrange a meeting. I believe this was the only time I ever went to this restaurant. I also have a receipt from the restaurant from that meal.
4. During our meal, Christine was visibly upset, so I asked her what was going on.
5. Christine told me she had been having a hard day because she was thinking about an assault she experienced when she was much younger. She said that she had been almost raped by someone who was now a federal judge. She told me she had been trapped in a room with two drunken guys, and that she then escaped, ran away, and hid.
6. Christine said it was a scary situation and that it has impacted her life ever since.
7. The last time I saw Christine was in May 2018.
8. After reading her first person account of the assault in *The Washington Post* on September 16, 2018, I contacted Christine's lawyers to advise them that she had told me about this assault in 2013.

Page 2

I solemnly swear or affirm under the penalties of perjury that the matters set forth in this Declaration are true and correct to the best of my personal knowledge, information, and belief.

Executed on this 24th day of September, 2018.

A handwritten signature in black ink, appearing to read 'Adela Gildo-Mazzon', written in a cursive style.

Adela Gildo-Mazzon

Exhibit 9

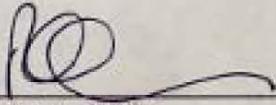
DECLARATION OF REBECCA WHITE

I, Rebecca White, hereby state that I am over eighteen (18) years of age, am competent to testify, and have personal knowledge of the following facts:

1. I have been friends with Christine Blasey Ford for more than six years. We are neighbors and our kids went to the same elementary school.
2. In 2017, I was walking my dog and Christine was outside of her house. I stopped to speak with her, and she told me she had read a recent social media post I had written about my own experience with sexual assault.
3. She then told me that when she was a young teen, she had been sexually assaulted by an older teen. I remember her saying that her assailant was now a federal judge.
4. I have always known Christine to be a trustworthy and honest person.

I solemnly swear or affirm under the penalties of perjury that the matters set forth in this Declaration are true and correct to the best of my personal knowledge, information, and belief.

Executed on this 25 day of Sept, 2018.



Rebecca White

Exhibit 10



Debra S. Katz, Partner
Lisa J. Banks, Partner

By Electronic Mail
September 26, 2018

Mike Davis, Esquire
Chief Counsel for Nominations
United States Senate Committee on the Judiciary
Senator Chuck Grassley (R-IA), Chairman
224 Dirksen Senate Office Building
Washington, DC 20510

Dear Mr. Davis:

Attached please find additional materials responsive to the requests for documents contained in Senator Grassley's letter dated September 23, 2018. We reserve the right to provide supplemental documents as necessary.

We will not produce copies of Dr. Christine Blasey Ford's medical records. These records contain private, highly sensitive information that is not necessary for the Committee to assess the credibility of her testimony. Our client has already been forced to compromise her privacy and safety in order to provide the Committee with important information about the nominee's past conduct, and she will be available to answer any questions the Committee may have when she testifies tomorrow. Any request that she expose her private medical records for public inspection represents an unacceptable invasion of privacy to which no reasonable person would consent. Under no circumstances will we grant any such request.

Sincerely,

Debra S. Katz

Lisa J. Banks

Attorneys for Dr. Christine Blasey Ford

Encl.

cc: Heather Sawyer, Esquire

POLYGRAPH EXAMINATION REPORT

Date of Report
08/10/2018

Date of Examination
08/07/2018

Location of Examination
Hilton Hotel, 1739 West Nursery Road, Linthicum Heights, MD 21090

Examinee's Name
Christine Blasey

Synopsis

On August 7, 2018, Christine Blasey reported to the Hilton Hotel, 1739 West Nursery Road, Linthicum Heights, MD 21090, for the purpose of undergoing a polygraph examination. The examination was to address whether Blasey was physically assaulted by Brett Kavanaugh while attending a small party in Montgomery County, MD. This assault occurred in the 1980's when Blasey was a high school student at the Holton-Arms School. Accompanying Blasey was Attorney Lisa Banks of the firm Katz, Marshall & Banks. After introductions were made, this examiner left the room so Blasey and Attorney Banks could discuss this matter. During this discussion, Blasey provided a written statement to Banks detailing the events that occurred on the evening of the assault. The statement was provided to this examiner when he returned. Blasey stated that the statement was true and correct and signed it in the presence of this examiner and Banks attesting to its accuracy. A copy of this statement is attached to this report. After a brief discussion, Banks departed.

Blasey was then interviewed in an effort to formulate the relevant questions. During this interview, Blasey described the events that occurred on the night of the assault. She stated she attended a small party at a house where the parents were not home. Those attending the party were drinking beer. Blasey stated that Kavanaugh and his friend, Mark, became extremely intoxicated. Blasey stated that she had met Kavanaugh before at previous parties and she briefly dated one of his friends. She stated that Kavanaugh attended Georgetown Preparatory School and she previously attended parties hosted by students of this school. Blasey remembers another male at this party, PJ, who she described as a very nice person. At some point in the evening, Blasey went upstairs to use the restroom. When she got upstairs, she was pushed into a bedroom by

Examinee's Name: Blasey, Christine
Date: 08/10/2018

either Kavanaugh or his friend, Mark. The bedroom was located across from the bathroom. She was pushed onto a bed and Kavanaugh got on top of her and attempted to take her clothes off. She stated she expected Kavanaugh was going to rape her. Blasey tried to yell for help and Kavanaugh put his hand over her mouth. Blasey thought if PJ heard her yelling he may come and help her. Blasey stated that when Kavanaugh put his hand over her mouth that this act was the most terrifying for her. She also stated that this act caused the most consequences for her later in life. Blasey stated that Kavanaugh and Mark were laughing a lot during this assault and seemed to be having a good time. Kavanaugh was having a hard time trying to remove Blasey's clothes because she was wearing a bathing suit underneath them. She stated Mark was laughing and coaxing Kavanaugh on. Blasey recalls making eye contact with Mark and thinking he may help her. Mark continued to encourage Kavanaugh. On a couple of occasions, Mark would come over and jump on the bed. The last time he did this, all three became separated and Blasey was able to get free and run to the bathroom. She stated she locked herself in the bathroom until she heard Kavanaugh and Mark go downstairs.

Following this interview, Blasey was given a polygraph examination consisting of the following relevant questions:

Series I

- A. Is any part of your statement false? Answer: No
- B. Did you make up any part of your statement? Answer: No

Four polygraph charts (which included an acquaintance or "stim" chart) were collected using a Dell Inspiron 15 notebook computer and Lafayette LX4000 software. This software obtained tracings representing thoracic and abdominal respiration, galvanic skin response, and cardiac activity. All of these physiological tracings were stored in the computer along with the time that the questions were asked as well as text of each question.

The format of the test was the two question Federal You Phase Zone Comparison Test (ZCT). As part of a 2011 meta-analysis study done by the American Polygraph Association (APA), the ZCT is one of the polygraph examinations considered valid based upon defined research protocol. As part of the validation process, the APA chose techniques that were reported in the Meta 22 Analytic Survey of Validated Techniques (2011) as having two, independent studies that describe the criterion validity and reliability. The ZCT includes relevant questions addressing the issues to be resolved by the examination, comparison questions to be used in analysis, symptomatic questions, and neutral or irrelevant questions. All questions were reviewed with Blasey prior to the test. The charts collected were subjected to a numerical evaluation that scored the relative strength of physiological reactions to relevant questions with those of the comparison questions. An analysis was conducted using a three (3) point scale (-1, 0, +1). If reactions were deemed to be greater at the relevant questions, then a negative score was assigned. If responses were deemed to be greater at the comparison questions, then a positive score was assigned. A decision of deceptive is rendered if any individual question score is -3 or less or the grand total of both questions is -4 or less. A decision of non-deceptive is rendered if the grand total of both questions is +4 or more with a +1 or more at each question.

Examinee's Name: Blasey, Christine
Date: 08/10/2018

Blasey's scores utilizing the three (3) point scale are +4 at Question A and +5 at Question B with a total score of +9. Based upon this analysis, it is the professional opinion of this examiner that Blasey's responses to the above relevant questions are **Not Indicative of Deception**.

A second analysis was conducted utilizing a scoring algorithm developed by Raymond Nelson, Mark Handler and Donald Krapohl (Objective Scoring System Version 3) which concluded "**No Significant Reactions- Probability these results were produced by a deceptive person is .002.**" Truthful results, reported as "No Significant Reactions," occur when the observed p-value indicates a statistically significant difference between the observed numerical score and that expected from deceptive test subjects, using normative data obtained through bootstrap training with the confirmed single issue examinations from the development sample. **Truthful results can only occur when the probability of deception is less than .050.**

Deceptive results, in which an observed p-value indicates a statistically significant difference between the observed numerical score and that expected from truthful persons, and are reported as "Significant Reactions."

When the observed p-value fails to meet decision alpha thresholds for truthful or deceptive classification the test result will be reported as "Inconclusive." No opinion can be rendered regarding those results.

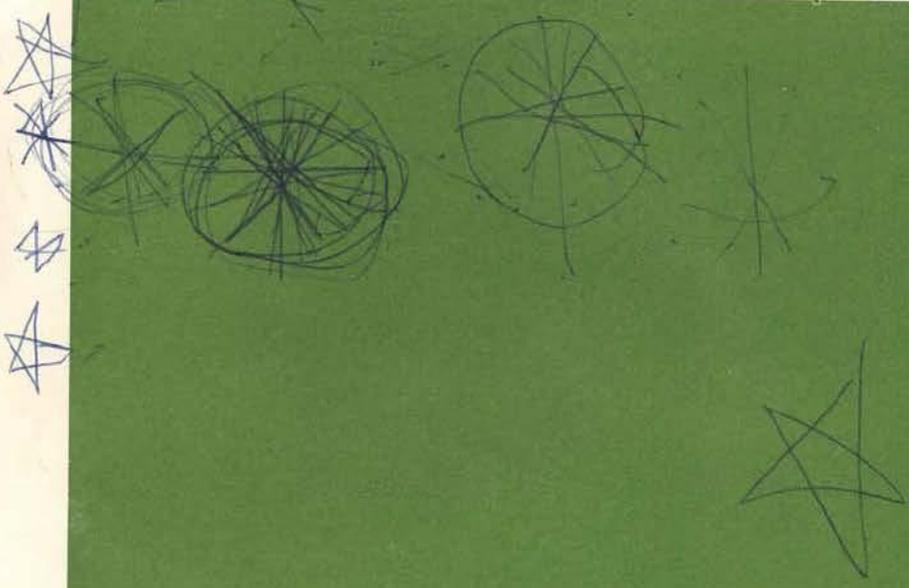
A third analysis was conducted utilizing a scoring algorithm developed by the Johns Hopkins University Applied Physics Laboratory (PolyScore Version 7.0) which concluded "**No Deception Indicated—Probability of Deception is Less Than .02.**"

Exhibit 11

One ^{summer}
~~While~~ in high school in ~~the~~ 80's,
I went to a small party in the
Montgomery County area. There were
4 ~~people~~ boys and a couple of girls.
At one point, I went up a small
stairwell to use the restroom. At
that time, I was pushed by ~~two~~
~~persons~~ into a bedroom and was
locked in the room and pushed onto a
bed. ^{The boys were in the room.} ~~Broth~~ ~~er~~ laid on top of me
and tried to remove my clothes
while groping me. He held me
down and ~~at~~ put his hand on
my mouth ~~to~~ to stop me
from ~~to~~ screaming for help. His
friend Mark was ^{also} in the room
and both were laughing. Mark
jumped on top of us 2 or 3
times. I tried to get out from
under unsuccessfully. Then Mark
jumped ~~off~~ and he toppled
over. I managed to run out of
the room across to the bathroom
and lock the door. Once ~~that~~
I heard them go downstairs,
I ran out of the ~~bed~~ and
went home.

Christy Blazy August 7, 2018

Exhibit 12



1982

THE NORTHWESTERN MUTUAL AUDUBON CALENDAR

$\frac{1}{10} \times \frac{14}{14}$ $\frac{1}{14} \times \frac{8}{8}$
10 14 14 8

May 1982

S	M	T	W	T	F	S
						1 GO TO HOLY CHILD PARTY, DRIVE SAT at Whitman
2 GO TO BULLETS GAME W/ SQUI + NIKKI LOSE 10:30 OT (1-3)	3 CUT OUR LAWN	4 scribble	5 Bullets Lose in Double OT	6	7 Grounded - Stay in	8 Gaelic Football 11:00 PROM Donny Drives
9 MOTHER'S DAY 1 YEAR	10	11	12 NIKKI COMES OVER	13	14 GROUNDED GO TO ST. MICHAEL'S Gaelic Football 3:00 NIKKI AT REACH H. Ch	15 ST. MICHAEL'S PROM
16	17	18	19 NIKKI COMES OVER	20 ASCENSION DAY GO TO LIBRARY PLAY B-BALL AT SQUI'S SWIM AT DONNY'S	21 GROUNDED FATHER-SON DINNER NIKKI AT	22 HAIRCUT TIMMY'S PARTY REACH
23	24	25	26	27	28	29
30 PENTECOST SUNDAY	31 MEMORIAL DAY HOLIDAY					

April 1982

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

June 1982

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

Northwestern Mutual Life

June 1982

S	M	T	W	T	F
		1	2	3	4
		MATH 8:30 OUT OF SCHOOL	English Paper Due	Go to Kemper w/ Dad	Achievement Tests 8:30 w/ Dad
		E	X	A	M
					5
6	7	8	9	10	11
TRINITY SUNDAY	BEACH		WEEK		END
Suzanne	Suzanne	Suzanne	Suzanne WIKKI BIRTHDAY		SPEND NIGHT AT SUZANNE'S
13	14	15	16	17	18
Go to Rocky III w/ Squi, PJ, Bee	FLAG DAY GAME 14:30 vs. Blai 48-39 7-13 WEIGHTS	Go to Matt's Baseball Game	GAME 5:30 LOST 0-1 2 PTS GO TO GREASE II w/ Suzanne	Pick Up Pictures	FIVE STAR BASKETBALL CAMP STARTS
COME HOME FROM BEACH	URGOS				
20	21	22	23	24	25
FATHER'S DAY					Go to party at beachhouse w/ JC, Squi + Danoff
					B-BALL CAMP ENDS
27	28	29	30		
COME HOME FROM ST. MICHAEL'S	START WORK	Tobin's house - work at 6-8	Dr. DeLuttre 2:00		
Play B-Ball at Chevy Chase Physical	GAME 5:30 vs. Blai LOST 12-14 12 PTS LIFT at Prep	Play B-Ball at Maplewood	Game 5:30 vs. Whitman 21 PTS. LOST 7-8 LIFT at Prep		

(b) (6)

(b) (6)

May 1982

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

July 1982

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Northwestern Mutual Life

July 1982

11 - 2 - 12 - 21 - 5

S	M	T	W	T	F	S
				Tobin's House - Workout Go to Pimmy's for Skis w/ Judge, Tom, PJ, Bernie, Squi	Go to Beach w/ Squi for weekend	
INDEPENDENCE DAY 4 <i>(11)</i> Anne Dougherty's Party	Home from Beach w/ Danny	Game 6:45 vs. Tigers LOST 5 PTS.	Columbia	Congressional	Game 8:00 vs. St. Albans Go to St. Michael's for weekend	
11	5	6	7	8	9	10
			LIFT AT PREP	(b) (6)		Richie Stanton's Party
11	12	13	14	15	16	17
Come Home from M's	LIFT		LIFT	Game 6:45 vs. High Point LOST 14 PTS	Go to Michael's for Weekend	
18	19	20	21	22	23	24
Come back from St. Michael's	LIFT	Game 9:15 vs. WJ LOST 19 PTS.	Game 6:45 vs. Cortzaga LOST 9 PTS.	Game 5:30 vs. High Point St. Albans LOST 9 PTS.	Go to Connecticut for weekend w/ Grammy	
25	26	27	28	29	30	31
	INTERVIEW BROWN	INTERVIEW YALE	(b) (6) Go to Judge's		Go to Beach w/ Tom, Squi	

June 1982

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

August 1982

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Northwestern Mutual Life

August 1982

Jan
4903 Crescent
KAV
5103 Belt

Edman
Walt

Dr. Strickland
Dr. Campbell
Podmons

S	M	T	W	T	F	S
14 1 Stay At Bernies At Beach	3 2 15	Come Home From Beach w/ Bernie 3 Go to O's Doubleheader w/ Sam, Tom, Mark, Matt, Denny, Tim	4 List at Prep - 145	5 Go to New York w/ Mom + Dad	6 →	7 Come Back from New York Go to Becky's Matt, Denise, Laurie, Emily, Bill
8 Play Tennis w/ Mom At CCC	9 Dad's Car LIFT WEIGHTS BILLY BELT'S Fr. Galvin Go to Prep	10 5103 Belt Set W/ Paul Go to Crestwood V. BOUTON	11 W/ weight Vrgo's Joe Harrington V. 200 + GMU	12 KAV V. 100 Go to St. M's w/ Dad	13 →	14 16 Go to Rehoboth w/ Sam, Tom, Mark + Denny
15 Come Home From Beach	16 (b) (6)	17 Packed CALL Job w/ HARRINGTON Pick Up Pictures	18 (b) (6) Joe Harrington 4:00	19 KAV Work Get Mo. Sidge 4103 Crescent Sippawhatch	20 KAV 5103 Belt 5314 Whaley Jay Sand Night at	21 GET PRESCRIPTIONS REFILLED GET FOOD FOR CAMP GET HAIRCUT
22 FOOTBALL CAMP STARTS	23 C	24 A	25 M	26 P	27 →	28 NIGHT OFF Urgo's Party SCRIMMAGE VS. SEVERN AT PREP 11:00
29 CAMP STARTS AGAIN	30 C	31 A	M	P	CAMP FOOD - CHIPS - DISHES FARM BTV B.BOX	

July 1982

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

September 1982

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

Northwestern
Mutual Life

Exhibit 13



September 18, 2018

Barbara "Biz" Van Gelder

Direct Phone 202-463-2516
Direct Fax 202-640-5525
bvangelder@cozen.com

VIA E-MAIL

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Dianne Feinstein
Ranking Member
Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, DC 20510

Re: Brett Kavanaugh Confirmation

Dear Chairman Grassley and Ranking Member Feinstein:

I represent Mark Judge. Mr. Judge asked me to convey the following statement:

"I did not ask to be involved in this matter nor did anyone ask me to be involved. The only reason I am involved is because Dr. Christine Blasey Ford remembers me as the other person in the room during the alleged assault.

In fact, I have no memory of this alleged incident. Brett Kavanaugh and I were friends in high school but I do not recall the party described in Dr. Ford's letter. More to the point, I never saw Brett act in the manner Dr. Ford describes.

I have no more information to offer the Committee and I do not wish to speak publicly regarding the incidents described in Dr. Ford's letter."

Sincerely yours,

COZEN O'CONNOR

Barbara Van Gelder
Counsel for Mark Judge

Exhibit 14

KAPLAN HECKER & FINK LLP

Direct Dial: (b) (6)

Direct Email: (b) (6)

350 Fifth Avenue
Suite 7110
New York, NY 10118
(212) 763-0883
www.kaplanhecker.com

September 27, 2018

Honorable Diane Feinstein
Member
Committee on the Judiciary
United States Senate
135 Hart Senate Office Building
Washington D.C. 20510-6275

Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate
331 Hart Senate Office Building
Washington D.C. 20510-6275

Re: Nomination of Judge Brett Kavanaugh

Dear Senators Feinstein and Grassley:

As a follow up to my letter of yesterday's date, we enclose an affidavit from Ms. Rasor executed yesterday evening.

Very truly yours,



Roberta A. Kaplan

AFFIDAVIT OF ELIZABETH RASOR

I, Elizabeth Rasor, being duly sworn, hereby depose and say:

1. I make this affidavit based on my personal knowledge.
2. I have a bachelor's degree in English Literature from Catholic University and a master's degree in Special Education from Teacher's College at Columbia University.
3. I first met Mark Judge in or around the fall of 1986 while we were both students at Catholic University.
4. We engaged in a serious, romantic relationship for approximately two years beginning in 1986 through 1988. We dated exclusively during much of that time period and attempted to reunite several times in the months afterwards until I moved to New York from Washington, D.C. in 1989.
5. While we were dating, I spent time with Mark's friends from Georgetown Prep and attended a couple of social gatherings at which they were present.
6. I met Brett Kavanaugh at a couple of social gatherings on or around 1987.
7. Brett continued to socialize with Mark and their friends from Georgetown Prep during this time.
8. At the parties that Brett and Mark attended during this period, there was frequent and wide-spread alcohol consumption.
9. In or around 1988, in the context of a conversation we had about how we lost our virginities, Mark told me, in a voice that seemed to convey a degree of shame, about an incident that had occurred a few years prior, where he and several other boys from Georgetown Prep took

turns having sex with a woman who was drunk. It was Mark's perception that the sexual activity was consensual.

10. To the best of my recollection, at the time of the conversation, I, and I believe Mark, were sober.

11. After this initial conversation, Mark and I never discussed this again.

12. Mark did not share with me any names of other individuals involved in this incident, and I do not have any information to suggest, one way or another, that Brett was one of them.

13. Mark and I broke up towards the end of 1988.

14. I last spoke with Mark in or around 2013. We met for lunch at Georgetown University to catch up, and I brought my son.

I solemnly swear or affirm under the penalties of perjury that the matters set forth in this Affidavit are true and correct to the best of my personal knowledge, information, and belief.

M. Elizabeth Rasor

Elizabeth Rasor

Sag Harbor, New York

September 26, 2018

Sworn to before me this 26th day of September, 2018

Lindsey Beckelman

Notary public

LINDSEY BECKELMAN
Notary Public, State of New York
No. 01BE6328883
Qualified in New York County
Commission Expires Aug. 10, 2019

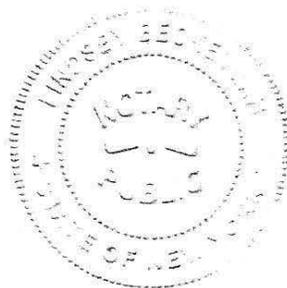


Exhibit 15

I, [REDACTED], am a current resident of [REDACTED], California.

I first met Christine Blasey (now Dr. Christine Blasey Ford) in 1989 or 1990 in California. From 1990-91, I was just friends with Ford. From approximately 1992 to 1998, I was in a relationship with Dr. Ford. I found her truthful and maintain no animus towards her.

During our time dating, Dr. Ford never brought up anything regarding her experience as a victim of sexual assault, harassment, or misconduct. Dr. Ford never mentioned Brett Kavanaugh.

During some of the time we were dating, Dr. Ford lived with Monica L. McLean, who I understood to be her life-long best friend. During that time, it was my understanding that McLean was interviewing for jobs with the FBI and the US Attorney's Office. I witnessed Dr. Ford help McLean prepare for a potential polygraph exam. Dr. Ford explained in detail what to expect, how polygraphs worked and helped McLean become familiar and less nervous about the exam. Dr. Ford was able to help because of her background in psychology.

Dr. Ford and I lived together while we were dating and stayed together in a long-distance relationship when Dr. Ford moved to Hawaii sometime around 1998, although I am not sure of the particular year and it might have been a bit earlier or later.

While visiting Ford in Hawaii, we traveled around the Hawaiian islands including one time on a propeller plane. Dr. Ford never indicated a fear of flying. To the best of my recollection Dr. Ford never expressed a fear of closed quarters, tight spaces, or places with only one exit. I assisted Dr. Ford with finding a place to live in [REDACTED] CA. She ended up living in a very small, 500 sq. ft. house with one door.

Despite trying to maintain a long distance relationship, I ended the relationship once I discovered that Dr. Ford was unfaithful while living in Hawaii. After the break up, I took her off the credit card we shared. But nearly 1 year later, I noticed Dr. Ford had been charging the card, and charged about \$600 worth of merchandise. When confronted, Dr. Ford said she did not use the card, but later admitted to the use after I threatened to involve fraud prevention.

I didn't speak again to Ford until about 2002 when Ford contacted me briefly. After that I hadn't thought much about her until I saw her story in the Washington Post on Sunday, Sept. 16, 2018.

I do not want to become involved in this process or current investigation, but wanted to be truthful about what I know.

Signed,

[REDACTED] 10/2/2018 | 8:01 PDT

Exhibit 16

Statement of Donald Urgo, Jr.

1. I am over 18 years of age. I make this declaration from my own personal knowledge. If called upon as a witness, I could competently testify to the facts below.
2. I have known Brett since the 4th grade. He is an honorable man with a strong character.
3. I was Brett Kavanaugh's classmate at Georgetown Preparatory School from 1979 to 1983. I appear in, and am familiar with, the Georgetown Preparatory School yearbook issued in 1983.
4. I have reviewed Brett's testimony about the meaning of certain terms used in that yearbook: "boofed," "Devil's Triangle," and "Renate Alumnus." Brett's testimony about the meaning of each term is entirely correct and consistent with my independent understanding.
5. I attended a significant amount of high school parties with Brett. I never saw Brett engage in any behavior like that described by Dr. Ford, Ms. Swetnick, or Ms. Ramirez.
6. I attended Georgetown Prep's beach week in Ocean City, Maryland, at least two times with Brett. I never saw anything like the behavior described by Ms. Swetnick.
7. I never saw Brett pass out or drink so much that he would black out.
8. Brett had a weak stomach and would throw up after consuming quantities of alcohol that the rest of us had no problems keeping down.
9. I never saw Brett engage in any sexual misconduct of any kind, nor did I ever hear of any allegations, prior to the news stories, suggesting that Brett engaged in any sexual misconduct of any kind in high school or any time thereafter.
10. I have known Brett to have a number of good friends that were women and he has always been respectful to them.

11. I have no recollection of Dr. Ford or Ms. Swetnick attending any high school party that I was present at.

12. I understand that I have made this statement under penalty of felony.

Tamall Lyons Jr.

Date: October 4, 2018

Exhibit 17

KOBRE & KIM LLP

1919 M STREET, NW
WASHINGTON, DC 20036
WWW.KOBREKIM.COM

NEW YORK
LONDON
HONG KONG
SHANGHAI
SEOUL
WASHINGTON DC
SAN FRANCISCO
MIAMI
CAYMAN ISLANDS
BVI

TEL +1 202 664 1900

September 18, 2018

CONFIDENTIAL TREATMENT REQUESTED

VIA FEDERAL EXPRESS

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate
135 Hart Senate Office Building
Washington, DC 20510

The Honorable Dianne Feinstein
Ranking Member
Committee on the Judiciary
United States Senate
331 Hart Senate Office Bldg.
Washington, DC 20510

Re: Confirmation Hearing for Judge Brett Kavanaugh

Dear Chairman Grassley and Ranking Member Feinstein:

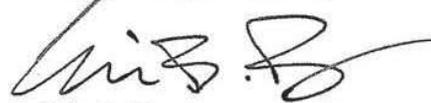
I have been retained to represent Patrick J. Smyth in connection with the above-referenced confirmation hearings. In an effort to help resolve the allegations by Dr. Christine Blasey Ford that are before the Judiciary Committee while balancing Mr. Smyth's own right to privacy, we respectfully offer the Committee the following statement that has been closely reviewed and approved by Mr. Smyth:

"I understand that I have been identified by Dr. Christine Blasey Ford as the person she remembers as 'PJ' who supposedly was present at the party she described in her statements to the Washington Post. I am issuing this statement today to make it clear to all involved that I have no knowledge of the party in question; nor do I have any knowledge of the allegations of improper conduct she has leveled against Brett Kavanaugh. Personally speaking, I have known Brett Kavanaugh since high school and I know him to be a person of great integrity, a great friend, and I have never witnessed any improper conduct by Brett Kavanaugh towards women. To safeguard my own privacy and anonymity, I respectfully request that the Committee accept this statement in response to any inquiry the Committee may have."

The Honorable Charles E. Grassley
The Honorable Dianne Feinstein
September 18, 2018
Page 2

I trust this information will be helpful to the Judiciary Committee's efforts in connection with Judge Kavanaugh's confirmation hearings.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Eric B. Bruce". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Eric B. Bruce
Kobre & Kim LLP

Exhibit 18

From: [Howard Walsh](#)
To: [Leland Ingham](#); [REDACTED]
Subject: Ms. Leland Keyser
Date: Saturday, September 22, 2018 7:37:21 PM

Dear Ms. [REDACTED]:

Ms. Leland Keyser has engaged me in the limited capacity to address your request for information in the email below. Simply put, Ms. Keyser does not know Mr. Kavanaugh and she has no recollection of ever being at a party or gathering where he was present, with, or without, Dr. Ford.

Ms. Keyser hopes this information is helpful to your investigation. I am available for any further questions you may have.

Sincerely,

--

Howard J. Walsh III, Esq.
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Begin forwarded message:

From: [REDACTED]
Date: September 18, 2018 at 12:39:57 EDT
To: [REDACTED]
Subject: Request from the Senate Judiciary Committee

Hello Ms. Keyser,

My name is [REDACTED] and I serve as Senior Counsel for the Senate Judiciary Committee for Chairman Grassley. I understand that you have been identified as an individual who was in attendance at a party that occurred circa 1982 described in a recent Washington Post article (https://www.washingtonpost.com/investigations/california-professor-writer-of-confidential-brett-kavanaugh-letter-speaks-out-about-her-allegation-of-sexual-assault/2018/09/16/46982194-b846-11e8-94eb-3bd52dfe917b_story.html?utm_term=.0d3d10f61a34).

Pursuant to our Committee's investigative practices, we would like to have a

confidential phone call with you regarding the allegations made in the article about Judge Brett Kavanaugh. The Majority and Minority staffs typically participate in these calls. Please let us know if you are available this afternoon or tomorrow for a phone call. Happy to chat over email or the phone if you have any questions about logistics or process.

Thanks much,



<image001.gif>

Senior Nominations Counsel

UNITED STATES SENATE COMMITTEE ON THE JUDICIARY
224 Dirksen Senate Office Building | Washington, DC 20510

NOTICES: This message, including attachments, is confidential and may contain information protected by the attorney-client privilege or work product doctrine. If you are not the addressee, any disclosure, copying, distribution, or use of the contents of this message are prohibited. If you have received this email in error, please destroy it and notify me immediately.

From: [REDACTED] [mailto:[REDACTED]]
Sent: Friday, September 28, 2018 11:52 PM
To: [REDACTED] (Judiciary-Rep)
Cc: Leland Keyser [REDACTED]
Subject: Leland Keyser

Dear [REDACTED],

Ms. Keyser asked that I communicate to the Committee her willingness to cooperate fully with the FBI's supplemental investigation of Dr. Christine Ford's allegations against Judge Brett Kavanaugh.

However, as my client has already made clear, she does not know Judge Kavanaugh and has no recollection of ever being at a party or gathering where he was present, with, or without, Dr. Ford.

Notably, Ms. Keyser does not refute Dr. Ford's account, and she has already told the press that she believes Dr. Ford's account. However, the simple and unchangeable truth is that she is unable to corroborate it because she has no recollection of the incident in question.

Nonetheless, she looks forward to being of any assistance she can.

Sincerely,

--

Howard J. Walsh III, Esq.

[REDACTED]

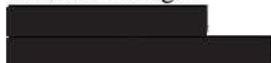
■

NOTICES: This message, including attachments, is confidential and may contain information protected by the attorney-client privilege or work product doctrine. If you are not the addressee, any disclosure, copying, distribution, or use of the contents of this message are prohibited. If you have received this email in error, please destroy it and notify me immediately.

Exhibit 19

October 1, 2018

Michael C. Fegan



Chairman Grassley
Senate Judiciary Committee
Room SD-224
Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Grassley,

I am writing to you regarding the character of Judge Brett Kavanaugh. Brett and I attended Georgetown Prep High School together from 1979 to 1983. We were classmates, teammates and friends. I attended most of the same social events that Brett attended in high school, and many after high school as well. I also attended "Beach Week" with him in June 1982. I have never seen Brett out of control from drinking alcohol. I have never seen Brett out of control in any situation, whether it be in the classroom, on the football field, on the basketball court or in any social setting.

Regarding the allegation by Christine Blasey Ford, I never heard of such a gathering. We were a tight knit group, and I believe that if anything happened like Professor Ford described, I would have known about it. I never met Christine Blasey, and had never heard her name until mid-September 2018.

I cannot speak for the allegation from the Yale student, Deborah Ramirez, because I did not attend Yale. I can tell you that what Ms. Ramirez described would be completely out of character of the man I have known for almost 40 years.

As to the allegation made by Julie Swetnick, I have never heard of Ms. Swetnick. My understanding is that she graduated from Gaithersburg High School three years before we graduated from Georgetown Prep. During my high school years, I did not know any girls from Gaithersburg High School. We did not socialize with girls from Gaithersburg High School. We did not have any kind of punch drinks, hard liquor or drugs at our parties. I never witnessed any kind of sexual situation at any of our parties. If there was any kind of mistreatment of girls at any of our parties, I assure you that my friends and I, including Brett Kavanaugh, would have put a stop to it immediately and would have reported it to the Montgomery County, MD Police Department.

I know that last week was tough on you, as it was for many people throughout our country, and I appreciate the way that you have conducted the confirmation hearings. I urge all senators to vote to confirm Judge Brett Kavanaugh. He is one of the most ethical and moral men I know, and has been for the almost 40 years that I have known him.

I appreciate your time in this matter and for your service to our country.

Sincerely,

A handwritten signature in blue ink, appearing to be "MF", with a long horizontal flourish extending to the right.

Michael C. Fegan

Exhibit 20

DECLARATION OF PAUL RENDON

Paul Rendon declares as follows:

1. I am a resident of the state of California.
2. I make this Declaration upon personal knowledge and under penalty of perjury.
3. I was a classmate of Brett Kavanaugh for all four years at Georgetown Preparatory School, from 1979-1983.
4. I was in the class of 1983, which had about 96 students as I recall today.
5. I lived in Washington, D.C., and took a bus to the school.
6. I was on an academic scholarship.
7. I was unaware of any other student there that was of humble means.
8. All of my friends and all the other students at the school, as far as I knew, were from much wealthier families.
9. The students were divided into different social groups.
10. Brett Kavanaugh hung out with the jocks in the school, who were on the football team.
11. There was a group of students that were routinely picked on by Brett Kavanaugh's group of friends, and were tormented, teased and ridiculed, and pushed and shoved into lockers or into closets.
12. I never witnessed Brett Kavanaugh physically attack a student, but there were many times I witnessed one of Brett Kavanaugh's larger friends physically attack a student, and saw Brett Kavanaugh witness the attack and laugh about it.
13. Brett Kavanaugh would also laugh when his friends teased and ridiculed other students.
14. To my knowledge, the kids that were picked on never reported it, presumably out of fear of retaliation.
15. Brett Kavanaugh never did anything to stop this physical and verbal abuse, but stood by and laughed at the victims.
16. My group of friends were in between the students that got picked on and the football players that picked on the students.
17. Brett Kavanaugh was close friends with Mark Judge.
18. I can recall the names of the other people in his group of friends and can provide those to the Senators if they want them.
19. Mark Judge was the class clown.
20. Brett Kavanaugh would always laugh the loudest when it was in response to Mark Judge's jokes and antics.
21. Underage drinking was part of the subculture of the football team group and not the culture of the whole school.
22. The football team players, including Brett Kavanaugh, during their junior and senior years would routinely brag about how many kegs that they drank over the weekend.
23. I would witness them bragging on Mondays about how many kegs they consumed over the weekend.



24. Specifically, I recall on multiple occasions, Brett Kavanaugh counting with his fingers, how many kegs that they had over the weekend.
25. For example, I heard Brett Kavanaugh say that it was a two kegger weekend on at least one occasion, and counting the kegs on his fingers.
26. I always had the clear impression that Brett Kavanaugh routinely drank tons of beer to excess over the weekend, because that is what he and his friends bragged about almost every Monday during junior and senior year in my presence.
27. Brett Kavanaugh, based on my personal knowledge of witnessing him bragging about drinking in terms of the number of kegs consumed over the weekend, was not a normal drinker by any means in high school even by the standards of that time period.
28. At the time I heard Brett Kavanaugh bragging about how many kegs they drank over the weekend, it seemed to be an extreme amount of beer drinking for someone to consume at any age, let alone someone in high school.
29. I did not drink alcohol in high school.
30. I did not take illegal drugs in high school.
31. Aside from bragging about how much they drank over the weekend, they would also brag about how much sex they had over the weekend.
32. I do not recall Brett Kavanaugh specifically say he had sex with any particular person.
33. However, I do recall Brett Kavanaugh generally participate in these conversations where the football players were bragging about sexual conquests over the prior weekend.
34. One name that routinely was a subject of conversation when the football players were bragging about sexual conquests was a person named Renate, pronounced, REE NATE.
35. I heard Brett Kavanaugh talk about Renate many times.
36. The impression I formed at the time from listening to these conversations where Brett Kavanaugh was present was that Renate was the girl that everyone passed around for sex, and that if one of the boys was unable to find sex with a girl, that Renate was the option for sex as a last resort.
37. In particular, I recall that Brett Kavanaugh had made up a rhyme using the REE NATE pronunciation of Renate's name.
38. I specifically recall one day walking down a hall with Brett Kavanaugh on a way to class, and hearing Brett Kavanaugh sing this rhyme.
39. While I cannot recall the exact words he sang, the general theme was that Renate could be used for sex as a last resort.
40. What I recall from the rhyme that I heard Brett Kavanaugh sing is: "REE NATE, REE NATE, if you want a date, can't get one until late, and you wanna get laid, you can make it with REE NATE."
41. The above rhyme may not be word for word, but the substance of the message is 100 percent accurate in terms of Brett Kavanaugh singing the name, and then using the name to rhyme other words about Renate being a source for sex when all other options were not available.
42. I thought that this was sickening at the time I heard it, and it left an indelible mark in my memory.



43. When the allegations about Brett Kavanaugh sexually assaulting a girl first became public, I told my wife about how Brett Kavanaugh would talk about a girl named Renate, and how he would suggest that she was loose sexually.
44. A few days later, I learned in the news that this Renate person was deeply offended by references to her in the Georgetown Preparatory School yearbook.
45. I recall seeing her name in the yearbook when it came out in 1983, but I have not looked at the yearbook since that time.
46. I recall that at the time I originally read the numerous references in the 1983 yearbook to Renate, I thought they were alluding to Renate in a sexual manner because of Brett Kavanaugh's chant about Renate that I heard him sing and the other times his group would talk and chant about Renate.
47. I heard the football team boys chant Renate at other times when Brett Kavanaugh was present, but I only recall Brett Kavanaugh singing the full rhyme discussed above the one time walking down the hall to class.
48. I have never met Renate.
49. I have no idea whether any of these boys actually had sex with Renate.
50. Senior year, each senior would write their own bio by their yearbook picture.
51. The bio would start out with academic or other accomplishments.
52. Then students would put in their own jokes.
53. I recall reading the 1983 yearbook at the time it came out.
54. In the 1983 yearbook, the football students used the joke section to write about incidents about their partying and/or sexual conquests.
55. The football team group had a friend named Chris Garrett.
56. Chris Garrett would stutter.
57. The football team group including Brett Kavanaugh would routinely tease Chris Garrett about his stuttering, but not in a severe manner.
58. I suspect that the FFFFFFourth of July reference in Brett Kavanaugh's yearbook bio is a joke about Chris Garrett stuttering and not a sexual reference.
59. I had never heard of the term Devil's Triangle as of 1983.
60. I had heard of the term boofing, but in the context of smuggling contraband in one's body.
61. I loved playing football when I was growing up.
62. I played on a league in Washington, D.C., called the Police Athletic League, through ninth grade.
63. The police league was like a "Pop" Warner football for city kids.
64. Between the Summer of 9th and 10th grade, I tried out for the junior varsity football team.
65. Surprisingly, I made the football team.
66. I really wanted to play on the football team.
67. But one day I looked around and saw who was on the football team, and thought to myself that I could not endure being around such mean and disrespectful people.
68. So I quit the football team.
69. I did run track in high school.

70. To be part of the football team group, you could not be small, you had to go to the drinking parties, and you had to be on the football team.
71. I was small, I did not drink in high school, and I quit the football team.
72. Mark Judge was the one exception in the football team group, because he was small, but he partied and was on the football team.
73. I watched part of the Senate testimony by Dr. Ford and Brett Kavanaugh.
74. When I heard Dr. Ford describe Brett Kavanaugh and Mark Judge laughing at her, I immediately recalled Brett Kavanaugh and Mark Judge laughing together at someone else's expense.
75. The reason I decided to come forward and share my interactions with Brett Kavanaugh is that Brett Kavanaugh's presentation of himself as some honorable and nice person who always respected girls in high school and who was a moderate drinker could not be farther from the truth.
76. Based on everything I witnessed first-hand about Brett Kavanaugh as a person during my four years with him in high school, I have strong reason to fear that he did exactly as Dr. Ford testified he did to her in high school and that Mark Judge was with him at the time.
77. I am willing to testify under oath at any proceeding involving the judicial competency of Brett Kavanaugh.
78. I went to a local California FBI office today to be asked to be interviewed in this matter; I was told there are no in person interviews, and that I would need to file an online report or one over the telephone, which I have done.
79. I have not spoken to the press, despite repeated prior requests, nor do I intend to speak publicly on this matter, unless asked to do so by the U.S Senate.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 1, 2018.



Paul Rendon

Exhibit 21

Statement from William Kenan Rand

I attended the University of North Carolina and lived in Chapel Hill, NC during the time period of 1984-1986.

Christine (Chrissy) Ford was a close friend of a good male friend of mine, and from my recollection seemed to have a number of other non-dating male friends, more guy friends perhaps than females. From these relationships, we shared an intersecting circle of friends.

While at UNC, I saw Chrissy at frat house parties, some crowded and lasting very late in the evening, at smaller gatherings in male friend's rooms or apartments (sometimes very late at night as well), hitting the live music scene, and in general, from my perspective, she seemed to have a fairly active and robust social life that was not particularly unusual for Greek life at that time.

At these parties, she did not seem to be afraid to be in rooms or apartments with only one entrance. This was the case even if very late at night with her and her friend as the only females present.

I hesitated to write this statement considering the current climate of character assassination, but decided to do so after realizing others were afraid to come forward that had wanted to, and that kind of fear is inappropriate for a healthy civil society.

Chrissy mentioned her time at UNC in her testimony. From what I recall, the questioners at the hearing did not ask Chrissy to clarify her comments about that time.

However, if the impression people came away with was of someone too afraid to engage in an active social life and did not have male friends as a result, that impression and picture is inconsistent with my personal observations of her at that time.

William Kenan Rand, Oct. 5, 2018

Exhibit 22

I, **Joseph A. Hennessey**, being over the age of 18, of sound mind, and competent to testify in a court of law, do declare under penalty of perjury under the laws of the United States the following:

1. I watched Judge Brett Kavanaugh's sworn testimony of September 27, 2018 before the U.S. Senate Committee on the Judiciary. Judge Kavanaugh was obligated to tell "the truth, the whole truth, and nothing but the truth." From my personal knowledge, Judge Kavanaugh did not tell the whole truth about his drinking in high school or about the possibility that his heavy drinking contributed to memory loss.

2. I grew up in "Chevy Chase, DC," in Washington, DC and attended Gonzaga College High School, which I entered as a freshman in 1979 and graduated in 1983. Through Chevy Chase Boys Club football, CYO basketball, and neighborhood events, I had friends in the Class of 1983 at Georgetown Preparatory School ("Prep").

3. I met Brett Kavanaugh at a get-together hosted by Prep students either in the Fall of 1980 or the Spring of 1981. I was the guest of one of my friends from the Chevy Chase, DC neighborhood who attended Prep with Brett. My first impression of Brett is one that I have kept. I entered a basement rec room from a back yard through sliding glass doors. The parents of the student who lived in this home were out for the evening. Once situated with a beer and after initial introductions, I was talking and drinking with a small group of Prep students. Brett Kavanaugh was lying on the couch when I first entered and he remained lying on the couch, seemingly unconscious, during the initial part of my conversations with others. Suddenly, he bolted up and stumbled to his feet. I realized he was completely and totally wasted -- "stupid" drunk, *i.e.* stumbling/swaying, glassy-eyed, and slurring his words. He did not know me and asked others who I was. When he found out that I went to Gonzaga and not Prep he became pugnacious and confrontational. He drunkenly, angrily and loudly demanded that I leave. He had to be held back by others in the room. I was not happy about how Brett treated me but I attributed his behavior to the fact that he was sloppily drunk and probably did not know what he was doing.

4. I was invited to and attended other Prep gatherings. For the most part these were amicable get-togethers wherein we drank, shared small world connections, and told funny stories, and laughed. However, these gatherings were not fun for me when Brett Kavanaugh attended. He was regularly stupid drunk, aggressive, and confrontational towards me because I did not attend Prep. The cycle of Brett's questioning who I was, and his drunken hostility to the fact that I was a Gonzaga student at a Prep gathering seemed to repeat itself like (to use a current idiom) "Ground Hog Day." I expressed the view to those who I knew from my neighborhood that I thought this was a deliberate effort by Brett to belittle me and make me feel like the outsider that I was in these Prep settings. However, I was assured that Brett would never be intentional in this way -- that he probably and genuinely had no memory of meeting me because he had been so intoxicated on the occasions when he had been told who I was.

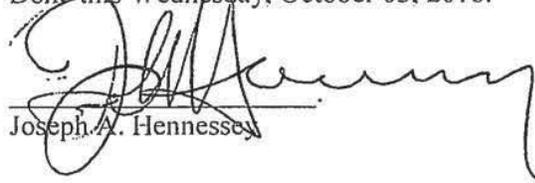
5. I could not understand why those who I called friends could choose to spend time with Brett. In my narrow range of exposure to him -- when a bunch of guys got together to drink and hang out -- he was an habitually stupid, pugnacious drunk. When I questioned my Prep friends about him, they said I did not know "the real" Brett Kavanaugh. I was

told that Brett was someone to be admired – he was a nice guy, super-smart, and a great athlete. I was told that should “give him a chance” and try to get to know him.

6. I could not develop a friendly relationship with Brett. It reached the point where, if I was asked if I wanted to go to a Prep gathering, my only question was “will Brett Kavanaugh be there?” If the answer was “yes” or “likely,” I would make other plans.

7. I declare state under penalty of perjury that the foregoing is true and correct to the best of my recollection.

Done this Wednesday, October 03, 2018.


Joseph A. Hennessey



Isolda Glaudrone
NOTARY PUBLIC
Montgomery County
State of Maryland
My Commission Expires
11/29/18

Exhibit 23

September 14, 2018

The Honorable Charles Grassley, Chairman
Committee on the Judiciary
United States Senate
135 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Dianne Feinstein, Ranking Member
Committee on the Judiciary
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

Dear Chairman Grassley and Ranking Member Feinstein:

We are women who have known Brett Kavanaugh for more than 35 years and knew him while he attended high school between 1979 and 1983. For the entire time we have known Brett Kavanaugh, he has behaved honorably and treated women with respect. We strongly believe it is important to convey this information to the Committee at this time.

Brett attended Georgetown Prep, an all-boys high school in Rockville, Maryland. He was an outstanding student and athlete with a wide circle of friends. Almost all of us attended all-girls high schools in the area. We knew Brett well through social events, sports, church, and various other activities. Many of us have remained close friends with him and his family over the years. Through the more than 35 years we have known him, Brett has stood out for his friendship, character, and integrity. In particular, he has always treated women with decency and respect. That was true when he was in high school, and it has remained true to this day.

The signers of this letter hold a broad range of political views. Many of us are not lawyers, but we know Brett Kavanaugh as a person. And he has always been a good person.

Sincerely,

Jennifer Slye Aniskovich

Elena Flores Aria

Raphael Bastian

Alice Richardson Boyle

Mary (Ginge) Koones Cabrera

Elizabeth M. Calhoun

Missy Bigelow Carr

Sharon Crouch Clark

Citsi Conway

Sibyl Smith Curtis

Karima Davis

Jo Anne Desjardins

Julie DeVol
Colleen Treacy Dickerson
Nikki Deoudes Diess
Meg Williams Dietrick
Renate Dolphin
Lisa Natoli Draddy
Jane Marie Dunigan
Paula Duke Ebel
Nora Haley Ellison
Maura Fitzgerald
Susan Fitzgerald
Ann Fowler
Debbie H. Fulmer
Janet Gwozdz Gaffney
Genny Richards Gilday
Alexa Lilly Gilmore
Mary Beth Conway Greene
Mary Ellen Greene
Ellen Reese Hawkins
Lisa Molina Heaps
Melissa Hennessey
Virginia Hume
Beccy Moran Jackson
Jennifer Bartlett Jones
Maura Kane
Lori Weinrich Kaplan
Kelly Leonard

Maura M. Lindsay
Monica Mastal
Suzanne Matan
Meghan McCaleb
Stephanie Conway McGill
Stephanie Doolan McGrail
Ana Molina
Bridget Morris
Heather Murphy
Mary Ruppe Nash
Mary Nordberg O'Connor
Rachel Buchanan O'Hare
Lisa O'Neill
Karen Odyniec
Lisa Odyniec
Elizabeth (Betsy) Manfuso Pothier
Mae Joyce Rhoten
Grace Ronan
Alice Kelly Scanlon
Kellie Foster Schnidel
Kara Sheehan
Betsy Sheehy
Denise Gottron Sinay
Kristin Treacy
Cindy Urgo
Megan Williams

Exhibit 24

October 4, 2018

The Honorable Charles Grassley, Chairman
Committee on the Judiciary
United States Senate
135 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Dianne Feinstein, Ranking Member
Committee on the Judiciary
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

Dear Chairman Grassley and Ranking Member Feinstein:

We are classmates of Brett Kavanaugh's from Georgetown Prep, a Jesuit high school in the Washington, D.C. area.

We write to clear up any misunderstanding about the phrase "Devil's Triangle" that appeared in our 1983 high school yearbook, including on our individual yearbook pages. That phrase was the subject of questioning at Judge Kavanaugh's confirmation hearing last week and has since been discussed in the media.

"Devil's Triangle" was a drinking game we came up with in high school. It was a variation on the game "Quarters." When we played "Devil's Triangle," four people sat at a table. On the table, three small glasses of beer were arranged next to one another to form a triangle. Each of the four participants took turns being the "shooter." The shooter attempted to bounce a quarter into one of the glasses. If the quarter landed in one of the glasses, the person at the table sitting nearest that glass had to drink the beer.

We do not remember the exact origin of the name, but none of us used the phrase "Devil's Triangle" in our yearbook to refer to any kind of sexual activity. To us, it was just a game with glasses in the shape of a triangle. If the phrase "Devil's Triangle" had any sexual meaning in the early 1980s, we did not know it.

Respectfully,

DeLancey Davis
Bernard McCarthy, Jr.
Paul Murray
Matthew Quinn

Exhibit 25

October 4, 2018

The Honorable Charles Grassley, Chairman
Committee on the Judiciary
United States Senate
135 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Dianne Feinstein, Ranking Member
Committee on the Judiciary
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

Dear Chairman Grassley and Ranking Member Feinstein:

We understand there have been questions about the term “Devil’s Triangle” in Brett Kavanaugh’s 1983 high school yearbook from Georgetown Prep high school.

We knew Brett socially back in the ’80s and ’90s and consider him a friend but haven’t spoken to him in more than 25 years. We are not from the Washington, D.C. area. However, during our first year at Boston College, we lived with Matthew Quinn, who is an alumnus of Georgetown Prep and was a classmate of Brett’s. Matthew taught us a drinking game called “Devil’s Triangle” that he had played with his friends in high school.

We did not understand “Devil’s Triangle” to have any sexual meaning. It was simply a game that used cups or glasses of beer placed in the shape of a triangle.

In the past several days, as this term has been discussed in the media, we reached out to Matthew to remind him that he had taught us the game during our early days in college.

We hope this information is helpful to the Committee and the Senate.

Sincerely,

Greg Aceto

Bill Van Pelt, IV

Exhibit 26

Subscribers get unlimited access.
Order today and receive a free tote.



SEE OPTIONS

THE
NEW YORKER

NEWS DESK

SENATE DEMOCRATS INVESTIGATE A NEW ALLEGATION OF SEXUAL MISCONDUCT, FROM BRETT KAVANAUGH'S COLLEGE YEARS

By Ronan Farrow and Jane Mayer September 23, 2018

As Senate Republicans press for a swift vote to confirm Brett Kavanaugh, President Trump's nominee to the Supreme Court, Senate Democrats are investigating a new allegation of sexual misconduct against Kavanaugh. The claim dates to the 1983-84 academic school year, when Kavanaugh was a freshman at Yale University. The offices of at least four Democratic senators have received information about the allegation, and at least two have begun investigating it. Senior Republican staffers also learned of the allegation last week and, in conversations with *The New Yorker*, expressed concern about its potential impact on Kavanaugh's nomination. Soon after, Senate Republicans issued renewed calls to accelerate the timing of a committee vote. The Democratic Senate offices reviewing the allegations believe that they merit further investigation. "This is another serious, credible, and disturbing allegation against Brett Kavanaugh. It should be fully investigated," Senator Mazie Hirono, of Hawaii, said. An aide in one of the other Senate offices added, "These allegations seem credible, and we're taking them very seriously. If established, they're clearly disqualifying."

The woman at the center of the story, Deborah Ramirez, who is fifty-three, attended Yale with Kavanaugh, where she studied sociology and psychology. Later, she spent years working for an organization that supports victims of domestic violence. *The New Yorker* contacted Ramirez after learning of her possible involvement in an incident involving Kavanaugh. The allegation was conveyed to Democratic senators by a civil-rights lawyer. For Ramirez, the sudden attention has been unwelcome, and prompted

difficult choices. She was at first hesitant to speak publicly, partly because her memories contained gaps because she had been drinking at the time of the alleged incident. In her initial conversations with *The New Yorker*, she was reluctant to characterize Kavanaugh's role in the alleged incident with certainty. After six days of carefully assessing her memories and consulting with her attorney, Ramirez said that she felt confident enough of her recollections to say that she remembers Kavanaugh had exposed himself at a drunken dormitory party, thrust his penis in her face, and caused her to touch it without her consent as she pushed him away. Ramirez is now calling for the F.B.I. to investigate Kavanaugh's role in the incident. "I would think an F.B.I. investigation would be warranted," she said.

In a statement, Kavanaugh wrote, "This alleged event from 35 years ago did not happen. The people who knew me then know that this did not happen, and have said so. This is a smear, plain and simple. I look forward to testifying on Thursday about the truth, and defending my good name—and the reputation for character and integrity I have spent a lifetime building—against these last-minute allegations."

The White House spokesperson Kerri Kupec said the Administration stood by Kavanaugh. "This 35-year-old, uncorroborated claim is the latest in a coordinated smear campaign by the Democrats designed to tear down a good man. This claim is denied by all who were said to be present and is wholly inconsistent with what many women and men who knew Judge Kavanaugh at the time in college say. The White House stands firmly behind Judge Kavanaugh."

Ramirez said that, when both she and Kavanaugh were freshmen at Yale, she was invited by a friend on the women's soccer team to a dorm-room party. She recalled that the party took place in a suite at Lawrance Hall, in the part of Yale known as Old Campus, and that a small group of students decided to play a drinking game together. "We were sitting in a circle," she said. "People would pick who drank." Ramirez was chosen repeatedly, she said, and quickly became inebriated. At one point, she said, a male student pointed a gag plastic penis in her direction. Later, she said, she was on the floor, foggy and slurring her words, as that male student and another stood nearby. (Ramirez identified the two male onlookers, but, at her request, *The New Yorker* is not naming them.)

A third male student then exposed himself to her. “I remember a penis being in front of my face,” she said. “I knew that’s not what I wanted, even in that state of mind.” She recalled remarking, “That’s not a real penis,” and the other students laughing at her confusion and taunting her, one encouraging her to “kiss it.” She said that she pushed the person away, touching it in the process. Ramirez, who was raised a devout Catholic, in Connecticut, said that she was shaken. “I wasn’t going to touch a penis until I was married,” she said. “I was embarrassed and ashamed and humiliated.” She remembers Kavanaugh standing to her right and laughing, pulling up his pants. “Brett was laughing,” she said. “I can still see his face, and his hips coming forward, like when you pull up your pants.” She recalled another male student shouting about the incident. “Somebody yelled down the hall, ‘Brett Kavanaugh just put his penis in Debbie’s face,’” she said. “It was his full name. I don’t think it was just ‘Brett.’ And I remember hearing and being mortified that this was out there.”

Ramirez acknowledged that there are significant gaps in her memories of the evening, and that, if she ever presents her story to the F.B.I. or members of the Senate, she will inevitably be pressed on her motivation for coming forward after so many years, and questioned about her memory, given her drinking at the party.

And yet, after several days of considering the matter carefully, she said, “I’m confident about the pants coming up, and I’m confident about Brett being there.” Ramirez said that what has stayed with her most forcefully is the memory of laughter at her expense from Kavanaugh and the other students. “It was kind of a joke,” she recalled. “And now it’s clear to me it wasn’t a joke.”

VIDEO FROM THE NEW YORKER

Brett Kavanaugh’s Path to the Supreme Court

By his freshman year, Kavanaugh was eighteen, and legally an adult. During his confirmation hearing before the Senate Judiciary Committee, Kavanaugh swore under oath that as a legal adult he had never “committed any verbal or physical harassment or assault of a sexual nature.”

The New Yorker has not confirmed with other eyewitnesses that Kavanaugh was present at the party. The magazine contacted several dozen classmates of Ramirez and Kavanaugh regarding the incident. Many did not respond to interview requests; others declined to comment, or said they did not attend or remember the party. A classmate of Ramirez's, who declined to be identified because of the partisan battle over Kavanaugh's nomination, said that another student told him about the incident either on the night of the party or in the next day or two. The classmate said that he is “one-hundred-per-cent sure” that he was told at the time that Kavanaugh was the student who exposed himself to Ramirez. He independently recalled many of the same details offered by Ramirez, including that a male student had encouraged Kavanaugh as he exposed himself. The classmate, like Ramirez, recalled that the party took place in a common room on the first floor in Entryway B of Lawrance Hall, during their freshman year. “I've known this all along,” he said. “It's been on my mind all these years when his name came up. It was a big deal.” The story stayed with him, he said, because

it was disturbing and seemed outside the bounds of typically acceptable behavior, even during heavy drinking at parties on campus. The classmate said that he had been shocked, but not necessarily surprised, because the social group to which Kavanaugh belonged often drank to excess. He recalled Kavanaugh as “relatively shy” until he drank, at which point he said that Kavanaugh could become “aggressive and even belligerent.”

Another classmate, Richard Oh, an emergency-room doctor in California, recalled overhearing, soon after the party, a female student tearfully recounting to another student an incident at a party involving a gag with a fake penis, followed by a male student exposing himself. Oh is not certain of the identity of the female student. Ramirez told her mother and sister about an upsetting incident at the time, but did not describe the details to either due to her embarrassment.

Mark Krasberg, an assistant professor of neurosurgery at the University of New Mexico who was also a member of Kavanaugh and Ramirez's class at Yale, said Kavanaugh's college behavior had become a topic of discussion among former Yale students soon after Kavanaugh's nomination. In one e-mail that Krasberg received in September, the classmate who recalled hearing about the incident with Ramirez alluded to the allegation and wrote that it “would qualify as a sexual assault,” he speculated, “if it's true.”

One of the male classmates who Ramirez said egged on Kavanaugh denied any memory of the party. “I don't think Brett would flash himself to Debbie, or anyone, for that matter,” he said. Asked why he thought Ramirez was making the allegation, he responded, “I have no idea.” The other male classmate who Ramirez said was involved in the incident commented, “I have zero recollection.”

In a statement, two of those male classmates who Ramirez alleged were involved in the incident, the wife of a third male student she said was involved, and one other classmate, Dan Murphy, disputed Ramirez's account of events: “We were the people closest to Brett Kavanaugh during his first year at Yale. He was a roommate to some of us, and we spent a great deal of time with him, including in the dorm where this incident allegedly took place. Some of us were also friends with Debbie Ramirez during and after her time at Yale. We can say with confidence that if the incident Debbie alleges ever occurred, we would have seen or heard about it—and we did not.

The behavior she describes would be completely out of character for Brett. In addition, some of us knew Debbie long after Yale, and she never described this incident until Brett's Supreme Court nomination was pending. Editors from the *New Yorker* contacted some of us because we are the people who would know the truth, and we told them that we never saw or heard about this."

(Two students who initially signed the statement, Louisa Garry and Dino Ewing, approached *The New Yorker* after the publication of this article and asked that their names be removed from it. "I never saw or heard anything like this," Garry said. "But I cannot dispute Ramirez's allegations, as I was not present." Ewing also said he had no direct knowledge of the allegation and considered it out of character for Kavanaugh, but emphasized, "I also was not present and therefore am not in a position to directly dispute Ramirez's account.")

MORE FROM
NEWS DESK

Can Saudi Arabia's Crown Prince, Mohammed bin Salman, Survive the Jamal Khashoggi Murder?

By Robin Wright

The Khashoggi Body Double—and Mounting Evidence of a Premeditated Murder

By Robin Wright

Did Ryan Zinke Try to Fire His Department's Inspector General for Investigating Him?

By Carolyn Kormann

Why tl House Meltdc Migrar

By Jona

The former friend who was married to the male classmate alleged to be involved, and who signed the statement, said of Ramirez, "This is a woman I was best friends with. We shared intimate details of our lives. And I was never told this story by her, or by anyone else. It never came up. I didn't see it; I never heard of it happening." She said she hadn't spoken with Ramirez for about ten years, but that the two women had been close all through college, and Kavanaugh had remained part of what she called their

“larger social circle.” In an initial conversation with *The New Yorker*, she suggested that Ramirez may have been politically motivated. Later, she said that she did not know if this was the case.

Ramirez is a registered Democrat, but said that her decision to speak out was not politically motivated and, regarding her views, that she “works toward human rights, social justice, and social change.” Ramirez said that she felt “disappointed and betrayed” by the statements from classmates questioning her allegation, “because I clearly remember people in the room whose names are on this letter.”

Several other classmates said that they believed Ramirez to be credible and honest, and vouched for her integrity. James Roche was roommates with Kavanaugh at the time of the alleged incident and is now the C.E.O. of a software company in San Francisco. “Debbie and I became close friends shortly after we both arrived at Yale,” he said. “She stood out as being exceptionally honest and gentle. I cannot imagine her making this up.” He said that he never witnessed Kavanaugh engage in any sexual misconduct, but did recall him being “frequently, incoherently drunk.” He described Ramirez as a vulnerable outsider. “Is it believable that she was alone with a wolfy group of guys who thought it was funny to sexually torment a girl like Debbie? Yeah, definitely. Is it believable that Kavanaugh was one of them? Yes.” Another acquaintance from college, Jennifer Klaus, similarly said that she considered the allegation plausible, adding, “Debbie’s always been a very truthful, kind—almost to the point of being selfless—individual.” A third classmate, who Ramirez thought had attended the party, said that she was not present at the incident. The former student, who asked not to be named, said that she also found Ramirez credible.

Former students described an atmosphere at Yale at the time in which alcohol-fuelled parties often led to behavior similar to that described by Ramirez. “I believe it could have happened,” another classmate who knew both Kavanaugh and Ramirez said. Though she was not aware of Kavanaugh being involved in any specific misconduct, she recalled that heavy drinking was routine and that Ramirez was sometimes victimized and taunted by male students in his social circle. “They were always, like, ‘Debbie’s here!’ and then they’d get into their ‘Lord of the Flies’ thing,” she said. While at Yale, Kavanaugh became a member of the Delta Kappa Epsilon fraternity, or “DKE,” which several students said was known for its wild and, in the view of some critics,

misogynistic parties. Kavanaugh was also a member of an all-male secret society, Truth and Courage, which was popularly known by the nickname "Tit and Clit."

Ramirez said that she continued to socialize with one of the male classmates who had egged Kavanaugh on during the party during college; she even invited the classmate to her house for Thanksgiving one year, after he told her that he had nowhere to go. She also attended his wedding, years later, as a guest of his wife, and said that she posed for photographs with Kavanaugh, smiling.

Ramirez said that she remained silent about the matter and did not fully confront her memories about it for years because she blamed herself for drinking too much. "It was a story that was known, but it was a story I was embarrassed about," she said. More recently, she has begun to reassess what happened. "Even if I did drink too much, any person observing it, would they want their daughter, their granddaughter, with a penis in their face, while they're drinking that much?" she said. "I can say that at fifty-three, but when I was nineteen or twenty I was vulnerable. I didn't know better." Reflecting on the incident now, she said she considers Kavanaugh's male classmates culpable. "They're accountable for not stopping this," she said. However, "What Brett did is worse." She added, "What does it mean, that this person has a role in defining women's rights in our future?"

As Kavanaugh's confirmation hearings became a national story, the discussions among Ramirez and Kavanaugh's classmates took on heightened urgency, eventually spreading to news organizations and to the Senate. Senate aides from Ramirez's home state of Colorado alerted a lawyer, Stanley Garnett, a former Democratic district attorney in Boulder, who currently represents her. Ramirez ultimately decided to begin telling her story publicly, before others did so for her. "I didn't want any of this," she said. "But now I have to speak."

Ramirez said that she hoped her story would support that of Christine Blasey Ford, the California professor who has raised an allegation of sexual misconduct against Kavanaugh that bears several similarities to Ramirez's claim. Like Ramirez, Ford said that Kavanaugh was involved in sexual misconduct at a party while drunk and egged on by a male friend. In July, she sent a letter to Senator Dianne Feinstein alleging that, at a party in the summer of 1982, when she was fifteen and Kavanaugh was seventeen and in high school, Kavanaugh pushed her into a bedroom, locked the door, pinned her to a

bed, and covered her mouth to stop her screams as he attempted to pull off her clothes. Details of Ford's allegation were initially made public by *The New Yorker*, which did not name her at the time. Subsequently, she disclosed her name in an interview with the *Washington Post*. In her letter, Ford said that during the incident she feared that Kavanaugh might inadvertently kill her. She alleged that a male friend and Georgetown Prep classmate of Kavanaugh's, Mark Judge, was present in the room, alternately urging Kavanaugh to "go for it" and to "stop." Kavanaugh has denied the allegation.

Ford's allegation has made Judge a potentially pivotal witness for Kavanaugh. Judge told *The New Yorker* that he had "no recollection" of such an incident. Judge, who is a conservative writer, later gave an interview to *The Weekly Standard* in which he called Ford's allegation "just absolutely nuts," adding, "I never saw Brett act that way." Asked by the interviewer whether he could remember any "sort of rough-housing with a female student back in high school" that might have been "interpreted differently by parties involved," Judge told the publication, "I can't. I can recall a lot of rough-housing with guys." He added, "I don't remember any of that stuff going on with girls."

After seeing Judge's denial, Elizabeth Razor, who met Judge at Catholic University and was in a relationship with him for about three years, said that she felt morally obligated to challenge his account that " 'no horseplay' took place at Georgetown Prep with women." Razor stressed that "under normal circumstances, I wouldn't reveal information that was told in confidence," but, she said, "I can't stand by and watch him lie." In an interview with *The New Yorker*, she said, "Mark told me a very different story." Razor recalled that Judge had told her ashamedly of an incident that involved him and other boys taking turns having sex with a drunk woman. Razor said that Judge seemed to regard it as fully consensual. She said that Judge did not name others involved in the incident, and she has no knowledge that Kavanaugh participated. But Razor was disturbed by the story and noted that it undercut Judge's protestations about the sexual innocence of Georgetown Prep. (Barbara Van Gelder, an attorney for Judge, said that he "categorically denies" the account related by Razor. Van Gelder said that Judge had no further comment.)

Another woman who attended high school in the nineteen-eighties in Montgomery County, Maryland, where Georgetown Prep is located, also refuted Judge's account of

the social scene at the time, sending a letter to Ford's lawyers saying that she had witnessed boys at parties that included Georgetown Prep students engaging in sexual misconduct. In an interview, the woman, who asked to have her name withheld for fear of political retribution, recalled that male students "would get a female student blind drunk" on what they called "jungle juice"—grain alcohol mixed with Hawaiian Punch—then try to take advantage of her. "It was disgusting," she said. "They treated women like meat."

Kavanaugh's attitude toward women has come to play a central role in his confirmation process. His backers have offered portrayals of his strong support for girls and women. When Kavanaugh accepted Trump's nomination to the Court at a White House event in July, he and Trump both stressed that he had numerous female law clerks, and that he coached his young daughters' school basketball teams. During his Senate confirmation hearings, Kavanaugh at one point ushered into the Senate hearing room a large group of school girls whose basketball games he had coached, showcasing his warm and supportive relationships with women. Earlier this month, on the same day *The New Yorker* reported details of Ford's allegation, Republicans on the Judiciary Committee released a letter from sixty-five women defending the nominee. On Monday, CNN reported that the White House has been contacting many of those women again, hoping to present their perspective to the media, perhaps as part of a group news conference.

The very different portrayals of Kavanaugh and his social scene offered by Ford, and now Ramirez, come at a crucial point in the confirmation process. On Friday, the Republican Senator Charles Grassley, of Iowa, the chairman of the Senate Judiciary Committee, issued a public ultimatum to Ford, announcing that he would schedule the committee's vote on Kavanaugh's confirmation for Monday morning if she did not respond to an invitation to testify by a deadline, set first for Friday night and then for Saturday afternoon. Lawyers for Ford had pushed back, demanding an outside investigation of Ford's allegation by the F.B.I. before she offered testimony, and said that she needed additional time to prepare. The White House and F.B.I. have declined to pursue that F.B.I. investigation, though Grassley has stated that his office has conducted its own inquiries into the matter. On Sunday, Ford's lawyer and the committee reached an agreement for her to testify on Thursday.

In a statement, Kavanaugh's attorneys Beth Wilkinson and Alexandra Walsh wrote, "Judge Kavanaugh fully and honestly answered the Judiciary Committee's questions over multiple days only to have unsubstantiated allegations come out when a vote on his confirmation was imminent. What matters in situations like these are facts and evidence." Like Kavanaugh, they said that, on Thursday, "testimony and evidence will confirm what Judge Kavanaugh has made clear all along—that he did not commit the sexual assault Dr. Blasey Ford describes."

The issue has proved to be politically delicate for the White House. Last week, *Vanity Fair* reported that White House officials were concerned about additional allegations against Kavanaugh emerging, and cited a source who claimed that Ivanka Trump, the President's daughter and adviser, had urged him to withdraw Kavanaugh's nomination. Trump has defended Kavanaugh in the wake of Ford's allegations. In a series of tweets on Friday, he sought to undermine her account of events, writing, "I have no doubt that, if the attack on Dr. Ford was as bad as she says, charges would have been immediately filed with local Law Enforcement Authorities by either her or her loving parents." He described Kavanaugh as "a fine man," who he wrote was "under assault by radical left wing politicians."

Ramirez said that witnessing the attempts to discredit Ford had made her frightened to share her own story, which she knew would be attacked due to the gaps in her memory and her level of inebriation at the time. "I'm afraid how this will all come back on me," she said. Her attorney, Garnett, said that he and Ramirez had not yet decided when and how she would convey the details of her allegation to the Senate Judiciary Committee and whether new counsel would represent her in Washington. "We're carefully evaluating what the appropriate next steps would be," he said. They both said that an F.B.I. investigation of the matter was merited. "I do believe an F.B.I. investigation of this kind of character-related information would be appropriate, and would be an effective way to relay the information to the committee," Garnett said. Of Ramirez, he added, "She's as careful and credible a witness as I've encountered in thirty-six years of practicing law." Ramirez said that she hoped an investigation could be carried out before the committee voted on Kavanaugh's nomination. "At least look at it," she said of her claim. "At least check it out."

This story was updated with comments from two former classmates of Kavanaugh, Louisa Garry and Dino Ewing, who initially signed a statement of support for Kavanaugh provided by his attorneys. They approached The New Yorker after this story was published and asked that their names be removed from the statement, saying that they did not wish to dispute Ramirez's claims.

Ronan Farrow is a contributing writer to The New Yorker and a television anchor and investigative reporter whose work also appears on HBO. He is the author of the book "War on Peace: The End of Diplomacy and the Decline of American Influence." [Read more »](#)

Jane Mayer has been a staff writer at The New Yorker since 1995. [Read more »](#)

CONDÉ NAST

© 2018 Condé Nast. All rights reserved. Use of and/or registration on any portion of this site constitutes acceptance of our [User Agreement \(updated 5/25/18\)](#) and [Privacy Policy and Cookie Statement \(updated 5/25/18\)](#). [Your California Privacy Rights](#). The material on this site may not be reproduced, distributed, transmitted, cached or otherwise used, except with the prior written permission of Condé Nast. The New Yorker may earn a portion of sales from products and services that are purchased through links on our site as part of our affiliate partnerships with retailers. [Ad Choices](#)

Exhibit 27

In a Culture of Privilege and Alcohol at Yale, Her World Converged With Kavanaugh's

Saul, Stephanie; Pogrebin, Robin; McINTIRE, MIKE; Protes, Ben . The New York Times , International edition; New York [New York]26 Sep 2018.

[ProQuest document link](#)

FULL TEXT

Last week, more than 30 years after they graduated from Yale, Deborah Ramirez contacted her old friend James Roche.

Something bad had happened to her during a night of drinking in the residence hall their freshman year, she said, and she wondered if he recalled her mentioning it at the time.

Mr. Roche, a Silicon Valley entrepreneur, said he had no knowledge of the episode that Ms. Ramirez was trying to piece together, with her memory faded by the years and clouded by that night's alcohol use.

Days later, in a New Yorker story, Ms. Ramirez alleged that Judge Brett M. Kavanaugh, President Trump's Supreme Court nominee, exposed himself to her at a dorm party. Mr. Roche, a former roommate of the judge, believes her account, he said, and supports her decision to speak out.

"I think she feels a duty to come forward," Mr. Roche said. "And I think she's scared to death of it."

Ms. Ramirez's allegation —she is the second woman to level claims of sexual misconduct against Judge Kavanaugh —has roiled an already tumultuous confirmation process and riven the Yale community.

More than 2,200 Yale women have signed a letter of support for Ms. Ramirez; a similar letter has been circulating among Yale men. Dozens of students, dressed in black, staged a protest at Yale Law School on Monday, urging that the claims against Judge Kavanaugh be taken seriously. Others went to Washington to hold signs outside the Supreme Court, just days before the Senate Judiciary Committee is scheduled to hear from Judge Kavanaugh's first accuser, Christine Blase y Ford.

Watch: Our chief White House correspondent answered viewers' questions live about the allegations against Judge Brett Kavanaugh and the confirmation proceedings.

Judge Kavanaugh, 53, denies the allegations of both women, describing the accusations as "smears" orchestrated by Democrats. Before they arose, more than 100 Yale students, alumni and faculty members endorsed his nomination to the high court in an open letter. Separately, 23 Yale Law classmates urged Judge Kavanaugh's confirmation in a letter to the leaders of the Senate Judiciary Committee, noting his "considerable intellect, friendly manner, good sense of humor and humility."

The allegation by Ms. Ramirez, also 53, stems from an incident she said occurred during the 1983-84 school year, when she and Judge Kavanaugh were freshmen.

Like most first-year students, they lived on Old Campus, a quadrangle of Gothic architecture on the Yale grounds. Their social circles included mutual friends.

But they came from worlds apart. Ms. Ramirez arrived at the rarefied halls of Yale from Shelton, Conn., a town just 30 minutes away, the daughter of a telephone company lineman and a medical technician. She attended a coed Catholic high school, St. Joseph, that was predominantly white but had a number of minority students, including Ms. Ramirez, whose father was Puerto Rican.

She worked on the high school paper, belonged to a literary club and was a shy but "brilliant student," remembered a friend, Dana DeTullio Bauro. "We were not surprised at all that she went to Yale."

At college, Ms. Ramirez put in long hours working at a residential dining hall and cleaning dorm rooms ahead of class reunions, common jobs for students who had to scrape together money for tuition. Fellow student dining hall employees described her as sweet, sunny and hard-working. Jo Miller, one of those students, said she “was a very energetic, very smiley woman.”

She had been a cheerleader her freshman year, played intramural softball and water polo, and served on her residential college’s student council.

But she saw herself as an outsider at Yale, Mr. Roche said, where many of her classmates were wealthier and more traveled. Friends from back then described her as not particularly confident in a place full of other high school standouts. Ms. Ramirez declined to be interviewed for this article, but her lawyer, Stan Garnett, noted that “she did not come from race or class privilege or have the advantage other students had when entering the university.” She also found herself in an alcohol-infused culture. “Her whole circle happened to be a drinking circle,” said Victoria Beach, who served as president of the student council when Ms. Ramirez was a member. Elizabeth Swisher, a Seattle physician who roomed with Ms. Ramirez for three years at Yale, recalled, “She was very innocent coming into college.” She added, “I felt an obligation early in freshman year to protect her.”

Judge Kavanaugh had attended Georgetown Preparatory, an elite Jesuit school in suburban Washington, where his parents moved in the capital’s political circles. His family was well-off, with his father a lobbyist and his mother a judge. At Yale, he seemed to settle in quickly with a crowd not unlike his high school friends.

Although he was not a varsity athlete —he was on the junior varsity basketball team and played intramural football, softball and basketball —Judge Kavanaugh hung out with rowdy jocks, many of them members of his fraternity, Delta Kappa Epsilon.

On a liberal campus known for its scholarship, the DKEs stood out for their hard partying and, some women students claimed, misogyny. During Judge Kavanaugh’s time there —15 or so years after women arrived —some fraternity brothers paraded around campus displaying women’s underwear they had filched, drawing criticism. DKE was a “huge party fraternity,” said a former classmate, Sarah Dry. “Lots of drunken parties.”

The DKE pledge process was widely seen on campus as degrading. An opinion piece in The Yale Daily News in 1986 said that pledges were forced to walk around campus reading Penthouse magazine aloud and yelling lines like “I’m a butt-hole, sir.”

One woman remembers Judge Kavanaugh’s wearing a leather football helmet while drinking and approaching her on campus the night he was tapped for DKE. She described his grabbing his crotch, hopping on one leg and chanting: “I’m a geek, I’m a geek, I’m a power tool. When I sing this song, I look like a fool.”

Nearly a dozen people who knew him well or socialized with him said Judge Kavanaugh was a heavy drinker in college. Dr. Swisher said she saw him “very drunk” a number of times. Mr. Roche, his former freshman year roommate, described his stumbling in at all hours of the night.

In a statement, Kerri Kupec, a White House spokeswoman, played down the descriptions of Mr. Kavanaugh’s heavy drinking at Yale without disputing them. “This is getting absurd,” she said. “No one has claimed Judge Kavanaugh didn’t drink in high school or college.”

Ms. Kupec noted that in a Fox News interview on Monday, Mr. Kavanaugh acknowledged that “all of us have probably done things we look back on in high school and regret or cringe a bit.”

Some former students cautioned against associating Judge Kavanaugh with DKE’s heavy partying contingent. “They were a typical fraternity that served alcohol, but I don’t recall ever seeing Brett Kavanaugh drunk,” said John Risley, who overlapped with Judge Kavanaugh at Yale and was friendly with members of DKE.

One night, Ms. Ramirez told The New Yorker, Judge Kavanaugh exposed himself to her during a drinking game in a dorm suite.

Sitting in a circle with a small group of students, she recalled, people selected who had to take a drink, and Ms. Ramirez said she was chosen frequently. She became drunk, her head “foggy,” she recalled. As the game continued, a male student began playing with a plastic dildo, pointing it around the room.

Suddenly, Ms. Ramirez claimed, she saw a penis in front of her face.

When she remarked that it wasn't real, the others students began laughing, with one man telling her to "kiss it," she told *The New Yorker* in an interview. Then, as she moved to push it away, she alleged, she saw Judge Kavanaugh standing, laughing and pulling up his pants.

Neither *The New Yorker* nor *The New York Times*, which attempted to verify Ms. Ramirez's story last week, were able to find witnesses acknowledging the episode. (The *Times* did not obtain an interview with Ms. Ramirez.) *The New Yorker*, however, reported that a fellow student, whom the publication did not identify, confirmed having learned of the incident —and Judge Kavanaugh's alleged role in it —within a day or two after it happened.

Ms. Ramirez initially told friends she had memory gaps and was not certain that Judge Kavanaugh was the person who exposed himself, as she related to Mr. Roche and some other old classmates last week. But, after six days of assessing her memories, *The New Yorker* reported, she said she was confident that Judge Kavanaugh was the man who had humiliated her.

Her lawyers declined to comment further on the episode.

Chris Dudley, a friend and supporter of Mr. Kavanaugh who belonged to DKE and went on to play professional basketball, says the allegations don't square with the man he knows. "That's just not Brett," he said. "That's not in his character."

Ms. Ramirez told few people about the incident at the time, she has said to former classmates, because she felt embarrassed and wanted to forget about it. While she and Judge Kavanaugh were not close friends, they continued to cross paths at Yale and beyond. In 1997, for example, they both attended a wedding of classmates, and appeared in a group photo.

Some of her closest Yale friends said they lost touch with Ms. Ramirez in the last decade. That was in part because she became more politically liberal and conscious of her Latino roots and no longer felt as comfortable among her Yale cohort, several friends said she told them.

Over the past 16 years, Ms. Ramirez, a registered Democrat who lives in Boulder, Colo., with her husband, Vikram Shah, a technology consultant, has worked with a domestic violence organization, both as a volunteer and in a paid position. She joined the board of the organization in 2014.

Ms. Ramirez also works for the Boulder County housing department, where she coordinates funding for low-income families and recruits volunteers.

Anne Tapp, executive director of the domestic violence organization, described Ms. Ramirez as remarkable, compassionate and trustworthy, and said that the two women had discussed multiple times in recent days whether she would come forward with her account about Judge Kavanaugh. Ms. Tapp said that she had tried to support her. "She has struggled over the past week or so to come to the decision to share her very personal story," Ms. Tapp said.

Several former students who worked in the dining hall along with Ms. Ramirez and her younger sister, Denise, who is also a Yale graduate, did not know of the incident Ms. Ramirez described and have not seen her in years, they said in interviews. But they said they knew her to be an honest person in college.

"She wasn't manipulative," said Lianne Sartor, a former Yale student who is now a writer and director. "What you saw was what you got. This was not someone seeking the spotlight."

Mr. Roche, the friend she called last week, described her similarly.

"She was bright-eyed and guileless, compared to the sophisticated and often aggressive population you find at Yale," he said in an interview. "The idea that she would make something like this up is inconceivable," he added. "It's not consistent with who I know her to be."

Reporting was contributed by Rebecca R. Ruiz, Emily Steel, Jo Becker, Grace Ashford, Steve Eder and Kitty Bennett.

Credit: By STEPHANIE SAUL, ROBIN POGREBIN, MIKE McINTIRE and BEN PROTESS

DETAILS

Exhibit 28

Statement from James Roche

I was Brett Kavanaugh's roommate at Yale University in the Fall of 1983. We shared a two-bedroom unit in the basement of Lawrence Hall on the Old Campus. Despite our living conditions, Brett and I did not socialize beyond the first few days of freshman year. We talked at night as freshman roommates do and I would see him as he returned from nights out with his friends. It is from this experience that I concluded that although Brett was normally reserved, he was a notably heavy drinker, even by the standards of the time, and that he became aggressive and belligerent when he was very drunk. I did not observe the specific incident in question, but I do remember Brett frequently drinking excessively and becoming incoherently drunk.

I became close friends with Debbie Ramirez shortly after we both arrived at Yale. She stood out as being exceptionally honest, with a trusting manner. As we got to know one another, I discovered that Debbie was very worried about fitting in. She felt that everyone at Yale was very rich, very smart and very sophisticated and that as a Puerto Rican woman from a less privileged background she was an outsider. Her response was to try hard to make friends and get along.

Based on my time with Debbie, I believe her to be unusually honest and straightforward and I cannot imagine her making this up.

Based on my time with Brett, I believe that he and his social circle were capable of the actions that Debbie described.

I do not consider myself to be a political person and I have no political agenda. I have shared this information with a small number of reporters who reached out to me directly because Debbie has a right to be heard and I believe her.

I have been asked for more detail and additional stories, but this is all that I am comfortable sharing. If I could contribute more first-hand information, I would, but I will not be granting any more interviews or answering any more questions at this time.

###

Exhibit 29

Statement from Dan Murphy:

I was one of Brett's roommates or suite mates for most of our time at Yale. Along with our other suite mates, I not only socialized with Brett, but I was there with him at the end of the night when we came home, and there in the morning when we got up. I never saw Brett black out or not be able to remember the prior evening's events, nor did I ever see Brett act aggressive, hostile, or in a sexually aggressive manner to women. Brett was and is a good-natured, kind, and friendly person, to men and women. The behavior I've heard other people want to attribute to him, but from people who did not live with Brett and therefore not in the same position to observe, is simply wrong, and such behavior is incompatible with what I know to be true.

Exhibit 30

Statement from Chris Dudley:

I have known Brett Kavanaugh for over 35 years as we met freshman year at Yale University. I was a kid coming all the way from California not knowing anyone but I was a driven athlete and student. I knew Yale would be a tough, especially juggling a sport and school, so I looked to find friends who had the similar goals. It wasn't long before Brett became one of my best friends at Yale because he too expressed that he was driven, had goals, one of which was to be the top of his class. His desire to work very hard and make school his number one priority helped me stay focused. But like nearly every other college student we took breaks from school and went out for drinks and to see friends.

I will say it again, we drank in college. I was with Brett frequently in college, whether it be in the gym, in class or socializing. I never ever saw Brett blackout. Not one time. And in all the years I have known him, I have never seen him to be disrespectful or inappropriate with women. I would also like to point out that going out never came before working hard and maintaining our focus on our goals.

The person sometimes being described in the press is not the Brett Kavanaugh that I have known as a good friend for 35 years. The person they are trying to describe would not be able to function day to day. But what is indisputable is Brett graduated with distinction from one of the top universities in our country, he went on to graduate from one of the top law schools and has served honorably in one of the highest courts in the land.

Exhibit 31

Exhibit 32

(b) (6)

Delta Kappa Epsilon

We are an institution built on friendship, tolerance, and success . . . not to mention on a few six packs and some free love.

Exhibit 33

Exhibit 34

Exhibit 35

Exhibit 36

Exhibit 37

Exhibit 38

Exhibit 39



[The Beat With Ari Transcripts](#) / [The Beat With Ari](#)

FBI expanding probe into Kavanaugh. TRANSCRIPT: 10/1/2018, The Beat w Ari Melber.

10/01/18 06:00 PM

Guests:

Richard Blumenthal, Carol Moseley Braun, Lisa Lerer, Mara Gay, Eugene Robinson, Julie Swetnick, David Corn

Transcript:

Show: THE BEAT WITH ARI MELBER

Date: October 1, 2018

Guest: Richard Blumenthal, Carol Moseley Braun, Lisa Lerer, Mara Gay, Eugene Robinson, Julie Swetnick, David Corn

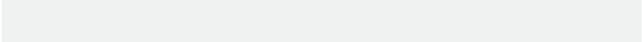
KATY TUR, MSNBC HOST: That's all for tonight. We'll be back tomorrow with more MTP DAILY. "THE BEAT WITH ARI MELBER" starts right now. Hi, Ari.

ARI MELBER, MSNBC HOST: Hi, Katy. Thank you so much.

We begin with Donald Trump essentially backing down in this Kavanaugh fight and this has really been the second time in less than a week. It was just



Best of MSNBC



days ago that Trump first relented agreeing to reopen the FBI's Kavanaugh probe after claiming, well, that's maybe not what the FBI does. Tonight's news is Trump has agreed, through critics' calls, to an expanded FBI probe of Brett Kavanaugh. That means FBI agents can speak to anyone necessary as long as it all ends by Friday.

So basically, the White House is no longer micromanaging the director of the probe of who they can talk to but they're insisting on a tight and, let's admit it, arbitrary deadline. "The New York Times" reporting the FBI has already interviewed the four people that it was authorized to. And as Trump alluded to today, those people, that list does not include Julie Swetnick, a third Kavanaugh accuser.

(BEGIN VIDEO CLIP)

UNIDENTIFIED MALE: So just to be clear, should the FBI interview all three of Brett Kavanaugh's accusers?

TRUMP: It wouldn't bother me at all. Now, it depends. I don't know all three of the accusers. Certainly, I imagine they're going to interview two. The third one, I don't know much about but it wouldn't bother me at all. I mean I've heard that the third one has, I have no idea if this is true, has very little credibility. If there is any credibility, interview the third one.

UNIDENTIFIED MALE: Should Brett Kavanaugh be interviewed by the FBI?

TRUMP: I think so. I think it's fine that they do.

(END VIDEO CLIP)

MELBER: Swetnick's lawyer, Michael Avenatti, has spoken about her case but she has not, until tonight. You will hear from Ms. Swetnick for the first time, an NBC News exclusive, in a few moments right here on THE BEAT.

The other big issue though tonight is testimony from Kavanaugh's friends like Mark Judge, who has now spoken to the FBI, as well as their credibility. New reports that his former girlfriend says she wants to speak with the FBI but hasn't gotten much of a substantive response. So the FBI can talk to these people around the main parties as well. NBC reporting Kavanaugh's team tried to talk to some of them, encouraging accounts that would back him up. Another college classmate of Kavanaugh alleges that he would get belligerent and aggressive while drinking. So a lot of different accounts swirling around.

We begin tonight with Senator Richard Blumenthal, a Democrat from Connecticut who's on the Judiciary Committee. He signed a letter today listing about two dozen witnesses that they believe the FBI should interview. I'm also joined by Former Democratic Senator Carol Moseley Braun. She won her seat in 1992, often referred to as The Year of Women. She was also the third woman ever to serve on the Senate Judiciary Committee. Thanks to both of you.

Senator Blumenthal, when you look at the direction we're going in here, what the president said, the FBI expanding aspects of the probe, do you feel this is the right direction?

SEN. RICHARD BLUMENTHAL (D) CONNECTICUT, JUDICIARY COMMITTEE: It certainly is the right direction, but whether they really go far enough and quickly enough remains to be seen. My mantra is distrust but verified. Those 25 witnesses, potential interviewees, that I sent to the White House and to the FBI along with almost all my colleagues on the Judiciary Committee, Democratic side, are the minimum that ought to be interviewed.

And as you well know, from your own experience, witnesses can lead to other witnesses that have to be pursued. So I believe that Jeff Flake truly wants a real investigation, not a check the box sham. And that's what the FBI ought to be doing. Difficult, though, because as you said very well, this deadline is tight and arbitrary. In fact, too accelerated and too artificial to really get the job done.

MELBER: One of the things that's come through in the process is increased scrutiny on whether Brett Kavanaugh, who is a sitting federal judge, who testified under oath, has been wholly truthful throughout. And you got at that point in your exchange with him. Let's take a look.

(BEGIN VIDEO CLIP)

BLUMENTHAL: You're aware of the jury instruction falsus

in uno, falsus in
omnibus, are you not? You're aware of that jury
instruction?

BRETT KAVANAUGH, SUPREME COURT NOMINEE:

Yes, I am.

BLUMENTHAL: You know what it means?

KAVANAUGH: You can translate it for me, Senator. You
can do it better
than I can.

BLUMENTHAL: False in one thing, false in everything.

(END VIDEO CLIP)

MELBER: What were you getting at there? Are you at a
junction after a few
days here where you can say that you think he did make
materially false
statements to the Senate or are you not there yet?

BLUMENTHAL: I think he definitely was evasive and
seemingly misleading.
He made statements that were directly contradicted by
facts and now have
been impugned by other potential witnesses who have
come forward, who
should be interviewed under oath. I would never judge
right now that a
sitting judge would be prosecuted for perjury based on
what we know. But
there is certainly reason for the FBI to be investigating that
issue. And
that investigation, by the way, Ari, is going to go on,
whether it occurs
before the vote or afterwards. It's not like the wrongdoing
goes away just
because of the vote.

MELBER: Senator, stay with me, as I turn to another
former Senator. And
Senator Braun, I want to play for you a little sound from

two other senators. I'm sure you know the expression ain't no party like a senator party because a senator party is full of filibustering. Do you know that one? It's an oldie but a goody.

CAROL MOSELEY BRAUN, FORMER SENATOR (D)
ILLINOIS: It's been said but not everybody said it.

MELBER: Exactly. But this is relatively short for a senator-on-senator analysis. A Republican and Democrat in a much-watched or much-intrigued "60 Minutes" appearance last night about potential false statements by Kavanaugh. Take a look.

(BEGIN VIDEO CLIP)

SCOTT PELLEY, HOST, 60 MINUTES: If Judge Kavanaugh is shown to have lied to the committee, the nomination is over?

SEN. JEFF FLAKE (R), ARIZONA: Oh, yes.

SEN. CHRIS COONS (D), DELAWARE: I would think so.

(END VIDEO CLIP)

MELBER: You saw the Republican there Jeff Flake nodding his head vigorously. The Democrats who seem more critical here have certainly held that view. Do you hold that view? Do you think that he was evasive, as Senator Blumenthal has just said, or something more directly false?

MOSELEY BRAUN: Well, the United States Constitution calls on the Senate to advise and consent. So this is supposed to be a search for truth and not

just a matter of a pure power play and patronage politics, which frankly it may come down to be. It may be that the majority leader in the Senate will try to just ram this thing through without regard to the outcome of the FBI investigation or any other evidence.

So the question is whether or not the Senators will discharge their constitutional duty, and I think they will, and actually examine the – all of the facts of this case. It's not a criminal case, it's an advice and consent so there's a different standard. But it should not be allowed to become patronage politics and be a straight up power play over whether or not this is the spoil system and the Supreme Court can go to whatever party is in power. It shouldn't be that. It should be a search for the truth and a search to get to the bottom of what all has occurred here.

MELBER: And Senator Moseley Braun, the other issue is not only how Brett Kavanaugh and Dr. Ford conducted themselves, much has been made all the way out to "SNL" on how it was the accuser who seemed so measured and calm, and the person being accused who seemed so, at times, emotional and upset.

MOSELEY BRAUN: Right.

MELBER: But even if you wanted to be charitable and say people may respond differently to different things, he's also a sitting judge who has to return to the bench no matter what happens. And so I wonder for your

analysis if we could compare that to what we might call the Kavanaugh standard, what he had said a judge is ought to do and how they ought to act. Take a look.

(BEGIN VIDEO CLIP)

KAVANAUGH: To be a good judge and a good umpire, it's important to have the proper demeanor. Really important, I think. And to keep our emotions in check, to be calm amidst the storm. On the bench, to put it in the vernacular, don't be a jerk. I think that's important. There's a danger of arrogance as for umpires, referees but also for judges.

(END VIDEO CLIP)

MELBER: Do you think he followed his own advice last week?

MOSELEY BRAUN: He clearly did not. I mean that's the reality there. He just lost it and attacked the Senators who were on the panel, which was just I thought inappropriate and did not show judicial temperament. But having said that, what concerns me is why Republican women are not more outraged, because the Republican side of the committee, they couldn't even have – they didn't have a female member of the Republican side of the aisle on that committee. They had to go and rent a person to come and to be the stand-in female to do the questioning.

And I just think that that ought to energize Republican women to say why aren't there more Republican women sitting on that other side of the Senate

Judiciary Committee, or in the Senate, period? So I think that is a very important issue here.

MELBER: Senator Moseley Braun and Blumenthal, thanks to both of you.

I want to turn now to Mara Gay for "The New York Times" editorial board and an MSNBC analyst. She has a new article writing about her own experience as a sexual assault survivor. And also here, Lisa Lerer, a political reporter for "The New York Times", as well as Eugene Robinson, a Pulitzer Prize Winning Columnist for "The Washington Post." My thanks to all of you.

Lisa, starting with you. What do you think is important now? We are long ways, as I mentioned in the open, from Donald Trump claiming either this isn't what the FBI does or they should do it only with a narrow account of who they can talk to.

LISA LERER, POLITICAL REPORTER, THE NEW YORK TIMES: Look, what's important is what has always been important which are the votes of Senator Flake, Collins, Murkowski, maybe Manchin or Heitkamp. In the end, you know, it's hard to believe that a time-limited investigation can close every door and every eye, especially as more issues seem to come out every day. But in the end, that may not matter. If Mitch McConnell feels he has the vote to push this thing through, he will push it through.

So the deciding voices on this will be that said of three or five Senators,

if they feel satisfied with what has happened in the past week, then he'll bring it to a vote. If Jeff Flake does not feel satisfied, then it's hard to see how – then Republicans are in a pretty tough spot.

MELBER: Right. And Eugene Robinson, I want to play a little more from Donald Trump today because what Lisa is referring to is the fact that this is a somewhat public, messy process. No one is claiming it's all that logical and rational. Although, as I was pushing the Senator on it, if you want more time and more witnesses, this would seem to be going in that direction. Take a look at the president today.

(BEGIN VIDEO CLIP)

TRUMP: I want them to do a very comprehensive investigation. With that being said, I would like it to go quickly.

UNIDENTIFIED MALE: Just for clarity, will you instruct the White House Counsel, Don McGahn, to give the FBI free reign to interview whomever they feel is necessary?

TRUMP: Well, I have so instructed him, but I did also say within the bounds of what the Senate wants. We don't want to go on a – to use an expression often used by me, we don't want to go on a witch hunt.

(END VIDEO CLIP)

MELBER: Eugene, he had to get that in there. Please don't feel any need to respond at that particular phraseology. But what do you think about

that direction the president – look, you could say low bar,
you can say
low expectations but something has moved the president,
maybe just the raw
political pressure of needing a couple of votes.

EUGENE ROBINSON, COLUMNIST, THE
WASHINGTON POST: Well, at the very least,
we have a good cop, bad cop routine going on in here,
where the president,
for a change, is the good cop who is saying, “Have an
investigation. Look
into everything. Talk to anybody you need to talk to. This
is what I want
the FBI to do.” And on the other end of Pennsylvania
Avenue, you have
Mitch McConnell saying, “We`re going to vote this week.
I`m going to call
a vote and we are going to put it up.”

Now that is, I think, in part a bluff because he certainly will
not bring
it up for a vote if he doesn`t think he has the votes to pass,
to get Judge
Kavanaugh confirmed, but it`s the kind of routine going on.
And I`m as
confused as everybody else about how thorough this
investigation will be,
how quickly it can be done, and what the standard is,
what`s the cutoff?

You find out he lied to Congress, but you can`t
substantiate the sexual
assault charges, what do you do? Is that enough for Jeff
Flake or is that
not enough for Jeff Flake?

MARA GAY, EDITORIAL BOARD MEMBER, THE NEW
YORK TIMES: Yes. You know I
don`t want to get too caught up in the FBI investigation,
because I do
think it`s important because it means that Dr. Blasey

Ford's claims are being taken seriously and that's good. But we already have a lot of information before us even without the FBI investigation, that suggests that Brett Kavanaugh is unfit for this role. One of those pieces of evidence is Dr. Blasey Ford herself. Her testimony is credible. Brett Kavanaugh's testimony is not credible.

And there are reasons for that. And one of those reasons is because he's been misleading and injudicious and temperamental and had a hissy fit on national television. You know that is not what we want in a Supreme Court Justice. And I think that, you know, we should kind of remember that, because rather than fall into the trap of, let's see whether it's possible to prove that Dr. Blasey Ford is telling the truth – I mean it may be that there's no evidence 36 years later that can prove all of the claims that she has brought up but yet there are lots of reasons to find her testimony credible. And frankly, Brett Kavanaugh's not credible.

MELBER: And Lisa, doesn't that go to the very peculiar maleness or male privilege that he would seem to inhabit, which has been, of course, a part of the discussion for many days now, which is it is hard to imagine a female judge, candidate, nominee, or Senator, necessarily being given the same dispensation if they comported themselves over several hours like that?

LERER: I'm smiling because it's not hard to imagine. It's

completely
inconceivably impossible to imagine.

MELBER: I do a little bit of understatement on the show.

LERER: Right. You're a little understanding. We'd be
talking about
temperament. We'd be talking about all kinds of things. So
clearly, there
is a double standard at play. That seems fairly obvious for
Anyone who has
watched these testimonies, who has watched Washington,
who has watched
Politics.

I also think there's another thing going on that's important
to remember,
which is that – let's say this all works for Mitch McConnell
and he gets
confirmed and he gets put on the court, what does it do to
the institution
of the court? You have this highly controversial nominee.
You have a
broad swath, a growing swath based on the polling of the
American public,
who are not comfortable with him, and then you have
future potential
Justice Kavanaugh who is going to be on the court ruling
potentially on
issues of women's rights, on sexual harassment.

I think it could be very – and then there's the temperament
issues,
there's this – the openly partisan statements he made in
his testimony
that could be something that's really damaging for the
court as an
institution.

MELBER: Right. And that also goes to Eugene, something
I want to read to
you that really cuts into, I think, another heart of this

debate, which is
what is the right ratio? And I don't think anyone has the
perfect answer
but what is the right ratio between the age of an allegation
and the
seriousness of an allegation?

Because the older and less serious at some extreme, you
say, "Oh,
jaywalking, and it was 60 years ago, you know. And it was
in a horse and
buggy jaywalking situation. People will say, "You know
what, never mind
the horse," versus something super serious or super
recent.

I want to read to you from some of the new accounts that
are coming out.

"The Washington Post" quoting on the record Charles
Ludington, a declared
friend of Kavanaugh's from Yale says, "Look, when Brett
got drunk, he was
belligerent, aggressive, started a fight that ended up with
one of our
mutual friends in jail."

Any time you have the intersection of criminal law or the
alcohol mixed
with allegations of violent or criminal conduct, right, you're
in a little
bit of a different space than just what some people like to
say. Oh, 40
years ago these were "Wild parties." How do you see
these accounts
affecting it?

ROBINSON: Well, you know, that definitely gets your
attention, but I want
to go back to the point that Mara was making which is that
Dr. Blasey
Ford's testimony, first of all, what she alleges is serious.
And serious

enough that there's not a statute of limitations on that,
both literally
and I think in terms of consideration for the Supreme
Court.

And second, her testimony is evidence. It is powerful. I
mean she is an
incredibly credible witness. I don't know anyone who
listened to her last
Thursday and said she was anything less than believable.
So if you're
going to say she's believable, then we should believe her.
We should
certainly give her more of a presumption of truthfulness
than is being
given her now. And when we say in the Me Too era
believe the woman, that
doesn't mean believe the woman for, you know, half a day
and then tell her
to go away and shut up.

MELBER: Right. And it also goes to the procedural point
that's in the
news tonight which is she came out, spoke under oath in
public. Mark Judge
speaking in private and only speaking under oath because
of what Jeff Flake
and others pushed for. I mean that wasn't at all
guaranteed.

Eugene Robinson, Lisa Lerer and Mara Gay, as always,
appreciate your
expertise.

Coming up, as I mentioned, something quite new. The
NBC's Kate Snow has an
exclusive interview with Kavanaugh accuser Julie
Swetnick who we broadcast
for the first time ever tonight on THE BEAT.

Later, a deep dive into what FBI agents might be looking
at as they review

the record of Mark Judge. And later, Bob Mueller in court defending his authority and talking about Rod Rosenstein. We're also going to tell you later why there are right now more immigrant children than ever in a Tent City in Texas, an important story we'll be covering later.

I'm Ari Melber. You're watching THE BEAT on MSNBC.

(COMMERCIAL BREAK)

MELBER: Today, the White House authorized the FBI to expand its investigation into sexual misconduct allegations against Judge Brett Kavanaugh. Two accusers, Dr. Christine Ford, and Deborah Ramirez have talked to the FBI as part of this probe. Now, a third who came forward recently, Julie Swetnick, was not on the original list of FBI interviews and she has not spoken in public since releasing a written statement, until now.

NBC News' Kate Snow is reporting this story and just interviewed Ms. Swetnick, an interview that will air now for the first time – Kate.

KATE SNOW, JOURNALIST, NBC NEWS: Ari, thanks. What we want to do here is lay out all that she said, her story, our reporting. We want to be very transparent because these are very serious allegations. Kavanaugh has called Julie Swetnick's story nonsense and a farce. The president today questioned her credibility. And NBC News, for the record, has not been able to independently verify her claims.

There are things that she told us on camera that differ from her written statement last week. We've been trying independently to reach out to anyone who remembers attending parties with Julie Swetnick and Brett Kavanaugh, and we've been asking her attorney for names. So far, we've not found anyone who remembers that. She's also unclear about when she first decided to come forward.

(BEGIN VIDEOTAPE)

SNOW: Why are you sitting here today?

JULIE SWETNICK, ACCUSER OF BRETT KAVANAUGH: Well, I'm quite a shy person and quite a private person. And I wouldn't be here today except for about six weeks ago, I happened to learn about Brett Kavanaugh becoming one of the people who was shortlisted to go to the Supreme Court.

SNOW: This is in July, summer?

SWETNICK: I don't remember exactly but it was about six weeks ago. And then I became aware of Dr. Ford and her description of what had happened to her at a party one time, that also had Brett Kavanaugh involved. And I started to think back to my days when I was in the early '80s in Montgomery County in Maryland and I thought that I might have some information that might corroborate some of the things that she had stated.

SNOW: So you only thought about coming forward when you learned about Dr. Ford?

SWETNICK: Yes. Because I did not know how close Brett Kavanaugh was to possibly becoming the next Supreme Court Justice.

SNOW: I just want to get the timeline right about this because he was nominated in July. Christine Ford, Dr. Christine Blasey Ford, came forward in "The Washington Post" more recently in September. So was it in September that you –

SWETNICK: It's been several weeks. But I'm not somebody who follows the news. I'm not political at all.

(END VIDEOTAPE)

SNOW: Julie Swetnick says she was in Community College when she started attending house parties that included high schoolers.

(BEGIN VIDEOTAPE)

SNOW: You graduated in 1980 -

SWETNICK: Correct.

SNOW: – from high school, from Gaithersburg High School. So you would have been out of high school. So a lot of people wondered what are you doing at a high school party if you're already –

SWETNICK: It wasn't a high school party. These parties had everybody between about an age range of 15, 16 to 25, maybe even more.

SNOW: How did you meet Brett Kavanaugh? Did you actually meet him?

SWETNICK: I did actually meet him. I remember meeting him because I remember – he's got a very distinctive face, very

distinctive face and as
does Mark Judge. And I remember specifically meeting
him, being introduced
to him.

SNOW: Did you know anything about Brett Kavanaugh?

SWETNICK: No. I believe he might have been wearing a
Georgetown Prep
uniform, which a lot of the boys used to wear at least a
uniform or parts
of their uniform.

SNOW: At the party?

SWETNICK: Sometimes. I think they were very proud.

SNOW: In your statement to the Judiciary Committee, you
described a range
of behavior.

SWETNICK: Mm-hmm.

SNOW: And you say you saw –

SWETNICK: Oh, yes.

SNOW: – Brett Kavanaugh do these things. Can you
describe to me what you
saw him do?

SWETNICK: He was very aggressive, very sloppy drunk,
mean drunk. I saw
him go up to girls and paw on them, try to, you know, get a
little too
handsy, touching them in private parts. I saw him try to
shift clothing.

(END VIDEOTAPE)

SNOW: Later in the interview, she went further.

(BEGIN VIDEOTAPE)

SWETNICK: I saw him push girls against walls. He would
pretend to stumble

and stumble into them and knock them into a wall. He would push his body against theirs. He would grope them.

(END VIDEOTAPE)

SNOW: There are some differences between Swetnick's sworn statement last week and what she told us. In that statement, Swetnick said she became aware of efforts by Kavanaugh and his friend Mark Judge to spike punch at parties. In our interview, she said she saw them near the punch but did not specifically say she saw either man spike it.

(BEGIN VIDEOTAPE)

SNOW: Did you see Brett Kavanaugh, you know, spiking the punch—

SWETNICK: Well, I saw him giving red solo cups to quite a few girls during that time frame. And there was grain punch at those parties. And I would not take one of those glasses from Mark Kavanaugh — Brett Kavanaugh, excuse me. I saw him around the punch, I won't say bowls or the punch containers. I don't know what he did but I saw him by them, yes.

(END VIDEOTAPE)

SNOW: In her declaration, Swetnick wrote, "I also witnessed efforts by Mark Judge, Brett Kavanaugh, and others, to cause girls to become inebriated and disoriented so they could then be gang-raped in a side room or bedroom by a train of numerous boys. I have a firm recollection of seeing boys lined up outside rooms at many of these

parties, waiting for their turn with a girl inside the room. These boys included Mark Judge and Brett Kavanaugh.”

(BEGIN VIDEOTAPE)

SNOW: What did you see?

SWETNICK: Well, until what happened to me happened to me, I didn't put two and two together. But I would see boys standing outside of rooms, congregated together, sort of like a gauntlet. And I didn't know what was occurring but I would see them laughing, a lot of laughing.

SNOW: Standing in lines outside of rooms?

SWETNICK: Not line but definitely huddled by doors and I didn't understand what it could possibly be.

SNOW: And in your declaration, you described Brett Kavanaugh and his friend Mark Judge, standing outside, see them standing outside a door?

SWETNICK: Yes, with other boys.

SNOW: So you're suggesting that in hindsight –

SWETNICK: Yes.

SNOW: – you think he was involved in this behavior?

SWETNICK: I would say yes. It's just too coincidental.

(END VIDEOTAPE)

SNOW: She says she had no idea exactly what that behavior was until she herself was attacked.

(BEGIN VIDEOTAPE)

SNOW: Can you tell me what happened? As much as

you're comfortable
telling us?

SWETNICK: What happened to me is probably the most
horrendous, awful thing
that could happen to any human being. My body was
violated. My soul was
broken. I was not able to have somebody stop when I
said, "No, stop." I
felt like somebody took me and basically said, "You're
worthless. You are
nothing to us. You are disposable."

I was at a party and I remember I started not to feel very
well. And next
thing I know, I was shoved into a room, and I'm having my
clothes torn in
different directions. I was touched everywhere. I was
physically
assaulted in every way you can physically assault a
woman. It was
horrible. I had no way to fend them off.

SNOW: You know what I'm going to ask. Everyone is
wondering if one of
those people was Brett Kavanaugh.

SWETNICK: I cannot specifically say that he was one of
the ones who
assaulted me. But before this happened to me, at that
party, I saw Brett
Kavanaugh there. I saw Mark Judge there. And they were
hanging about the
area where I started to feel disoriented and where the
room was, and where
the other boys were hanging out and laughing. I could
hear them laughing
and laughing.

It's very hard for me to talk about this but it's important
that somebody
says something because if Brett Kavanaugh was one of

those people that did
this to me, there is no way in the world that he should go
scot-free on
this and that he should be on the Supreme Court. He just
– it's just
unthinkable to me. If he does, there's no justice in the
world.

SNOW: After you're – what you describe is this attack on
you and a rape,
did you tell anyone?

SWETNICK: Oh yes I contacted the Montgomery County
Police.

SNOW: You did?

SWETNICK: And I also I told my mother and she cried
with me. She held me
the next day. I was so distraught I would – she wanted me
to go to the
police immediately. She was just outraged. She was so
hurt for me.

SNOW: Do you remember who you spoke to?

SWETNICK: They – I vaguely remember people but I'm
not quite sure, not
100 percent.

SNOW: Swetnick's mother has since passed away.
Swetnick also named one of
the officers she said she spoke with. That officer is now
deceased. NBC
News verified he worked for the Montgomery County
Police at that time. We
have requested copies of any records but Montgomery
County Police officials
said today it could take up to a month for them to respond.

BRETT KAVANAUGH, SUPREME COURT JUSTICE

NOMINEE: It's not true. It's not
true.

SNOW: Judge Kavanaugh has said he doesn't know who Swetnick is and her allegations are from the twilight zone.

I want to play you a little bit of what he said on Thursday.

KAVANAUGH: The Swetnick thing is a joke. That is a farce. I've never met her, don't know who she is. There was a letter released within two hours of that breaking yesterday from like 60 people who knew me in high school men and women and said, it was their words, nonsense. Totally you know, the whole thing. That's totally ridiculous.

SEN. JOHN KENNEDY (R), LOUISIANA: None of these allegations are true?

KAVANAUGH: Correct.

KENNEDY: No doubt in your mind?

KAVANAUGH: Zero. I'm 100 percent certain.

KENNEDY: Not even a scintilla.

KAVANAUGH: Not a scintilla. 100 percent certain, Senator.

KENNEDY: You swear to God?

KAVANAUGH: I swear to God.

SWETNICK: You know what I said to that? He's a liar.

SNOW: Mark Judge put out a statement. He said – he said under oath that your allegations are bizarre and that he would remember actions so outlandish even when suffering from an addiction, he's talked about how he has an addiction to alcohol, he categorically said he denies your allegations. He says he doesn't know you. What do you

say to that?

SWETNICK: What I say about that is he's an admitted blackout drunk and drug addict. What does he know – how would you know what you've forgotten if you blacked out?

SNOW: On Sunday Senate Republicans questioned Swetnick's credibility and cited a lawsuit that was filed against her in 2000 by a former employer.

The company said you lied about graduating from Johns Hopkins University and about your work experience.

SWETNICK: That's total (INAUDIBLE) and that never – I mean I remember when this happened and it was just ridiculous and that's why they dismissed it and it didn't ever go anywhere.

SNOW: You didn't – you didn't lie.

SWETNICK: No. It didn't go anywhere.

SNOW: Education or your work experience.

SWETNICK: No, it was just total fabricated.

SNOW: What was it about? What the lawsuits says, let me just – the lawsuit by your former employer said that you engaged in “unwelcome sexual innuendo and inappropriate conduct after three weeks on the job toward other employees.”

SWETNICK: It never happened, that's why it didn't go anywhere and that's why it was dismissed.

SNOW: Senate Republicans and other critics have also noted a restraining

order filed against Swetnick by an ex-boyfriend in 2001.

They filed a restraining order against you which we did find some evidence of. It was effective for I think 12 days.

SWETNICK: That is absolutely preposterous and honestly I never received a restraining order.

SNOW: Court records show the petition for the restraining order was dismissed 12 days after it was filed. Swetnick is represented by Michael Avenatti who also represents Stormy Daniels and is an outspoken critic of the President. She says she reached out to him after a friend who went to law school with Avenatti recommended him.

SWETNICK: My best friend went to George Washington Law School with him, and Michael knows Washington. I wanted an attorney who knew Washington and who was recommended.

SNOW: But as you know, some people, actually probably a lot of Americans have expressed doubt about your stories simply because of how it came out and who represents you.

SWETNICK: I cannot speak for other people and why they would form certain opinions. I just know that I wanted to have good representation and I think I found it.

SNOW: I asked Swetnick if any of her friends from the 80s remember going to these parties with her.

Are their friends who remember these parties too and remember you go –

SWETNICK: Oh, I think everybody in the county remembers these parties.

SNOW: Because we haven't – we haven't heard from those friends so I'm asking you know, are there people alive today who would say yes, I went to those parties with Julie.

SWETNICK: Yes, I have – yes there are people that know about those parties.

SNOW: This morning Swetnick provided four names of friends she says went to the parties with her. One of them said he does not recall a Julie Swetnick. Another of the friends she named his deceased. We've reached out to the other two and haven't heard back. Swetnick says after the alleged attack on her when she was 19, she never returned to those big house parties.

You said it was the last party you remember going to?

SWETNICK: That was the last party I consciously remember going to. It was definitely the last party I ever went to in Montgomery County. The next year I remember being at beach week in Ocean City during beach week. I wasn't there for beach week, I just happened to be there vacationing and I bumped into some friends and somehow we ended up going to a get together in Ocean City. And at that party I did see Brett Kavanaugh there again and it crushed me. I was – I fell apart and I had to get out of there.

(END VIDEOTAPE)

SNOW: Swetnick told me that if she had known what had – what was happening to her had possibly happened to other women or men, she would have absolutely tried to break into that room, this is a quote, and save whoever the person was at those parties. She would contact authorities as well she said. Again, Judge Kavanaugh has said that he does not know Julie Swetnick and has called her claims, Ari, nonsense. Apologies for my voice.

MELBER: Well, even working hard, Kate Snow. It`s a – it`s a big story that touches a lot of things. I want to ask you some questions about it. What we`re going to do is fit in a very short break, 30 seconds, and when I`m back I`ll be back with Kate Snow.

(COMMERCIAL BREAK)

MELBER: Welcome back to THE BEAT. I am here with NBC News` Kate Snow. We just aired her exclusive interview with a Kavanaugh accuser who is speaking out for the first time, Julie Swetnick. Thank you for your reporting. There`s a lot for people to see there.

SNOW: There`s a lot in there.

MELBER: And there are things that go in different directions as often happens when you report out a story like this. You press her on the timeline of when she decided to come forward.

SNOW: Right. Well, you saw that at the top of the piece and frankly we

found it a little bit confusing because first, she said that in July – first she said that she had heard about Brett Kavanaugh being on a short list and that happened in July. You heard me ask her, that wasn't that in July and she said yes and I think she said that was six weeks ago but actually July is about three months ago.

And then she mentioned Dr. Ford and being inspired by her and wanting to support her and corroborate some of what she was hearing Dr. Ford's say, but just for the record that was in September. So there's a little haziness around why she decided and when she decided to come forward.

MELBER: How does your reporting effort to account for her secondhand sources or validators compare to other stories like this that you've covered?

SNOW: Well, that's a good question. Here's what I can tell you. We found out about – I'm going to be fully you know, disclose everything here. We found out about this, I found out about this interview on Friday night. On Saturday morning I had my first conversation with her attorney Michael Avenatti. We asked him – I asked him at that point, can you provide us with any names of people who went to the parties with her just because we couldn't place her – NBC News has not since last week been able to place her in that time period at those house parties in that group of friends. There aren't other people coming forward as happens in

many other stories
we cover who say yes I was there too.

And we're not you know, discounting what she said in any way. We're just trying to do our reporting and make sure that there were people who said she was there. And to date, as of today, we haven't been able to find anyone who says yes I saw her in the same room with Brett Kavanaugh. And of course, Judge Kavanaugh says he was not in the same room with her. He doesn't even know who she is.

MELBER: And while some of her allegations overlap with things we've heard from other multiple sources that has been part of the vetting of Judge Kavanaugh, it seems that both in her sworn statement and now in this interview, she is not alleging individual misconduct by Brett Kavanaugh attacking her.

SNOW: Well, she's not sure about that. Yes, that's right she's not sure whether – she said he she thought she saw him in the vicinity and then her description is that she got pushed into a room and was sort of out of it and there were a number of men in that room and I won't get into details but you know, she says she's not sure who was there.

MELBER: Right.

SNOW: I think we should just also say that you know we've been trying to verify everything she said you know, as much as we possibly can. The resources of NBC News are way beyond me, Ari. As you

know, there are a lot of people in this newsroom working on this. And again, you know, we're interested in talking to anyone else who may have seen what she says she saw. I should also note that she did describe not direct behavior against her but you heard her in the interview described behavior against other women she says she observed. She says she observed Judge Kavanaugh behaving inappropriately pushing women against walls, you know, talking to them in a demeaning way. So she's making some very serious allegations here and I think it's up to the viewers to decide what they make of this.

MELBER: Right. About what she said she saw and within this process as more information and more accounts come out those will be weighed through the process. NBC News Kate Snow, thank you for sharing your reporting with us. We want to turn to another development in this story right now. A key friend of Brett Kavanaugh who has been effectively laying low Mark Judge, now, he has been interviewed by the FBI. Mark Judge is important because Dr. Ford essentially identifies him as part witness but also potentially part accomplice in her original allegation.

Now, he had responded by saying that "he doesn't recall the events described by Dr. Ford in her testimony and he never saw Brett act in the manner Dr. Ford describes" Now, until today that written statement was basically all anyone had directly from Mark Judge,

meaning he was facing
far less scrutiny or questions than Kavanaugh or Ford.
She of course had
detailed her memories about Mark Judge and Brett
Kavanaugh that night.

Brett and Mark were visibly drunk early in the evening. I
went up a very
narrow set of stairs leading from the living room to a
second floor to use
the restroom. When I got to the top of the stairs, I was
pushed from
behind into a bedroom across from the bathroom. I
couldn't see who pushed
me. Brett and Mark came into the bedroom and locked the
door behind them.

There was music playing in the bedroom. It was turned up
louder by either
Brett or Mark once we were in the room. I was pushed on
to the bed and
Brett got on top of me he began running his hands over
my body and grinding
into me.

I yelled hoping that someone downstairs might hear me.
Both Brett and Mark
were drunkenly laughing during the attack. They seemed
to be having a very
good time. Mark seemed ambivalent at times urging Brett
on and at times
telling him to stop. A couple of times I made eye contact
with Mark and
thought he might try to help me but he did not.

(END VIDEO CLIP)

MELBER: That is what everyone watching heard last
week. Now, Mark Judge
would presumably have strong views about that allegation
as it ricocheted
effectively across the country. And even if he genuinely
does not recall

that night one way or the other, the FBI would potentially want his view on many of these wider questions that Kavanaugh already faced under oath about their alleged drinking together in their parties. And for Judge specifically whether he remembers knowing forward or seeing her after the incident she details, and Judge could also have plenty to say about excessive drinking in blackouts because he did later write about his own battles with alcoholism and recovery.

RACHEL MITCHELL, HEAD, SPECIAL VICTIMS DIVISION, MARICOPA COUNTY ATTORNEY'S OFFICE: Have you ever passed out from drinking?

KAVANAUGH: Passed out would be no but I've gone to sleep.

SEN. SHELDON WHITEHOUSE (D), RHODE ISLAND: They relate to alcohol.

KAVANAUGH: I like beer – I like beer. I don't know if you like beer, Senator, or not? What do you like to drink?

SEN. AMY KLOBUCHAR (D), MINNESOTA: So you're saying there's never been a case where you drink so much that you didn't remember what happened the night before or a part of what happened?

KAVANAUGH: It's – you're asking about you know, blackout. I don't know, have you?

(END VIDEO CLIP)

MELBER: In Mark Judge's book God and Man at Georgetown Prep, he writes about a pledge that he and his friends made in high school to drink a

hundred kegs of beer before graduation. On their way to that goal, there was a “disastrous party at his house. The place was trashed. And Kavanaugh listed himself in the class yearbook as treasurer of the hundred kegs or bust club.” There’s also a 1997 memoir *Wasted: Tales of a Gen X Drunk* where Judge writes about a “beach week” and has this passage “Do you know Bart O’Kavanaugh “yes, he’s around here somewhere.” “I heard he puked in someone’s car the other night.” “Yes, he passed out on his way back from a party as the exchange.”

So many would ask well, is that Bart O’Kavanaugh name or character a reference to Brett Kavanaugh?

(BEGIN VIDEO CLIP)

KAVANAUGH: Mark Judge was a friend of ours in high school who developed a very serious drinking problem, an addiction problem that lasted decades and was very difficult for him to escape from.

SEN. PATRICK LEAHY (D), VERMONT: I’m trying to get a straight answer from you under oath, are you Bart Kavanaugh that he’s referring to, yes or no.

KAVANAUGH: You’d have to ask him.

(END VIDEO CLIP)

MELBER: You’d have to ask him. Now that’s Judge Kavanaugh docking so another Judge, if you will, would take the question. One can now imagine the FBI doing exactly that asking him in its new questioning as well as of

course his recollection of the account about running in to doctor Ford.

(BEGIN VIDEO CLIP)

FORD: Yes, I was going to the Potomac Village Safeway, this is the one on the corner of Falls and River Road, and I was with my mother and I was a teenager so I wanted her to go in one door and me go in the other. So I chose the wrong door because the door I chose was the one where Mark Judge was – looked like he was working there and arranging the shopping carts.

And I said hello to him and his face was white and very uncomfortable saying hello back, and we had previously been friendly at the times that we saw each other over the previous two years, albeit not very many times we had always been friendly with one another. I wouldn't characterize him as not friendly, he was just nervous and not really wanting to speak with me. He looked a little pale.

SEN. DICK DURBIN (D), ILLINOIS: How long did this occur after the incident. I would estimate six to eight weeks.

(END VIDEO CLIP)

MELBER: The FBI may want to ask about that non-drunk alleged encounter.

Mark Judge's book does validate parts of Ford's timeline saying it was the summer before senior year and even though I wasn't drinking every day, I was completely hooked going a week without getting drunk was unthinkable.

I was spending between four and seven nights with the

gang either at a party or at O'Rourke's. And a former girlfriend of Mark Judge is telling the New Yorker the Judge had told her ashamedly of an incident that involved him and other boys taking turns having sex with a drunk woman.

Also the kind of question the FBI might want to explore in the context of this vetting. Now, Dr. Ford was asked a simple question that many remember in her hearing last week.

SEN. RICHARD BLUMENTHAL (D), CONNECTICUT:
Would you like Mark Judge to be interviewed in connection with the background investigation and the serious credible allegations that you made?

FORD: That would be my preference.

(END VIDEO CLIP)

MELBER: That would be my preference. Simply stated, measured, modest even the way she was throughout much of the hearing. What's easy to forget because a lot is happening at once these days is when she gave that answer under oath and then when Kavanaugh came in after and then the next day, no one knew whether this would ever happen. In the space from her answer to today, a span of a few days political pressure and activism have changed. So now Mark Judge has been interviewed by the FBI. That wasn't the original plan. And Mark Judge now because of all that, his testimony true or false, the FBI will make its determination, could be key to unlocking so

many open questions right now.

(COMMERCIAL BREAK)

MELBER: Some other big news today. Trump's former campaign chair Paul Manafort in the hot seat today. Bob Mueller's people sat him down for a meeting all part of his ongoing cooperation with the Special Counsel probe.

I'm joined by David Corn, Mother Jones' Washington Bureau Chief and specialist in the Special Counsel probe. What do you make of this development and also the push coming from the Republican side to meet with Rod Rosenstein?

DAVID CORN, WASHINGTON BUREAU CHIEF,

MOTHER JONES: Well, one is a true matter, the other is a distraction. Finally, Mark – excuse me – Paul Manafort is sitting down with Mueller. Remember, we haven't heard a lot from Mueller in the last couple of weeks. It might be because we're nearing an election and he doesn't want to do too much before that and be accused of playing partisan politics. But what Manafort knows, well he know about the Trump campaign but also about lobbying for the Ukraine but Russian oligarchs.

I mean this could be hours, and hours, and hours, of debriefing for Mueller's investigators who then go out and dig and look and come back to Manafort and say what about this, what about that. It's a very long process. At the same time, they're also doing this with a guy named

Michael Cohen. So you know, they have a lot more work to be done on these two fronts and it's serious it's – you know, we've seen Mueller and his team they are painstakingly thorough and that sometimes takes a while. So there may be weeks months before we see any signs of what these debriefings with Cohen and Manafort are bringing forth from an investigative point of view.

MELBER: Do you think – do you think with the White House saying well, maybe this famed Rod Rosenstein, Donald Trump meeting will get delayed even further, do you think that New York Times report has not aged well as we say in the business?

CORN: Well, let me look at it from Trump's perspective here. He shows –

MELBER: As you always do.

CORN: He has shown amazing self-restraint on this front and has not tweeted that much about it, you know, calmly noted last week that he would not bring this up on the day of the testimony of Christine Ford and Brett Kavanaugh, and not create even more chaos. We know he likes to create chaos. And –

MELBER: Are you – are you low key complimenting Donald Trump right now?

CORN: Well, listen if you ever just called Donald Trump a sane, reasonable, human being it's not necessary a compliment.

MELBER: I just – this is Mike Pence, Kanye West side of

you I didn't know
about.

CORN: You know, putting those two together kind of
blows my mind
especially –

MELBER: They're both saga, they're both saga, baby.

CORN: I know, I know. I'd like to see Mike Pence dancing
around in a
Perrier bottle. But putting that aside, Ari, your distraction
here, it
could – it could well be that Trump doesn't want to make a
move on
Rosenstein or Sessions until after the election. He's been
convinced that
be bad politics for the Midterm.

MELBER: So you're saying it could be a rational thing and
that doesn't
give him a ton of credit but that would be rationally
reasonable or it
could be a bait and switch to then do something attacking
the rule of law
after election day.

CORN: I know the odds are low on this but yes it could be
a rational
decision.

MELBER: Great. And thank you for the SNL Perrier
reference. Do you know
who the artist was performing in the Fiji Water bottle
adjacent to West?

CORN: Coochi – what – something named like that.
That's all I know.

MELBER: Lil Pump, David.

CORN: Lil Pump, OK, I was –

MELBER: Come on, man.

MELBER: You were so close.

CORN: OK, I was – next time I'll the would be a lifeline, you know.

Kanye –

MELBER: We're out of time. David Corn –

CORN: Kanye is not on my playlist.

MELBER: Thank you as always. We'll be right back.

(COMMERCIAL BREAK)

MELBER: Turning to a significant story that the government may not want you to see. The Trump administration right now secretly moving hundreds of migrant children to tent cities. This is all happening in the middle of the night. They force the kids on buses for relocation to a tent city in South Texas often without warning. 1,600 children moved under darkness because they are less likely to try to run away, that's according to a new account in "The New York Times." And these facilities appear worse for children than where they were staying because they have no school, they have less access to legal services to protect their rights. And while some potential caretakers are arrested by ICE, they have less caretakers.

The Trump administration had set regulations for the new tent camp but let's be clear, that means fewer protections than where the children were previously housed, places regulated by state child welfare authorities. We wanted you to see that story and we'll have more on it in the days ahead.

That does it for us though, "HARDBALL" starts now.

THIS IS A RUSH TRANSCRIPT. THIS COPY MAY NOT BE IN ITS FINAL FORM AND MAY BE UPDATED.
END

Copyright 2018 ASC Services II Media, LLC. All materials herein are protected by United States copyright law and may not be reproduced, distributed, transmitted, displayed, published or broadcast without the prior written permission of ASC Services II Media, LLC. You may not alter or remove any trademark, copyright or other notice from copies of the content.>

Explore: [The Beat With Ari Melber](#), [The Beat With Ari Transcripts](#) and [Transcripts](#)

More Like This



[Home](#)

[Episode Transcripts](#)

[MSNBC Store](#)

[Help](#)

[Privacy Policy](#)

[NBCNews.com](#)

[Terms of Service](#)

[Newsletters](#)

[Today.com](#)

Exhibit 40

Exhibit 41

Exhibit 42

Exhibit 43

From: [REDACTED] (Judiciary-Dem)
Sent: Monday, September 24, 2018 6:25 PM
To: [REDACTED] (Judiciary-Rep) <[REDACTED]>; [REDACTED] (Judiciary-Rep)
<[REDACTED]>; [REDACTED] (Judiciary-Dem) <[REDACTED]>
>; [REDACTED] (Judiciary-Dem) <[REDACTED]>
Cc: [REDACTED] (Judiciary-Dem) <[REDACTED]>
Subject:

All—

Please find attached a letter from Senator Whitehouse to Chairman Grassley and Ranking Member Feinstein. I believe he handed your bosses hard copies at the vote. Below is a summary of the substance of the allegations referenced in the letter:

Our office received a call this morning from a Rhode Island constituent, [REDACTED], who made allegations regarding U.S. Supreme Court nominee Brett Kavanaugh. [REDACTED] reported that early on a Sunday morning in August of 1985, a close acquaintance of the constituent was sexually assaulted by two heavily inebriated men she referred to at the time as "Brett and Mark." The event took place on a 36' maroon and white boat in the harbor at Newport, Rhode Island, after the three had met at a local bar. According to [REDACTED], when he learned of the assault at approximately 5:00 a.m. that same morning, he and another individual went to the harbor, located the boat the victim had described, and physically confronted the two men, leaving them with significant injuries. [REDACTED] recently realized that one of the men was Brett Kavanaugh when he saw Kavanaugh's high school yearbook photo on television over the weekend. He promptly reported the incident to our office on Monday morning, September 24, 2018.

If your office wishes to pursue this matter, we can provide contact information for Mr. [REDACTED]. It is not clear that the victim is aware that Mr. [REDACTED] has brought these allegations forward or that she wishes to come forward herself.

Thanks,

[REDACTED]

[REDACTED]

Senator Sheldon Whitehouse
Subcommittee on Crime & Terrorism
Senate Committee on the Judiciary
[REDACTED]

Exhibit 44



Log in

Sign up

You are on Twitter Mobile because you are using an old version of Safari. [Learn more here](#)



69

TWEETS

84

FOLLOWING

125

FOLLOWERS

Follow



View more photos

Tweets



@ [redacted]

Sep 26

Do everyone who is going crazy about what I had said I have recanted because I have made a mistake and apologize for such mistake

[View details](#) · [↩](#) [↻](#)



@ [redacted]

Sep 24

I get the feeling that the Republicans want The days of gold The days of old The days of 49 That is 1849

[View details](#) · [↩](#) [↻](#)



@ [redacted]

Sep 22

11 men should consider making condoms the law of the land. Then you can try to tell women what they can do with their bodies. Then men will know how it feels.

[View details](#) · [↩](#) [↻](#)



@ [redacted]

Sep 21

Replying to [@SenWhitehouse](#)

Senator should look at missing person report filed by Brighton beach address for a tall, thin blonde with a very Russian name fall 1983 I have a good idea where she is and know who's responsible. A NY tower builder.

[View conversation](#) · [↩](#) [↻](#)

 [Redacted] Sep 19
@ [Redacted]
Replying to @realDonaldTrump
I don't have a President, I have a BABY in charge. If not, start acting like you have pair of BALLS and represent everyone.
[View conversation](#) · ↩ ↻

 [Redacted] Sep 17
@ [Redacted]
Hey President, and I use that term lightly, you ever have an original idea? Oh, that's right, Fox news and Putin does the thinking, you just respond. (PUPPET!)
[View details](#) · ↩ ↻

 [Redacted] Sep 17
@ [Redacted]
Replying to @hwinkler4real
Hey what happened we got old, way to fast, but still good looking
[View conversation](#) · ↩ ↻

 [Redacted] Sep 15
@ [Redacted]
Replying to @realDonaldTrump @IngrahamAngle
Are you president or fox parrot
[View conversation](#) · ↩ ↻

 [Redacted] Sep 13
@ [Redacted]
Replying to @SenJeffMerkley
Donald has dark secret, and I know what it is
[View conversation](#) · ↩ ↻

 [Redacted] Sep 13
@ [Redacted]
Replying to @realDonaldTrump
Why don't you just go tweet yourself, donny's tweeting off! !!
[View conversation](#) · ↩ ↻

 [Redacted] Sep 12
@ [Redacted]
Replying to @realDonaldTrump @TuckerCarlson
Try watching the History channel, your brain will thank you
[View conversation](#) · ↩ ↻

 [Redacted] Sep 11
@ [Redacted]
Replying to @realDonaldTrump
There is a hurricane coming and this is the crap you're thinking about. They are right you are a man-child, shame on you
[View conversation](#) · ↩ ↻

Sep 10



[Redacted Name]
@ [Redacted]

Replying to @PressSec

Post your personal line at White house, must be fair and balanced, right Sarah.

[View conversation](#) · ↩ ↻

Sep 10



[Redacted Name]
@ [Redacted]

Replying to @realDonaldTrump

I challenge you to debate an average Joe, in my case Jeff. I think you will not , out of FEAR that a nobody will beat you. The game is afoot.

[View conversation](#) · ↩ ↻

Sep 2



[Redacted Name]
@ [Redacted]

All hail the chief, to bad we don't have one. Instead we have a poor excuse of a human. I am so glad he's 72 maybe nature will solve our problems.

[View details](#) · ↩ ↻

Aug 26



[Redacted Name]
@ [Redacted]

Replying to @realDonaldTrump

You are such a emotional infant

[View conversation](#) · ↩ ↻

Aug 20



[Redacted Name]
@ [Redacted]

Replying to @realDonaldTrump

You are as shallow as a lifeform can be. I am sorry you were so abused as a child. It is the only thing that would cause you to be the way you are.

[View conversation](#) · ↩ ↻

Aug 20



[Redacted Name]
@ [Redacted]

Replying to @realDonaldTrump

Mueller started after Brennan left office, please explain such BS

[View conversation](#) · ↩ ↻

Aug 20



[Redacted Name]
@ [Redacted]

Replying to @webb_serf @edmundmalik1 and 2 others

Why do you believe that statement and say every other statement is a lie, sorry you don't get to have it both way. Use your common sense.

[View conversation](#) · ↩ ↻

Aug 20



[Redacted Name]
@ [Redacted]

This is what Trump is trying to do. Block the truth seeing the light of day.

pic.twitter.com/cU857dld3

[View photo](#) · ↩ ↻

- Aug 20

 [@ \[redacted\]](#)

Replying to @Comey

We need to talk I know the reason why he loves Putin

[View conversation](#) · [↩](#) [↻](#)
- Aug 20

 [@ \[redacted\]](#)

Replying to @edmundmalik1 @freedomfor_all @Comey

Just a lie repeated doesn't make it true

[View conversation](#) · [↩](#) [↻](#)
- Aug 20

 [@ \[redacted\]](#)

Replying to @edmundmalik1 @freedomfor_all @Comey

Edmund Malik is that a Russian surname

[View conversation](#) · [↩](#) [↻](#)
- Aug 20

 [@ \[redacted\]](#)

Replying to @freedomfor_all @Comey

Your so Un American, siding with the cult of lies and shame

[View conversation](#) · [↩](#) [↻](#)
- Aug 19

 [@ \[redacted\]](#)

When the truth isn't the truth Rudy it is called a lie. So you and the Bozo in the white house understand the English language.

[View details](#) · [↩](#) [↻](#)
- Aug 18

 [@ \[redacted\]](#)

I am asking for the military to do their constitutional duty and protect us from the domestic terrorist in the Oval Office. Please, please, please.

[View details](#) · [↩](#) [↻](#)
- Aug 15

 [@ \[redacted\]](#)

Baby reactions cause Baby fingers to tweet from the Baby in charge in the White house . Words hurt more than bruises, right Baby.

[View details](#) · [↩](#) [↻](#)
- Aug 14

 [@ \[redacted\]](#)

Replying to @maddow

Excellent reporting , never doubt the Queen of News

[View conversation](#) · [↩](#) [↻](#)
- Aug 13

 [@ \[redacted\]](#)

When are we going to do something about Bozo, that sits in the Oval Office. We are being raped financial and ethical by this band of thieves and it's

clueless leader.

[View details](#) · ↩ ↻



[\[Redacted\]](#)
@[\[Redacted\]](#)

Jul 25

Replying to [@SenFeinstein](#)

I have a very important story to tell and need a powerful envoy to tell it. It will explain why potus loves Putin

[View conversation](#) · ↩ ↻

Load older Tweets

Enter a topic, @name, or fullname



Settings

Help

[Back to top](#) · [Turn images off](#)

Exhibit 45



@ [redacted]

Follow

Do everyone who is going crazy about what I had said I have recanted because I have made a mistake and apologize for such mistake

4:51 PM - 26 Sep 2018

95 Retweets 75 Likes



139 95 75



Claudia Koerner @ClaudiaKoerner · 2h

Replying to @ [redacted]
Hi, I'm a reporter with BuzzFeed News and we're a bit confused. Could you get in touch to explain? Send me a DM or I'm at claudia.koerner@buzzfeed.com.

70 11 38



REX @ImperatorRex_ · 57m

He lied, as have the others.

BTW FYI Debra Katz (now represented by #CreepyPornLawyer Avenatti) was Stenwick's lawyer when she alleged sexual assault against a former employer.

This inconvenient fact has been 'erased' from #FakeNews reporting.

2 32 43



Randall @Randall_Tex · 53m

I think your phrasing there is off. Stenwick is represented by Avenatti. Not Katz.

2



REX @ImperatorRex_ · 49m

Oh man 🤔

I repeat: Katz represented her in an action against her ex-employer, NY Life.

Avenatti is 'representing' the fraud now, but her 'real' attorney is almost certainly Katz.

It's a fraud.

You starting to get it?

8 84 166



Karl Weathers @karlweathersesq · 42m

It begs the question why would Stenwick hire Avenatti (who isn't known for sex abuse claims) when she has a successful relationship with Katz's firm (which specialises in those).

It makes NO SENSE

2 1 4

Exhibit 46

Sept. 22, 2018

Denver, Colorado 80211

Dear Cory Gardner,

I will remain anonymous but I feel obligated to inform you of this 1998 incident involving Brett Kavanaugh.

When he was author of the Starr Report, my daughter (from Boulder Colorado) occasionally socialized with Brett Kavanaugh. She and a group of four (including Kavanaugh met in a Washington D.C. bar).

Her friend was dating him. When they left the bar (under the influence of alcohol) they were all shocked when Brett Kavanaugh shoved her friend up against the wall very

aggressively and sexually.

There were at least four witnesses including my daughter.

Her friend (still traumatized) called my daughter yesterday (Sept 21, 2018) wondering what to do about it.

They decided to remain anonymous.

Exhibit 47

September 26, 2018

The Honorable Charles Grassley
Chairman
Committee on the Judiciary
United States Senate
135 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Dianne Feinstein
Ranking Member
Committee on the Judiciary
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510

Dear Chairman Grassley and Ranking Member Feinstein,

I write in response to a phone call I received this evening from Mike Davis, Chief Nominations Counsel for the Committee. In our phone call, Mr. Davis read to me an anonymous letter sent to Colorado Senator Cory Gardner dated September 22, 2018.

Mr. Davis asked me (1) whether I dated Brett Kavanaugh in 1998 and (2) whether he ever shoved me against a wall. Mr. Davis also emailed me the attached letter and asked me to provide an immediate and written response to the Committee.

As I informed Mr. Davis, I dated Brett Kavanaugh in 1998. To the extent the attached letter is referring to me as the “friend [who] was dating him,” the allegations it makes are both offensive and absurd. At no time did Brett ever shove me against a wall, including in an “aggressive[] and sexual[]” manner. When we dated, Brett always treated me with the utmost respect, and we remain friends to this day. I have never observed (nor am I aware of) Brett acting in a physically inappropriate or aggressive manner toward anyone.

Sincerely,

A handwritten signature in cursive script that reads "Dabney L. Friedrich". The signature is written in black ink and is positioned above the printed name.

Dabney L. Friedrich

Exhibit 48

Exhibit 49

Exhibit 50

CHARLES E. GRASSLEY, IOWA, CHAIRMAN

ORRIN G. HATCH, UTAH
LINDSEY O. GRAHAM, SOUTH CAROLINA
JOHN CORNYN, TEXAS
MICHAEL S. LEE, UTAH
TED CRUZ, TEXAS
BEN SASSE, NEBRASKA
JEFF FLAKE, ARIZONA
MIKE CRAPO, IDAHO
THOM TILLIS, NORTH CAROLINA
JOHN KENNEDY, LOUISIANA

DIANNE FEINSTEIN, CALIFORNIA
PATRICK J. LEAHY, VERMONT
RICHARD J. DURBIN, ILLINOIS
SHELDON WHITEHOUSE, RHODE ISLAND
AMY KLOBUCHAR, MINNESOTA
CHRISTOPHER A. COONS, DELAWARE
RICHARD BLUMENTHAL, CONNECTICUT
MAZIE HIRONO, HAWAII
CORY A. BOOKER, NEW JERSEY
KAMALA D. HARRIS, CALIFORNIA

United States Senate

COMMITTEE ON THE JUDICIARY
WASHINGTON, DC 20510-6275

KOLAN L. DAVIS, *Chief Counsel and Staff Director*
JENNIFER DUCK, *Democratic Chief Counsel and Staff Director*

September 29, 2018

VIA ELECTRONIC TRANSMISSION

The Honorable Jeff Sessions
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

The Honorable Christopher A. Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Washington, DC 20535

Dear Attorney General Sessions and Director Wray:

As you know, the Senate Judiciary Committee recently processed the nomination of Judge Brett M. Kavanaugh to serve as an Associate Justice on the Supreme Court. As part of that process, the Committee has been investigating various allegations made against Judge Kavanaugh. The Committee's investigation has involved communicating with numerous individuals claiming to have relevant information. While many of those individuals have acted in good faith in providing the Committee information during the investigation, unfortunately it appears some have not. As explained below, I write today respectfully referring Mr. [REDACTED] for investigation of potential violations of 18 U.S.C. §§ 1001 and 1505, for materially false statements Mr. [REDACTED] made to the Committee as part of its investigation of allegations against Judge Kavanaugh.

According to Senator Whitehouse and his Committee staff, on the morning of September 24, 2018, Mr. [REDACTED] contacted the Senator's office to report an allegation of sexual misconduct by Judge Kavanaugh. Mr. [REDACTED] claimed that in August of 1985, Judge Kavanaugh sexually assaulted a close acquaintance of Mr. [REDACTED] on a boat in the harbor at Newport, Rhode Island. Committee staff took Mr. [REDACTED]'s allegation seriously, and asked Judge Kavanaugh numerous questions about it under penalty of felony during an interview on September 25, 2018. He categorically denied the allegation. On September 26, 2018, the Committee publicly released a redacted transcript of that interview, with Mr. [REDACTED]'s name redacted. Afterwards, at 7:51 pm that same evening, Mr. [REDACTED] "recanted" and apologized for his allegation via social media. I have enclosed the relevant materials documenting these facts.

Committee investigations in support of the judicial nomination process are an essential part of the Committee's constitutional role. The Committee is grateful to citizens who come forward with relevant information in good faith, even if they are not one hundred percent sure about what they know. But when individuals provide fabricated allegations to the Committee, diverting Committee resources

during time-sensitive investigations, it materially impedes our work. Such acts are not only unfair; they are potentially illegal. It is illegal to make materially false, fictitious, or fraudulent statements to Congressional investigators. It is illegal to obstruct Committee investigations.

Accordingly, in light of the seriousness of these facts, and the threat these types of actions pose to the Committee's ability to perform its constitutional duties, I hope you will give this referral the utmost consideration.

Thank you for your prompt attention to this matter. If you have any questions, please contact a professional staff investigator in the Committee's Oversight and Investigations Unit at (202) 224-5225.

Sincerely,



Charles E. Grassley
Chairman
Committee on the Judiciary

Enclosures:

Letter from Senator Whitehouse to Chairman Grassley and Ranking Member Feinstein
Email from Senator Whitehouse' Staff
Transcript of Kavanaugh Interview
Tweet by Mr. [REDACTED]

cc: The Honorable Dianne Feinstein
Ranking Member
Committee on the Judiciary

The Honorable Sheldon Whitehouse
Ranking Member
Subcommittee on Crime and Terrorism
Committee on the Judiciary

SHELDON WHITEHOUSE
RHODE ISLAND

COMMITTEES:
BUDGET
ENVIRONMENT AND PUBLIC WORKS
FINANCE
JUDICIARY

United States Senate
WASHINGTON, DC 20510-3905

<http://whitehouse.senate.gov>

(202) 224-2921
TTY (202) 224-7746

170 WESTMINSTER STREET, SUITE 200
PROVIDENCE, RI 02903
(401) 453-5294

September 24, 2018

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Dianne Feinstein
Ranking Member
Committee on the Judiciary
331 Hart Senate Office Building
Washington, DC 20510

Dear Chairman Grassley and Ranking Member Feinstein:

This morning, a constituent contacted my office to report another allegation of sexual misconduct by Judge Brett Kavanaugh, nominee to be Associate Justice of the Supreme Court of the United States. At the constituent's request, I provided the constituent with the contact information of a reporter who might investigate the allegation. I have also alerted the Federal Bureau of Investigation.

I look forward to hearing what further action you would like to take.

Sincerely,


Sheldon Whitehouse
United States Senator

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

SENATE JUDICIARY COMMITTEE
U.S. SENATE
WASHINGTON, D.C

INTERVIEW: [REDACTED]

TUESDAY, SEPTEMBER 25, 2018

The interview convened at 12:34 p.m.

1 [Telephone ringing.]

2 [REDACTED] Hello?

3 [REDACTED] Hi, this is [REDACTED] from the Senate
4 Judiciary Committee.

5 [REDACTED] Oh, hi, [REDACTED] How are you?

6 [REDACTED] Great.

7 [REDACTED] This is [REDACTED] I'll put you on
8 speaker with the judge. I'm with Alex Walsh, his counsel,
9 and then the rest of us will head out of the room.

10 [REDACTED] Okay. Thank you.

11 [REDACTED] Can you hear us?

12 [REDACTED] Yes.

13 [REDACTED] [REDACTED]

14 [REDACTED] Yes. Can you hear us?

15 [REDACTED] Yes, it's a little quiet.

16 [REDACTED] Is this any better?

17 Judge Kavanaugh. I can hear you. This is Brett
18 Kavanaugh. And Alex Walsh is here. It sounds like you're
19 in kind of a wind tunnel, but --

20 [REDACTED] Okay. I'm not sure how to fix that.

21 [REDACTED] Why don't we try calling them back?

22 [REDACTED] We're happy to try one more time. We'll
23 just dial the number one more time and see if it's a better
24 connection.

25 Judge Kavanaugh. Okay. Great.

1 [Pause.]

2 [Telephone ringing.]

3 Judge Kavanaugh. Hello?

4 [REDACTED] Hi, it's [REDACTED] Is this any better?

5 Judge Kavanaugh. It sounds like it. Let me put you
6 on speaker.

7 You there?

8 [REDACTED] Yes, how is it?

9 Judge Kavanaugh. We'll make do.

10 Female Speaker. Yeah, it's fine. We can hear you.

11 [REDACTED] All right. Well, we apologize. If
12 there's any question you need us to repeat because you
13 didn't hear it very well, please just let me know.

14 Okay. Well, again, thank you very much for jumping on
15 the phone with us today.

16 I am here with several colleagues. I'll let them
17 introduce themselves, and then we will get started.

18 [REDACTED] I'm [REDACTED] I'm [REDACTED]

19 [REDACTED] for Chairman Grassley.

20 [REDACTED] [REDACTED]

21 for Chairman Grassley.

22 [REDACTED] Hi, Judge. [REDACTED] with the
23 minority. We've spoken in the past.

24 Judge Kavanaugh. Yes.

25 [REDACTED] [REDACTED] Hi, Judge. We've also

1 spoken. I'm with the ranking member.

2 Judge Kavanaugh. Yeah, thanks, [REDACTED]

3 [REDACTED] Hi, Judge. It's [REDACTED] I'm a

4 [REDACTED] for the ranking member.

5 Judge Kavanaugh. Okay. Thank you.

6 [REDACTED] Before we begin, I just want to make clear
7 that the Democratic members have asked the FBI to
8 investigate these allegations, and they believe that's
9 necessary to a fair process and fairness more generally.
10 The Democratic members do not believe that it's appropriate
11 for staff to be discussing allegations with you that have
12 not yet been investigated.

13 Also want to make clear that we just learned about the
14 possibility of this phone call today at 11:15 a.m. and
15 weren't advised that it would be happening at 12:30 p.m.
16 until about 11:50 a.m. today. So it's likely that we will
17 primarily be listening during this call.

18 And again, I just want to reiterate that the
19 Democratic members do not believe that this is a fair or
20 sufficient process, and this is not how the committee
21 usually handles allegations of this sort.

22 [REDACTED] I would just say -- this is [REDACTED] I
23 would just say that we can have these political discussions
24 offline. Our job today is to gather evidence in the form
25 of Judge Kavanaugh's testimony, and that's how we're going

1 to proceed. And we can have the political discussions
2 offline.

3 [REDACTED] Judge, for your knowledge, this is being
4 transcribed as well.

5 Okay. So we are here because we have received in
6 various forms, but not through the normal BI process,
7 various allegations. And when we receive allegations, we
8 typically go to the nominee to get their take on it. So
9 I'm going to run through some questions, and if anyone has
10 follow-up or clarifications, feel free to jump in.

11 Judge Kavanaugh, by now we assume that you've heard
12 about the New Yorker article published on Sunday. Have you
13 reviewed the article?

14 Judge Kavanaugh. Yes.

15 [REDACTED] The article alleges that during your
16 freshman year at Yale, you attended a -- and I quote -- "a
17 drunken dormitory party at which you exposed yourself,
18 thrust your penis in Deborah Ramirez's face, and caused her
19 to touch it without her consent as she pushed you away."

20 Did that happen?

21 Judge Kavanaugh. That did not happen.

22 [REDACTED] Do you know Deborah Ramirez?

23 Judge Kavanaugh. I do.

24 [REDACTED] When did you meet her?

25 Judge Kavanaugh. I knew her in college.

1 ██████████ And when did you last talk to her?

2 Judge Kavanaugh. Many, many years ago.

3 ██████████ Would you say that was post college?

4 Judge Kavanaugh. I'm pretty sure we were at a wedding
5 together. ██████████ ██████████ and ██████████ wedding,
6 which I believe was in 1997 in the Baltimore area. And I
7 don't think I've seen her since then.

8 ██████████ Okay. Will you describe your
9 relationship with her?

10 Judge Kavanaugh. I knew her. Friendly. Friendly,
11 but not friends.

12 ██████████ Okay. So we're on the same page, I'm
13 going to define "sexual or romantic behavior" as kissing,
14 touching, or penetrating her genitals, anus, or breasts;
15 touching or penetrating your -- her touching or penetrating
16 your genitals or anus; seeing her genitals, anus, or
17 breasts; or her seeing your genitals or anus.

18 With that definition in mind, did you have any sexual
19 or romantic encounters with Deborah Ramirez?

20 Judge Kavanaugh. No.

21 ██████████ Are you aware of any reason Deborah
22 Ramirez would lie about you?

23 [Pause.]

24 Judge Kavanaugh. I don't want to speculate.

25 ██████████ Okay. Ms. Ramirez says that she was

1 invited by a friend on the women's soccer team to a dorm
2 room party that occurred at Lawrence Hall. And again, she
3 says this occurred when you were both freshmen.

4 Did you attend any such party?

5 Judge Kavanaugh. I lived in Lawrence Hall freshman
6 year in the basement, and I have no recollection at all of
7 the party she's describing. And of course, I've said the
8 incident, the specific incident didn't happen.

9 [REDACTED] So did you attend any such party with
10 Ms. Ramirez?

11 Judge Kavanaugh. I -- I don't know all the parties in
12 Lawrence Hall or get-togethers in Lawrence Hall that might
13 have occurred. What I do know is this incident, this
14 specific incident alleged did not happen, and I don't
15 recall the general party that she's describing in
16 particular.

17 [REDACTED] Okay.

18 Judge Kavanaugh. But people got together, of course,
19 in the dorm rooms, if that's the question. So I don't want
20 to imply that people weren't in the dorm rooms.

21 And the dorms had common rooms, just so you know. So
22 there were not my -- not the room I lived in, but some of
23 the other rooms in Lawrence Hall were six rooms off a
24 common room in a what was called a suite. So in the common
25 rooms, there would often be people just hanging out.

1 ██████████ Okay. Ms. Ramirez says at the party she
2 identified, a small group of students decided to play a
3 drinking game together at which students were sitting in a
4 circle, and people would pick who drank. She says that she
5 was chosen repeatedly to the point that she later was on
6 the floor, foggy and slurring her words.

7 Did you attend any such party?

8 Judge Kavanaugh. I have no recollection of that.

9 ██████████ Ms. Ramirez says that at one point during
10 the drinking game at the party she identified, a male
11 student pointed a gag plastic penis in her direction.

12 Did you attend any party at which a male student
13 pointed a gag plastic penis at Ms. Ramirez?

14 Judge Kavanaugh. I have no recollection of that.

15 ██████████ Ms. Ramirez says that after she was on
16 the floor, foggy and slurring her words, a male student
17 exposed herself -- himself to her. She says, "I remember a
18 penis being in front of my face. I knew that's not what I
19 wanted, even in that state of mind."

20 According to the article, she recalled remarking,
21 "That's not a real penis," and the other students laughing
22 at her confusion and taunting her, one encouraging her to
23 kiss it. She said that she pushed that person away,
24 touching it in the process.

25 Did you attend a party at which any of this happened,

1 whoever that student was?

2 Judge Kavanaugh. I know that -- I couldn't hear all
3 of the question.

4 [REDACTED] Repeat it.

5 Judge Kavanaugh. I guess, I have no recollection of
6 what you're describing generally, and of course, no -- did
7 not -- the specific incident you're describing didn't
8 happen. I never saw anything like that.

9 [REDACTED] Judge, we're going to repeat the question.

10 Judge Kavanaugh. Okay.

11 [REDACTED] Ms. Ramirez says that after Ms. Ramirez
12 was on the floor, foggy and slurring her words, a male
13 student exposed herself -- himself to her. She says, "I
14 remember a penis being in front of my face. I knew that's
15 not what I wanted, even in that state of mind."

16 According to the article, she recalled remarking,
17 "That's not a real penis," and the other students laughing
18 at her confusion and taunting her, one encouraging her to
19 kiss it. She said that she pushed that person away,
20 touching it in the process.

21 Did you hear all of that?

22 Judge Kavanaugh. Yes. And the question is?

23 [REDACTED] Did you attend a party at which any of
24 this happened, whoever that student was?

25 Judge Kavanaugh. Never -- I never saw anything like

1 that.

2 [REDACTED] Ms. Ramirez says that after this event
3 occurred, she remembers you standing to her right and
4 laughing, pulling up your pants. According to her, you
5 were laughing, and she can still see your face and your
6 hips coming forward like when you pull up your pants.

7 She states that another student shouted about the
8 event, "Somebody yelled down the hall, 'Brett Kavanaugh
9 just put his penis in Debbie's face.' It was his full
10 name. I don't think it was just 'Brett,' and I remember
11 hearing and being mortified that this was out there."

12 Did this ever happen?

13 Judge Kavanaugh. That did not happen.

14 [REDACTED] The article reports that an anonymous
15 classmate is 100 percent sure that he was told at the time
16 that Kavanaugh was the student who exposed himself to
17 Ramirez and that he independently recalled many of the same
18 details offered by Ramirez, including the party's location.
19 The article also suggests that some of your classmates have
20 discussed this alleged event.

21 At any point, have you ever heard a rumor that you
22 exposed yourself to Ms. Ramirez?

23 Judge Kavanaugh. No, and I would have, because it
24 would have been the talk of campus.

25 [REDACTED] Okay. The article identifies Mr. James

1 Roche as your roommate. Is that his -- how do you
2 pronounce his name?

3 Judge Kavanaugh. Roche. Jamie.

4 [REDACTED] Roche. Okay.

5 Judge Kavanaugh. Jamie is what he went by then.

6 [REDACTED] Okay. Generally speaking, he supports
7 Ms. Ramirez's account of the story. When did you first
8 meet Mr. Roche?

9 Judge Kavanaugh. Can you hold on one second?

10 [REDACTED] Yes.

11 [Pause.]

12 Judge Kavanaugh. Okay. I'm here.

13 [REDACTED] Great. When did you first meet
14 Mr. Roche?

15 Judge Kavanaugh. I would have met him when we moved
16 in to Lawrence Hall in September of 1983 when I was 18.

17 [REDACTED] And when did you last communicate with
18 him?

19 Judge Kavanaugh. I saw him probably at our 25th
20 reunion, which would have been 2000 and -- 2012. It might
21 have been our 20th reunion, but I saw him briefly at one of
22 those reunions.

23 [REDACTED] And will you describe your relationship
24 with him?

25 Judge Kavanaugh. So there were three guys who lived,

1 in essence, in a room together -- Dave White, Jamie Roche,
2 and myself. Jamie and Dave White hated each other. They
3 got in fights, fist fights during the year. One time Dave
4 White was away for the weekend. Jamie -- when he came
5 back, Jamie had moved all Dave White's furniture,
6 everything, like into some other area of Lawrence Hall in a
7 hallway.

8 So he came back, and Dave White's room was entirely
9 empty. They had a very contentious -- they had a
10 contentious relationship, didn't like each other, at least
11 as I recall it.

12 I got -- I was friends with Dave White more than
13 Jamie. I tried to be civil. Jamie wasn't around a lot. I
14 don't know, I think his parents lived nearby, and so he was
15 elsewhere or with a girl, I don't know, a woman at Yale.

16 [REDACTED] He didn't hang out with us very
17 much, wasn't a great situation.

18 [REDACTED] Are you aware of any reason Mr. Roche
19 would lie about you?

20 Judge Kavanaugh. I'm not going to speculate beyond --
21 I'm not going to speculate beyond what I've said. My
22 understanding, of course, is that he does not corroborate
23 the incident.

24 [REDACTED] [REDACTED]
25 [REDACTED] [REDACTED] [REDACTED]

1 [REDACTED]
2 [REDACTED] [REDACTED]
3 [REDACTED]
4 [REDACTED] [REDACTED]
5 [REDACTED]
6 [REDACTED] Q [REDACTED]
7 [REDACTED] [REDACTED] [REDACTED]
8 [REDACTED]
9 [REDACTED] [REDACTED] [REDACTED]
10 [REDACTED] [REDACTED]
11 [REDACTED]

12 [REDACTED] What is your knowledge about the
13 relationship between Mr. Roche and Ms. Ramirez while at
14 Yale?

15 Judge Kavanaugh. I don't think I have much knowledge
16 of that, or at least not much -- I don't have much
17 recollection of that.

18 [REDACTED] Do you have any recollection about their
19 relationship after their time at Yale?

20 Judge Kavanaugh. I don't.

21 [REDACTED] So Mr. Roche says, "Debbie and I became
22 close friends shortly after we both arrived at Yale. She
23 stood out as being exceptionally honest and gentle. I
24 cannot imagine her making this up."

25 Do you have any other understanding about the nature

1 of their relationship, either then or now?

2 Judge Kavanaugh. I don't.

3 [REDACTED] According to the article, Mr. Roche never
4 saw you engage in any sexual misconduct, but did recall you
5 being frequently incoherently drunk.

6 Were you frequently incoherently drunk in college?

7 Judge Kavanaugh. No. Like -- like most people in
8 college, I went to parties and had beers, but that's --
9 that's not an accurate description, in my view.

10 [REDACTED] Do you have any understanding of why
11 Mr. Roche would characterize you as frequently incoherently
12 drunk in college?

13 Judge Kavanaugh. I'm not going to speculate on what's
14 going on right now. We're in the twilight zone.

15 [REDACTED] In a recent interview --

16 [REDACTED] Can I ask a question?

17 [REDACTED] Of course.

18 [REDACTED] Let me jump in here, Judge. Talk about
19 your academic performance at Yale.

20 Judge Kavanaugh. Yeah. So two things I was doing the
21 most at Yale College were studying and going to class and
22 working very hard on my academics, doing well enough to get
23 into Yale Law School, which was not obvious when I arrived
24 in September of 1983. I worked my ass off.

25 And the second thing was basketball. Throughout the

1 freshman year when I lived there, I was playing basketball
2 every day. I tried out for the varsity basketball team.
3 As soon as we got there, literally the first day, the
4 workouts started. Not -- not with coaches present because
5 they weren't allowed by NCAA rules to be present, but the -
6 - the play, the captain-led workouts started immediately.
7 Butch Graves was the captain of the Yale basketball team.
8 Chris Dudley was my classmate.

9 So we had basketball every day. Those were intense,
10 really intense afternoons, early evenings of basketball.
11 And then I played JV basketball that year, practice every
12 day, lots of games, and then in the spring, basketball
13 again for the same kind of captain-led workouts, which were
14 every weekday, a lot of running, a lot of lifting.

15 So the two primary focuses of my life were academics
16 and basketball. And of course, we all lived on Old Campus.
17 So, of course, it was also social. I had friends. Louisa
18 Garry, who testified at the hearing for me, who I met on
19 the first day of Yale College, the other college women
20 friends who have written, who joined that letter, talked
21 about what I was like from the beginning in college.

22 So thank you for the question. Happy to answer any
23 follow-up, but I was very focused on doing as well as I
24 could in school, and I was very focused on trying to be the
25 best basketball player I could be.

1 ██████████ So, in a recent interview, you denied
2 ever getting blackout drunk. Would anything about your
3 college drinking in any way impair your ability to remember
4 whether you engaged in the conduct Ms. Ramirez identifies?

5 Judge Kavanaugh. No.

6 ██████████ All right. The article reports Mr. Roche
7 as saying, "Is it believable that she was alone with a
8 wolfy group of guys who thought it was funny to sexually
9 torment a girl like Debbie? Yeah, definitely. Is it
10 believable that Kavanaugh was one of them? Yes."

11 So did you ever, either alone or with other men,
12 sexually torment any student at Yale?

13 Judge Kavanaugh. No.

14 ██████████ And do you -- do have any understanding
15 of why your college roommate would make such an accusation?

16 Judge Kavanaugh. Well, I'm not going to speculate.
17 I've described the contentious relationship in that room
18 generally and his issues generally.

19 ██████████ And his issues you testified being ██████████
20 ██████████?

21 Judge Kavanaugh. That's my understanding.

22 ██████████ According to the New Yorker article,
23 Ms. Ramirez continued to socialize with one of the male
24 classmates who had egged Kavanaugh on during the party
25 during college. She even invited the classmate to her

1 house for Thanksgiving one year after he told her that he
2 had nowhere to go. She also attended his wedding years
3 later as a guest of his wife, and she said that she posed
4 for photographs with Kavanaugh, smiling.

5 You mentioned that you believed you were probably at a
6 wedding with her. So have you interacted with Ms. Ramirez
7 since you graduated college, including potentially that
8 wedding or any other time?

9 Judge Kavanaugh. Yeah, so her best friend was Karen
10 Yarasavage. Karen Yarasavage said she never heard about
11 any such incident like this and that she would have heard
12 about it. That's what she said, as I understand it, in the
13 story -- or some story.

14 [REDACTED] would have been the person who had
15 the wedding, marrying [REDACTED], who also lived -- who
16 was also a student at Yale College at that time. And so,
17 anyway, I would have been at [REDACTED] and -- I was at [REDACTED]
18 and [REDACTED] wedding. And like I said, [REDACTED] said she
19 never heard about any such thing as this incident.

20 [REDACTED] Did you interact with Ms. Ramirez at the
21 wedding?

22 Judge Kavanaugh. I'm sure -- I'm sure I saw her
23 because it wasn't a huge wedding. And at any wedding, you
24 would see the people that you went to school with. But I
25 don't have a specific recollection.

1 ██████████ Other than the wedding, have you had
2 postgraduation interactions with Ms. Ramirez?

3 Judge Kavanaugh. Not that I'm remembering right now.

4 ██████████ The incident that she alleges in the
5 article, was that discussed at the wedding?

6 Judge Kavanaugh. No, because it didn't happen. With
7 me, or with anyone as far as I know, but not with me.

8 ██████████ All right. My last question on this
9 subject is since you graduated from college, but before the
10 New Yorker article publication on September 23rd, have you
11 ever discussed or heard discussion about the incident
12 matching the description given by Ms. Ramirez to the New
13 Yorker?

14 Judge Kavanaugh. No.

15 ██████████ Judge, I want to get your general reaction
16 to this New Yorker story, including the allegations made in
17 this story.

18 Judge Kavanaugh. This didn't happen. I've never done
19 anything like that. The story, as described -- back up.
20 Karen Yarasavage, her best friend, says she never heard
21 anything like this. If something like this had happened,
22 it would have been the talk of campus.

23 The New York Times says as recently as last week, she
24 was calling around to other classmates saying she wasn't
25 sure I had done this. And you know, I think -- I think

1 we're -- this is an outrage for this kind of thin,
2 uncorroborated, 35-year-old accusation to be leveled in
3 this fashion at this time. I've been in the public eye for
4 24 years, since I started with the independent counsel in
5 the fall of 1994, very public at various points in my life.

6 I've been through six background checks. I worked in
7 the White House at the highest levels, senior staff,
8 traveling with the President all over the world, seeing the
9 most highly sensitive secrets of our Nation for years. I
10 went through a difficult confirmation process for the D.C.
11 Circuit that was public with two separate confirmation
12 hearings in 2004 and 2006.

13 I've been a judge for 12 years in a very public way.
14 I've been identified repeatedly as a potential Supreme
15 Court nominee. Whether that was accurate or not, I've been
16 publicly identified. My decisions have been publicly
17 discussed.

18 I've been very much a presence at the Yale College
19 reunions. I've been on multiple panels there. So I've
20 been active in the class. The class newsletter has talked
21 about me. The people in my class have been at those
22 reunions and those events.

23 In all that time, not a word. And then 4 days, you
24 know, when just right before a vote for the Supreme Court,
25 after the nomination itself has been pending for months,

1 and I've been through the hearings and 65 Senate meetings
2 and all the written questions, and then -- and then, after
3 all these years, with all this time, and all these
4 descriptions with no corroboration and with her best friend
5 saying she never heard about it, you know, I'm -- I'm
6 really just, you know, stunned. And outraged.

7 It's the twilight zone. I guess we're going to get to
8 a few more of these twilight zone things, but --

9 [REDACTED] Well, actually, are you aware that the New
10 York Times passed up on this story before the New Yorker
11 ran the story?

12 Judge Kavanaugh. That's what I read in the New York
13 Times.

14 [REDACTED] What's your reaction to that?

15 Judge Kavanaugh. They couldn't -- the New York Times
16 couldn't corroborate this story and found that she was
17 calling around to classmates trying to see if they
18 remembered it. And I, at least -- and I, myself, heard
19 about that, that she was doing that. And you know, that
20 just strikes me as, you know, what is going on here? When
21 someone is calling around to try to refresh other people,
22 is that what's going on? What's going on with that?

23 That doesn't sound -- that doesn't sound good to me.
24 It doesn't sound fair. It doesn't sound proper. It sounds
25 like an orchestrated hit to take me out. That's what it

1 sounds like.

2 [REDACTED] The New Yorker story discussed how
3 Ms. Ramirez had a lapse of memory related to this incident
4 until she had several days of conversations with her
5 attorney. Did you read that?

6 Judge Kavanaugh. I did. Six days of --

7 [REDACTED] What's your -- what's your reaction to
8 that, Judge?

9 Judge Kavanaugh. I mean, what is that all about?
10 What are we talking about here? This is serious stuff, and
11 they're -- you know, they're calling around to other people
12 either to refresh them, or I don't know what's going on in
13 those conversations, but it takes 6 days to kind of dredge
14 up something with a lawyer, as I understand it.

15 And in the context of a highly contentious Supreme
16 Court nomination where people understandably, and that is
17 understandably, feel strongly about the Supreme Court. I
18 don't -- I don't want to say anything -- that's appropriate
19 in America. It's appropriate in America for people to feel
20 strongly about the Supreme Court.

21 It's not appropriate for people to be dredging up
22 uncorroborated stories and trying to refresh other people's
23 recollections and then stoke the media and create a feeding
24 frenzy and destroy my family and destroy my reputation and
25 take me down. This is not right. It's an outrage.

1 ██████████ Judge, your wife, Ashley, and you recently
2 did an interview on Fox News with Martha MacCallum. Is
3 that correct?

4 Judge Kavanaugh. That is correct.

5 ██████████ Everything that you said on that
6 interview, do you -- do you affirm that today? Do you
7 adopt that as your testimony today?

8 Judge Kavanaugh. Yes.

9 ██████████ And do you understand that what you tell a
10 reporter is not subject to felony prosecution if you're
11 lying? Do you understand that?

12 Judge Kavanaugh. Yes.

13 ██████████ Do you understand that what you tell
14 congressional investigators is subject to felony
15 prosecution for lying? Correct?

16 Judge Kavanaugh. Correct.

17 ██████████ So are you saying that you're -- again,
18 with that in mind, are you adopting today that what you --
19 as your testimony what you told Martha MacCallum on Fox
20 News?

21 Judge Kavanaugh. Yes.

22 ██████████ Hey, Judge. So we have a few more
23 questions, as we've had a few more allegations. So I just
24 want to start walking through those with you now.

25 Michael Avenatti has conveyed to the committee and the

1 press allegations about your alleged involvement in gang
2 rape parties while in high school.

3 Have you had the opportunity to review those
4 allegations?

5 Judge Kavanaugh. I've heard about them generally.

6 [REDACTED] Well --

7 Judge Kavanaugh. Happy to -- happy to answer
8 questions.

9 [REDACTED] So tell us what you've heard about these
10 allegations, Judge.

11 Judge Kavanaugh. Well, can you just give me an
12 allegation? I think I saw generally described in an email
13 the allegations. So if you can ask me --

14 [REDACTED] So the committee investigators --
15 Mr. Avenatti made allegations that he had secret evidence
16 against you. Committee investigators reached out to him
17 immediately via email and asked him for his allegations and
18 his evidence. The allegations that he made are, to
19 summarize, he alleged a drug- and alcohol-induced gang rape
20 that you participated in.

21 Judge Kavanaugh. That is false. I've never
22 participated in a gang rape. I've never participated in
23 sexual activity with more than one woman present and me. I
24 think -- yeah. Just making sure I accurately described
25 that. In other words, I've never had a threesome or more

1 than a threesome.

2 [REDACTED] So, specifically, Mr. Avenatti said, "We are
3 aware of significant evidence of multiple house parties in
4 the Washington, D.C., area during the early 1980s during
5 which Brett Kavanaugh, Mark Judge, and others would
6 participate in the targeting of women with alcohol/drugs in
7 order to allow a 'train of men' to subsequently gang rape
8 them."

9 Were you involved in any way in such parties?

10 Judge Kavanaugh. No. And I've never heard of such a
11 thing. It's an outrageous accusation. Ridiculous.

12 [REDACTED] Okay. So we have some more specific
13 questions. These are -- these are Mr. --

14 Judge Kavanaugh. Good.

15 [REDACTED] Mr. Avenatti's questions. The first one,
16 did you ever target one or more women for sex or rape at a
17 house party?

18 Judge Kavanaugh. No.

19 [REDACTED] Did you ever assist Mark Judge or others in
20 doing so?

21 Judge Kavanaugh. No.

22 [REDACTED] Did you ever attend any house party during
23 which a woman was gang raped or used for sex by multiple
24 men?

25 Judge Kavanaugh. No.

1 ██████████ Did you ever witness a line of men outside a
2 bedroom at any house party where you understood a woman was
3 in the bedroom being raped or taken advantage of?

4 Judge Kavanaugh. No.

5 ██████████ Did you ever participate in any sexual
6 conduct with a woman at a house party with whom you
7 understood to be intoxicated or under the influence of
8 drugs?

9 Judge Kavanaugh. No.

10 ██████████ Did you ever communicate with Mark Judge or
11 anyone else about your participation in a "train" involving
12 an intoxicated woman?

13 Judge Kavanaugh. No.

14 ██████████ Did you ever object or attempt to prevent
15 one or more men from participating in the rape or taking
16 advantage of a woman at any house party?

17 Judge Kavanaugh. I never saw such a thing. So the
18 premise, the question is off.

19 ██████████ Mr. Avenatti has also conveyed certain
20 allegations about your yearbook and calendar. First, he
21 says your yearbook and calendar refer to "FFFFFFFourth of
22 July," that is "Fourth of July" with a total of seven Fs.
23 For clarity, I'll just refer to that as the "FFFFFFFourth
24 of July entry."

25 Does your yearbook contain the "FFFFFFFourth of July

1 entry" described by Mr. Avenatti?

2 Judge Kavanaugh. Can you -- sorry, you were breaking
3 out. Can you just speak a little closer to the phone and
4 speak up?

5 [REDACTED] Sure

6 [REDACTED] Reread the question, please.

7 [REDACTED] Right. Sorry. It's kind of a long one.

8 Mr. Avenatti says that your yearbook and calendar
9 refer to "FFFFFFFourth of July," that is "Fourth of July"
10 with a total of seven Fs. For clarity, I'll just refer to
11 that as the "FFFFFFFourth of July entry."

12 Does your yearbook contain the "FFFFFFFourth of July
13 entry" described by Mr. Avenatti?

14 Judge Kavanaugh. So "FFF," all that refers to is a
15 friend of ours in the class, when he would say "fuck you,"
16 he would often say it with a wind-up like "fffuck you."
17 And for reasons that are not clear to me today, at age 15
18 and 16, the whole group of guys thought that was a funny,
19 inside thing, and it got shortened to the sound I just made
20 was a number of Fs rolling together.

21 And that guy would sometimes get in fights, either on
22 the football field or otherwise, where he would say "fuck
23 you" and then, you know, be in a fight. And that was the
24 reference.

25 [REDACTED] Okay. But what does "FFFFFFFourth of July"

1 specifically refer to?

2 Judge Kavanaugh. That must refer to a specific
3 incident where that guy -- hold on one second.

4 [Pause.]

5 Judge Kavanaugh. Best recollection would be that it's
6 a specific party where he got in a fight.

7 ██████████ But you don't recall that party or that
8 fight?

9 Judge Kavanaugh. I don't recall the specifics, no. I
10 think it's referring to Rehoboth Beach.

11 ██████████ Okay. Mr. Avenatti says he has reason -- he
12 has reason to believe that the "FFFFFFFourth of July entry"
13 stands for "find them, French them, feel them, finger them,
14 fuck them, and forget them."

15 Have you ever used such a reference?

16 Judge Kavanaugh. That's wrong. It refers to this one
17 guy and his -- and a joke that everyone had about him and
18 how he said "fuck you."

19 ██████████ Have you ever heard of such a reference as
20 Mr. Avenatti described it being used?

21 Judge Kavanaugh. I have never heard that as a
22 reference, and I know for a fact that that was not the
23 reference with respect to the yearbook.

24 ██████████ Why did you include the "FFFFFFFourth of
25 July entry" in your yearbook and your calendar?

1 Judge Kavanaugh. I can't remember. The yearbook is a
2 lot of humor, a lot of farce, a little bit of serious where
3 you list your activities. But it's a lot of humor and a
4 lot of farce at a time when the editors of the yearbook
5 were probably following a model -- model of -- hold on one
6 second.

7 [Pause.]

8 Judge Kavanaugh. Yeah, the yearbook editors, I think,
9 had a mindset of like "Caddyshack," "Fast Times at
10 Ridgemont High," "Animal House," or something and made the
11 yearbook into kind of a farce in that respect. And that's
12 -- you know, that explains some of the yearbook.

13 [REDACTED] Judge, I just want to get some clarity on
14 the first question that [REDACTED] asked you on this line of
15 questioning. I just want to make sure that your answer is
16 what we suspect it is.

17 So let me repeat the question, and then I'm going to
18 ask you the first question again to get a clear answer.

19 Mr. Avenatti says he has reason to believe that the
20 "FFFFFFFourth of July entry" stands for "find them, French
21 them, feel them, finger them, fuck them, and forget them."

22 And here's the question. Have you ever used such a
23 reference?

24 Judge Kavanaugh. No, never. Nor has anyone else, to
25 my understanding. And I know for a fact that that is not

1 the reference in the yearbook or the reference related to
2 the person in question talking about his use of it and how
3 that became a joke among some of the classmates.

4 [REDACTED] Thank you, Judge, for the clarification on
5 our part, and [REDACTED] will continue the questioning.

6 [REDACTED] So do you have any understanding of why
7 Mr. Avenatti would interpret the "FFFFFFFourth of July
8 entry" as he has?

9 Judge Kavanaugh. No. We all know about -- no, I'm
10 not going to speculate further.

11 [REDACTED] Well, Judge, tell us about your general
12 reaction to Mr. Avenatti and his allegations.

13 Judge Kavanaugh. I think it's absurd, outrageous, a
14 joke, a farce, the twilight zone.

15 [REDACTED] Have you ever met Mr. Avenatti?

16 Judge Kavanaugh. No.

17 [REDACTED] We have not received any evidence from
18 Mr. Avenatti, despite Senate investigators requesting his
19 evidence for his allegations. We don't even know who his
20 client is, or clients, he's apparently representing in this
21 matter.

22 Are you aware of any client or clients of Mr. Avenatti
23 related to this matter?

24 Judge Kavanaugh. I am not.

25 [REDACTED] Are you aware of any evidence that

1 Mr. Avenatti may have that he says that he's going to
2 present to us at some indeterminate time in the near
3 future?

4 Judge Kavanaugh. I am not.

5 [REDACTED] Okay. So we have a few more questions about
6 some of these yearbook entries. Mr. Avenatti also says
7 that your yearbook and calendar include the phrase "devil's
8 triangle." For clarity, I'll refer to that as the "devil's
9 triangle entry."

10 Does your yearbook contain the devil's triangle entry
11 described by Mr. Avenatti?

12 Judge Kavanaugh. Hold on one second.

13 [Pause.]

14 Judge Kavanaugh. Yes. I should just clarify, too,
15 you've referred to my calendars a couple of times. He has
16 no -- he's never seen my calendars.

17 [REDACTED] You say "he," you mean Mr. Avenatti?

18 Judge Kavanaugh. Yes, Mr. Avenatti, of course, has
19 never seen my calendars.

20 [REDACTED] And you say that -- you've referred to
21 your calendars, are you -- you mean -- are you looking at
22 your calendars today?

23 Judge Kavanaugh. No. I'm just saying your question,
24 or at least the lead-up to the question, the last two
25 questions referred to calendar and yearbook, and I'm just

1 pointing out that Mr. Avenatti has never seen my calendars.
2 So we're talking about the yearbook entry.

3 On the yearbook entry, yes, there is a reference to
4 devil's triangle.

5 [REDACTED] What does the devil's triangle entry refer
6 to?

7 Judge Kavanaugh. It refers to a drinking game where
8 there were three glasses in a triangle. Beer drinking.

9 [REDACTED] Mr. Avenatti says he has -- he has reason to
10 believe the devil's triangle entry refers to a situation
11 where two men engage in sex with one woman at the same
12 time.

13 Have you ever used the term "devil's triangle" to
14 refer to sexual behavior?

15 Judge Kavanaugh. No.

16 [REDACTED] Have you ever heard "devil's triangle" being
17 used to refer to sexual behavior?

18 Judge Kavanaugh. No.

19 [REDACTED] Why did you include the devil's triangle
20 entry in your yearbook?

21 Judge Kavanaugh. I don't know. We were 17.

22 [REDACTED] Do you have any understanding of why
23 Mr. Avenatti would interpret the devil's triangle entry as
24 he has?

25 Judge Kavanaugh. I think I'll refer back to my prior

1 answer about my reaction to his allegations.

2 [REDACTED] Thank you, Judge.

3 [REDACTED] This is [REDACTED] again. I'm going to jump
4 to the next set of questions unless you have anything else
5 to add on that past topic?

6 Judge Kavanaugh. That's fine by me. Thank you.

7 [REDACTED] Okay. Judge Kavanaugh, on September 22nd
8 of this year, Senator Gardner received an anonymous letter,
9 apparently sent from Denver, alleging that you engaged in
10 certain conduct in 1998.

11 Have you had an opportunity to review that letter?

12 Judge Kavanaugh. I did look at that, I believe, yeah.

13 [REDACTED] Okay. I'm going to read -- read from it.
14 The letter states, "I will remain anonymous, but I feel
15 obligated to inform you of this 1998 incident involving
16 Brett Kavanaugh." When you were the author of the Starr
17 Report, the author's daughter from Boulder, Colorado,
18 occasionally socialized with Brett Kavanaugh. She and a
19 group of four, including Kavanaugh, met in a Washington,
20 D.C., bar.

21 "Her friend was dating him, and they left the bar
22 under the influence of alcohol. They were all shocked when
23 Brett Kavanaugh shoved her friend up against the wall very
24 aggressively and sexually. There were at least four
25 witnesses, including my daughter. Her friend, still

1 traumatized, called my daughter yesterday, September 21,
2 2018, wondering what to do about it. They decided to
3 remain anonymous."

4 Did the events described in the letter occur?

5 Judge Kavanaugh. No, and we're dealing with an
6 anonymous letter about an anonymous person and an anonymous
7 friend. It's ridiculous. Total twilight zone. And no,
8 I've never done anything like that.

9 [REDACTED] Just a few more specific questions. At
10 any point while you were involved in the Starr
11 investigation, did you ever shove a woman up against a wall
12 very aggressively or sexually as you left a bar?

13 Judge Kavanaugh. No.

14 [REDACTED] At any point while you were involved in
15 the Starr investigation, did you ever behave violently
16 toward a woman?

17 Judge Kavanaugh. No.

18 [REDACTED] All right. Just one moment, please.

19 [Pause.]

20 [REDACTED] When you were involved in the Starr
21 investigation, do you recall ever socializing with a woman
22 from Boulder, Colorado?

23 Judge Kavanaugh. No.

24 [REDACTED] While you were involved in the Starr
25 investigation, do you recall ever dating a woman who would

1 fairly fit the description in the letter provided to
2 Senator Gardner?

3 [REDACTED] The anonymous letter.

4 Judge Kavanaugh. What's the description?

5 [REDACTED] Just based on what I --

6 Judge Kavanaugh. Describe her appearance.

7 [REDACTED] No, it's -- all we have is what I read.

8 Judge Kavanaugh. Well, then I don't know what I'm
9 responding to then.

10 [REDACTED] Judge, I want to give you the opportunity
11 again to respond more generally to these series of
12 allegations that are made against you either by
13 Mr. Avenatti or anonymous sources or others. I just want
14 to get your general reaction to this.

15 Judge Kavanaugh. I think this is -- this is crazy
16 town. It's a smear campaign. I've been in the public eye
17 for 24 years, really public at various points. Certainly
18 1998, when I was in the Starr investigation, that was a
19 very public year. In the Bush White House, very public,
20 especially in 2003 to 2006. Two notable confirmation
21 hearings in '04 and '06. As a judge for 12 years. Named,
22 whether correctly or not, a few times as a possible Supreme
23 Court nominee, very public around those times.

24 You know, go through this whole process, and the FBI
25 background, six FBI backgrounds, intense scrutiny, and then

1 for something like this and the Avenatti thing are just
2 absurd and outrageous, coordinated perhaps. I don't know.
3 Twilight zone. And I don't -- you know, it's just
4 outrageous. It's trying to take me down, trying to take
5 down my family.

6 It's bad -- it's doing damage to the Supreme Court.
7 It's doing damage to the country. It's doing damage to
8 this process. It's become a total feeding frenzy, you
9 know? Every -- just unbelievable.

10 [REDACTED] The committee has received four separate
11 allegations related to you and sexual misconduct. Is there
12 a kernel of truth in any of these allegations?

13 Judge Kavanaugh. No. Are we going to talk Rhode
14 Island?

15 [REDACTED] We are.

16 Judge Kavanaugh. Okay. Let's get that one out of the
17 way, too.

18 [REDACTED] Okay, Judge.

19 Judge Kavanaugh. I don't mean to cut off questions
20 about the other one.

21 [REDACTED] Oh, no, I think we were finished. Judge
22 Kavanaugh, a Rhode Island man named [REDACTED]
23 recently called Senator Whitehouse's office making
24 allegations concerning a rape on a boat in August of 1985.
25 Have you had the opportunity to review those allegations?

1 Judge Kavanaugh. Yes.

2 [REDACTED] So, for the record, the report from Senator
3 Whitehouse states, "Senator Whitehouse received a call this
4 morning from a Rhode Island constituent, [REDACTED],
5 who made allegations regarding U.S. Supreme Court nominee
6 Brett Kavanaugh. [REDACTED] reported that early on a Sunday
7 morning in August of 1985, a close acquaintance of the
8 constituent was sexually assaulted by two heavily
9 inebriated men she referred to at the time as Brett and
10 Mark.

11 "The event took place on a 36-foot maroon and white
12 boat in the harbor at Newport, Rhode Island, after the
13 three had met at a local bar. According to [REDACTED], when
14 he learned of the assault at approximately 5:00 a.m. that
15 same morning, he and another individual went to the harbor,
16 located the boat the victim had described and physically
17 confronted the two men, leaving them with significant
18 injuries.

19 "[REDACTED] recently realized that one of the men was
20 Brett Kavanaugh when he saw Kavanaugh's high school
21 yearbook photo on television over the weekend. He promptly
22 reported the incident to our office on Monday morning,
23 September 24, 2018."

24 Judge, did this event happen?

25 Judge Kavanaugh. No. I was not in Newport, haven't

1 been on a boat in Newport. Not with Mark Judge on a boat,
2 nor all those three things combined. This is just
3 completely made up, or at least not me. I don't know what
4 they're referring to.

5 [REDACTED] Did you ever sexually assault a woman or
6 women in Rhode Island?

7 Judge Kavanaugh. No.

8 [REDACTED] Were you ever in a situation where two men
9 injured you and someone named Mark?

10 Judge Kavanaugh. No.

11 [REDACTED] Do you have any knowledge of such a boat?

12 Judge Kavanaugh. No.

13 [REDACTED] Do you know [REDACTED]?

14 Judge Kavanaugh. No.

15 [REDACTED] [REDACTED] appears to have a Twitter
16 account with the handle [REDACTED]. Among other
17 things, the information identifies the account holder as a
18 "hippie" from "[REDACTED], Rhode Island."

19 Are you aware that on June 27th of this year, the
20 account tweeted, "A question, when will the United States
21 military decided to do what they have vowed and remove the
22 domestic threat to the Constitution that lives in the White
23 House?"

24 Judge Kavanaugh. Can you repeat -- you broke out. So
25 I just want to make sure I got it. I think I got it, but

1 can you repeat it?

2 [REDACTED] Sure. So [REDACTED] has a Twitter account
3 with the handle [REDACTED]. Among other things, the
4 information identifies the account holder as a "hippie"
5 from "[REDACTED], Rhode Island."

6 Are you aware that on June 27 of this year, this
7 account tweeted, "A question, when will the United States
8 military decided to do what they have vowed and remove the
9 domestic threat to the Constitution that lives in the White
10 House?"

11 Judge Kavanaugh. I'm not aware of his Twitter account
12 or what might be on his Twitter account, if that's the
13 question.

14 [REDACTED] So you are not aware that on July 8th of
15 this year, this account tweeted, "Dear Pentagon, please
16 save my country from the parasite that occupies the White
17 House. Our you waiting until Russians parachute in like in
18 Red Dawn? Please help!"

19 Judge Kavanaugh. I'm not aware of that.

20 [REDACTED] So you are also not aware that on August 18
21 of this year, this account tweeted, "I am making for the
22 military to do their constitutional duty --"

23 [REDACTED] I am asking.

24 [REDACTED] "I am asking" -- excuse me. "-- for the
25 military to do their constitutional duty and protect us

1 from the domestic terrorist in the Oval Office. Please,
2 please, please."

3 Judge Kavanaugh. I'm not aware of that.

4 [REDACTED] Having heard this information, do you know
5 or remember, [REDACTED]?

6 Judge Kavanaugh. I don't.

7 [REDACTED] What are your general reactions to this
8 allegation, Judge?

9 Judge Kavanaugh. It's just totally made up.
10 Ridiculous.

11 [REDACTED] Okay. So, Judge Kavanaugh, we've asked you
12 now about a number of very recently made allegations of
13 sexual misconduct, and I want to make sure that we fully
14 understand your testimony.

15 Again, you understand that falsely answering my
16 questions -- our questions can carry criminal penalties.
17 Correct?

18 Judge Kavanaugh. I understand that, yes.

19 [REDACTED] Committee investigators previously asked you
20 about Dr. Ford's allegations. You categorically and
21 unequivocally denied them.

22 Do you stand by that testimony?

23 Judge Kavanaugh. I do.

24 [REDACTED] Today, we've ask you about some other
25 allegations that became public after Dr. Ford's allegations

1 became public. You have denied all of them.

2 Do you stand by that testimony?

3 Judge Kavanaugh. I do.

4 [REDACTED] Have you ever sexually assaulted anyone?

5 Judge Kavanaugh. I have not.

6 [REDACTED] Have you ever committed any kind of sexual
7 misconduct?

8 Judge Kavanaugh. No.

9 [REDACTED] Are you looking forward to testifying at
10 Thursday's hearing?

11 Judge Kavanaugh. I am looking forward to it. And to
12 reiterate what I said last Monday, now 8 days ago, I wanted
13 to testify last Tuesday so that I can clear my name, defend
14 my integrity, defend a lifetime of good work that I have
15 done and the record I've built as a judge for 12 years,
16 worked in the White House for 5 1/2, working in public
17 service, working for Justice Kennedy. I look forward to
18 defending my name, defending my integrity.

19 And to reiterate also, listen to all the people who
20 knew me best. The women I went to high school with who've
21 spoken. You know, Julie and Suzanne and Meghan and Maura,
22 and Maura, and I'll go on, who were my friends and are
23 still my friends, and who knew me then and have known me
24 since age 13 or 14. And the college friends like Louisa
25 and Carolyn and Karen, and the people I -- the women I

1 worked with in the Bush White House who have repeatedly
2 spoken on my behalf and signed a letter on my behalf and
3 talked about how I've always treated women with dignity and
4 respect throughout my life.

5 The law clerks that I've hired, and I've been the
6 leading judge in the United States, Federal judge in the
7 United States in my time on the bench in promoting women
8 law clerks to Supreme Court clerkships and hired more women
9 than men, and they've all spoken out in support of me and
10 how I've been an advocate for women's equality throughout
11 my life.

12 As a coach for the last 7 years of girls basketball
13 teams, and training and encouraging and inspiring girls to
14 do -- to have confidence and do better at basketball and
15 prepare them for life and listen to their moms and dads.

16 And all this inspired by my mom, who taught me at a
17 young age to break barriers and who, herself, was a
18 trailblazer and overcame sexual harassment and barriers
19 that were omnipresent at that time for women trying to
20 break into the legal profession. And I watched her do that
21 and learned from her and was inspired by her.

22 And one facet of my life that has been important to me
23 in all aspects is I've always been friends with lots of
24 people, and I'm blessed by my friends, and I've talked
25 about that in my opening statement last time. And one of

1 the things that's been true throughout my life is how many
2 women I've been friends with. Not talking about dating
3 now, talking about friends.

4 From an early age, Julie Hurson DeVol on TV the other
5 night talking about how I always helped her with her
6 homework in high school. Suzanne Hohman Matan and Amy
7 O'Neill and Kristin Blomquist Treacy and Maura Fitzgerald
8 and Maura Molloy Kane and Meghan Molloy McCaleb, all
9 friends from high school who were with me all the time and
10 were my friends and are still my friends. And I can go on
11 and on on the names and the people in college.

12 I've been -- I've been a supporter and promoter of
13 women's equality, and then the women -- women I've dated
14 have talked about that as well and how I treated them. And
15 some of the women on those letters are people I went out
16 with. Most of them, of course, are friends and never had
17 that kind -- but they've all talked about how I treated
18 them with dignity and respect throughout my life.

19 And you know, who would want to go through this? Who
20 is ever going to want to go through this in the future?
21 What is this doing to the Court when -- and the country and
22 the process when these kind of -- this kind of process
23 happens where an allegation is held for this long, an
24 allegation during the process that was known. And then I
25 have -- known during the process, I mean, by a Senator.

1 And then I go through the hearing and the prompt
2 background check and the individuals meetings, and then
3 it's sprung in the way it was sprung. And you know, just
4 to go back to that, that's the summer of 1982. Well, I
5 wasn't at such thing in the summer of 1982. And the people
6 who were there say it didn't happen.

7 And since we last talked, the other -- the woman who
8 was there says she doesn't know me and has never seen me,
9 as far as she can remember, at a party. It's just -- it's
10 a disgrace. It is a total -- what this process has become.

11 I'll end with that, unless you have further questions.

12 ██████████ Just one more.

13 ██████████ Two more. Go ahead.

14 ██████████ Two more. Excuse me. Do you object to the
15 public release of the transcript of this interview?

16 Judge Kavanaugh. I do not object.

17 ██████████ And Judge, we had a transcribed interview
18 with you on Monday, September 17, 2018. Correct?

19 Judge Kavanaugh. Yes.

20 ██████████ And in that interview, we discussed the
21 then-allegations by Dr. Ford contained in the July 30,
22 2018, letter sent to Senator Feinstein's office. Correct?

23 Judge Kavanaugh. Correct.

24 ██████████ Do you -- for purposes of your testimony
25 today, do you adopt your testimony from September 17th?

1 Judge Kavanaugh. Yes.

2 [REDACTED] And do you object to the public release of
3 that testimony from September 17th?

4 Judge Kavanaugh. I do not object to that.

5 [REDACTED] So that was during -- that testimony was
6 during a background investigation call with you between the
7 ranking member's staff and the chairman's staff. Do you
8 understand that?

9 Judge Kavanaugh. I thought it was just the chairman's
10 staff, that call. Am I wrong about that?

11 [REDACTED] Excuse me. The chairman's staff. The
12 ranking member's staff was invited, but did not
13 participate. I stand corrected. But you understand that
14 that's --

15 Judge Kavanaugh. Right. That --

16 [REDACTED] -- part of the BI process?

17 Judge Kavanaugh. That's correct.

18 [REDACTED] So I just want to make sure that this is
19 crystal clear. You do not object to having that testimony,
20 that transcript of that testimony attached, because you're
21 adopting it for purposes of today's testimony, to your
22 testimony today, and so we can publicly release both
23 transcripts. Is that correct?

24 Judge Kavanaugh. That is correct.

25 [REDACTED] Do you have anything further to add,

1 Judge?

2 Judge Kavanaugh. Thank you all for your time.

3 [REDACTED] Thank you.

4 [Whereupon, at 1:36 p.m., the interview was
5 concluded.]

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25



Follow



Do everyone who is going crazy about what I had said I have recanted because I have made a mistake and apologize for such mistake

7:51 PM - 26 Sep 2018

140 Retweets 121 Likes



293 140 121



Exhibit 51

Exhibit 52

Exhibit 53