

LAW ENFORCEMENT SENSITIVE AND PRIVILEGED  
DELIBERATIVE PROCESS PRIVILEGE  
ATTORNEY WORK PRODUCT  
DISCUSSION DRAFT

INVESTIGATIVE PLAN / TO DO LIST

Administrative - Internal

Task	Lead	Notes
(b) (5)		
(b) (5)		
Complete admin staffing	(b) (5), (b) (7)(C)	(b) (5)
Complete attorney staffing	RKH	
Set up SIPR e-mail account		
Obtain PIV card		
(b) (5)		
(b) (5)	RKH	

LAW ENFORCEMENT SENSITIVE AND PRIVILEGED  
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DISCUSSION DRAFT

Administrative - External

Task	Lead	Notes
(b) (5)	RKH	(b) (5), (b) (6), (b) (7)(C)
(b) (5), (b) (7)(E)	RKH	(b) (5), (b) (7)(E)

LAW ENFORCEMENT SENSITIVE AND PRIVILEGED  
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 ATTORNEY WORK PRODUCT  
 DISCUSSION DRAFT

Investigative

Task	Lead	Notes
(b) (5), (b) (7)(E)		
(b) (5), (b) (7)(E)	RKH	(b) (5), (b) (7)(E)
(b) (5), (b) (7)(E)	RKH	Same
(b) (5), (b) (7)(E)	RKH	Same
(b) (5), (b) (7)(E)	RKH	Same
(b) (5), (b) (7)(E)	RKH	Same
(b) (5), (b) (7)(E)		
(b) (5), (b) (7)(E)	RKH	(b) (5), (b) (7)(E)
(b) (5), (b) (7)(E)		
(b) (5), (b) (7)(E)	(b) (5), (b) (7)(E)	(b) (5), (b) (7)(E)
(b) (5), (b) (7)(E)	(b) (5), (b) (7)(E)	(b) (5), (b) (7)(E)
(b) (5), (b) (7)(E)	(b) (5), (b) (7)(E)	(b) (5), (b) (7)(E)

LAW ENFORCEMENT SENSITIVE AND PRIVILEGED  
DELIBERATIVE PROCESS PRIVILEGE  
ATTORNEY WORK PRODUCT  
DISCUSSION DRAFT

Task	Lead	Notes
		(b) (5), (b) (7)(E)
(b) (5), (b) (7)(E)	Case agents / (b) (5), (b) (7)(E)	(b) (5)
		(b) (5), (b) (7)(E)
(b) (5), (b) (7)(E)		(b) (5)
(b) (5), (b) (7)(E)		
		(b) (5), (b) (7)(E)
(b) (5), (b) (7)(E)		
(b) (5), (b) (7)(E)		(b) (5)
(b) (5), (b) (7)(E)		

LAW ENFORCEMENT SENSITIVE AND PRIVILEGED  
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ATTORNEY WORK PRODUCT  
DISCUSSION DRAFT

(b) (5)

Task	Lead	Notes
(b) (5)	RKH	

(b) (5)

Task	Lead	Notes
(b) (5)	RKH	(b) (5)

## Talking Points to Consider

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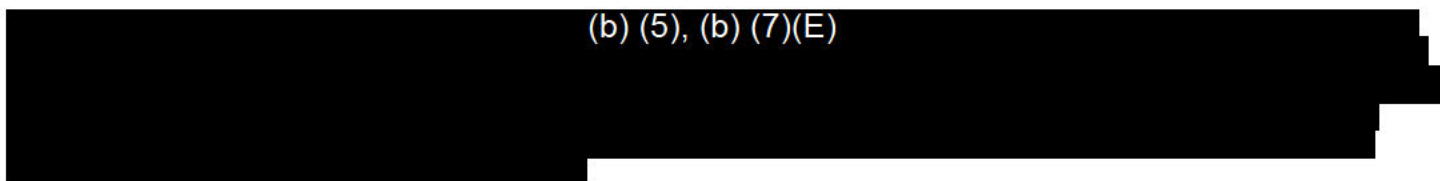
**From:** (b) (6), (b) (7)(C) (JHPT) (b) (6), (b) (7)(C)  
**To:** RKHSC (JHPT) (b) (6), (b) (7)(C)  
**Cc:** MLK (JHPT) (b) (6), (b) (7)(C)  
**Date:** Sun, 05 Mar 2023 15:17:10 -0500  
**Attachments:** Talking Points for AG Meeting 3.6.2023v3.docx (25.02 kB)

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Rob,

Please find some Talking Points for you to consider attached. I am currently in the SCIF, but saw a Marshal upstairs earlier and I figured you may be in the office now/shortly working on this, so I wanted to get you these thoughts. I am sure you have already these points.

(b) (5), (b) (7)(E)



Thank you,

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



TALKING POINTS REGARDING (b) (5), (b) (7)(E)

INTRODUCTION

- It has now been more than four months since the first tranche of classified materials were found across three separate locations in this case (11/2/2022)
- In terms of volume, so far, there are more than 90 marked documents totaling over 400 pages. This does not include material which may be deemed classified upon further review, for example, (b) (5), (b) (7)(E)
- The marked classified documents recovered in this case include materials that span 40 years—dated from 1976 to 2016—across numerous different topics and across President Biden’s service both as a Senator and as the Vice President.

- (b) (5), (b) (7)(E)
- (b) (5), (b) (7)(E)
- (b) (5), (b) (7)(E)
- (b) (5), (b) (7)(E)
- (b) (5), (b) (7)(E)
- (b) (5), (b) (7)(E)
- (b) (5), (b) (7)(E)
- (b) (5), (b) (7)(E)
- (b) (5), (b) (7)(E)
- (b) (5), (b) (7)(E)
- (b) (5), (b) (7)(E)

(b) (5), (b) (7)(E)

(b) (5), (b) (7)(E)

- (b) (5), (b) (7)(E)
- (b) (5), (b) (7)(E)
- (b) (5), (b) (6), (b) (7)(C), (b) (7)(E)
- (b) (5), (b) (6), (b) (7)(C), (b) (7)(E)
- (b) (5), (b) (7)(E)
- (b) (5), (b) (7)(E)

(b) (5), (b) (7)(E)

- (b) (5), (b) (7)(E)
- (b) (5), (b) (7)(E)
- (b) (5), (b) (7)(E)
- (b) (5), (b) (7)(E)



## Talking points

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**From:** RKHSC (JHPT) (b) (6), (b) (7)(C)  
**To:** MLK (JHPT) (b) (6), (b) (7)(C), "Gannon, Curtis E. (OSG)" (b) (6), (b) (7)(C), "Lausch, John (USAILN)" (b) (6), (b) (7)(C)  
**Date:** Tue, 07 Mar 2023 13:01:39 -0500  
**Attachments:** AG Mtg\_Talking Points re (b) (5), (b) (7)(E)\_03072023\_v2.docx (40.68 kB)

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Gents,

find draft talking points. I'm going to continue to flesh out the (b) (5)

Grateful for your redlines.

I've taken a quick stab at assigning speaking parts but didn't get very far. Wanted to get these to you ASAP. Please feel free to mark yourself down for specific passages you'd like to address. Otherwise, we should treat the meeting as a free-for-all where you should chime in as you feel inspired to.

Thank you,  
Rob

## AG Mtg\_Talking Points re (b) (5), (b) (7)(E) \_03072023\_v2 (002)

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**From:** MLK (JHPT) (b) (6), (b) (7)(C)  
**To:** RKHSC (JHPT) (b) (6), (b) (7)(C) >, "Gannon, Curtis E. (OSG)" (b) (6), (b) (7)(C), "Lausch, John (USAILN)" (b) (6), (b) (7)(C)  
**Date:** Tue, 07 Mar 2023 13:36:13 -0500  
**Attachments:** AG Mtg\_Talking Points re (b) (5), (b) (7)(E) \_03072023\_v2 (002).docx (40.65 kB)

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One suggestion in redline.

## AG Mtg\_Talking Points re (b) (5), (b) (7)(E) \_03072023\_v3.docx

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**From:** RKHSC (JHPT) (b) (6), (b) (7)(C) >  
**To:** MLK (JHPT) (b) (6), (b) (7)(C) "Gannon, Curtis E. (OSG)" (b) (6), (b) (7)(C) >, "Lausch, John (USAILN)" (b) (6), (b) (7)(C) >  
**Date:** Tue, 07 Mar 2023 15:24:56 -0500  
**Attachments:** AG Mtg\_Talking Points re (b) (5), (b) (7)(E) \_03072023\_v3.docx (38.31 kB)

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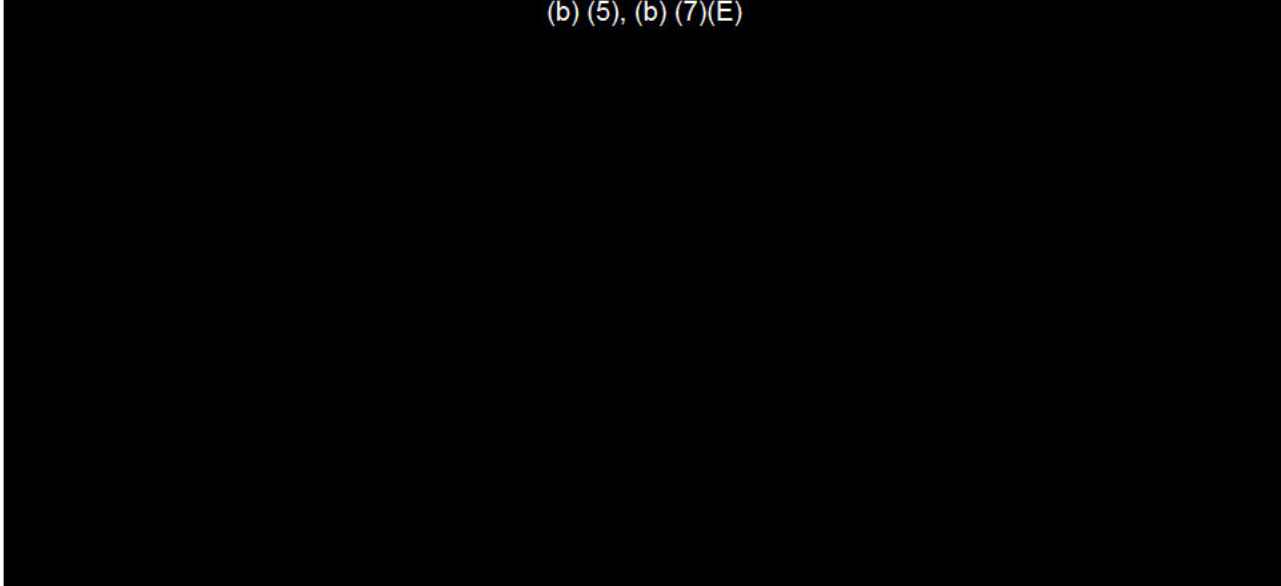
Revised. Thanks!

SCO-H

Meeting with AG - Tuesday, March 7, 2022


INTRO

(b) (5), (b) (7)(E)



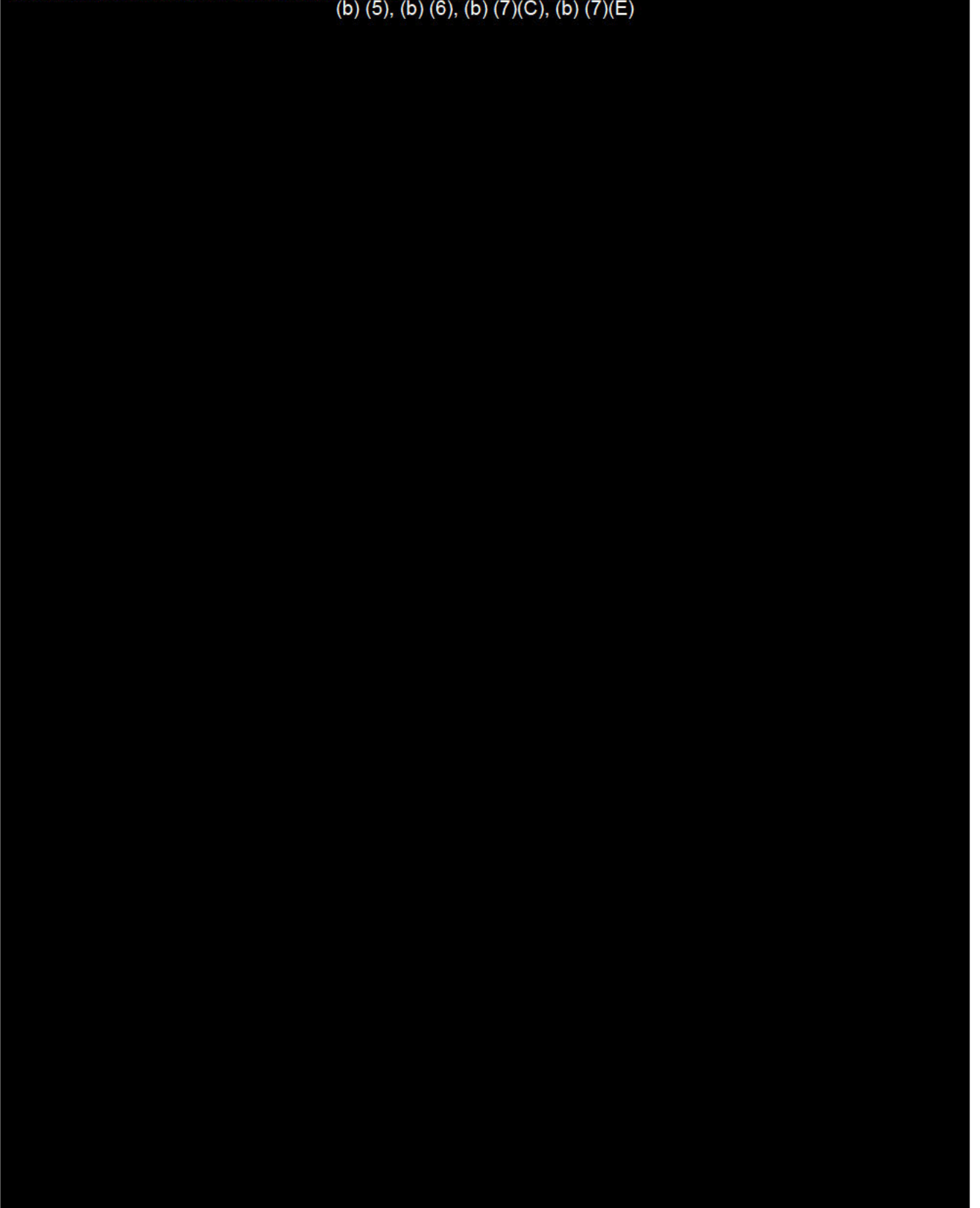
ROADMAP

(b) (5), (b) (7)(E)



E. Our proposed next steps

LAW ENFORCEMENT SENSITIVE AND PRIVILEGED  
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DELIBERATIVE AND PREDECISIONAL DISCUSSION DRAFT  
(b) (5), (b) (6), (b) (7)(C), (b) (7)(E)



LAW ENFORCEMENT SENSITIVE AND PRIVILEGED  
DELIBERATIVE PROCESS PRIVILEGE  
ATTORNEY WORK PRODUCT  
DELIBERATIVE AND PREDECISIONAL DISCUSSION DRAFT  
(b) (5), (b) (7)(E)



LAW ENFORCEMENT SENSITIVE AND PRIVILEGED  
DELIBERATIVE PROCESS PRIVILEGE  
ATTORNEY WORK PRODUCT  
DELIBERATIVE AND PREDECISIONAL DISCUSSION DRAFT  
(b) (5), (b) (7)(E)



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LAW ENFORCEMENT SENSITIVE AND PRIVILEGED  
DELIBERATIVE PROCESS PRIVILEGE  
ATTORNEY WORK PRODUCT  
DELIBERATIVE AND PREDECISIONAL DISCUSSION DRAFT

(b) (5)





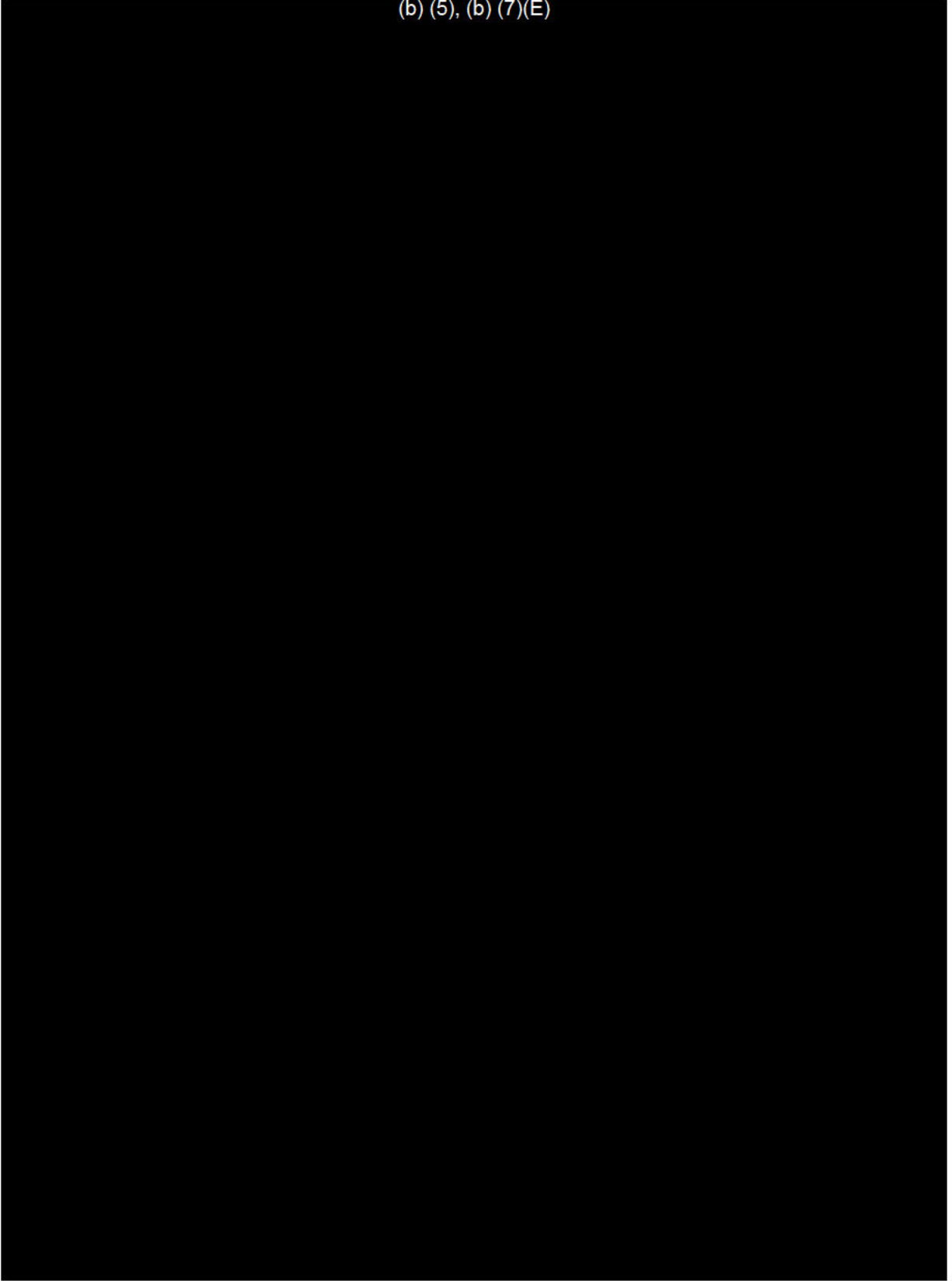
LAW ENFORCEMENT SENSITIVE AND PRIVILEGED  
DELIBERATIVE PROCESS PRIVILEGE  
ATTORNEY WORK PRODUCT  
DELIBERATIVE AND PREDECISIONAL DISCUSSION DRAFT

(b) (5)



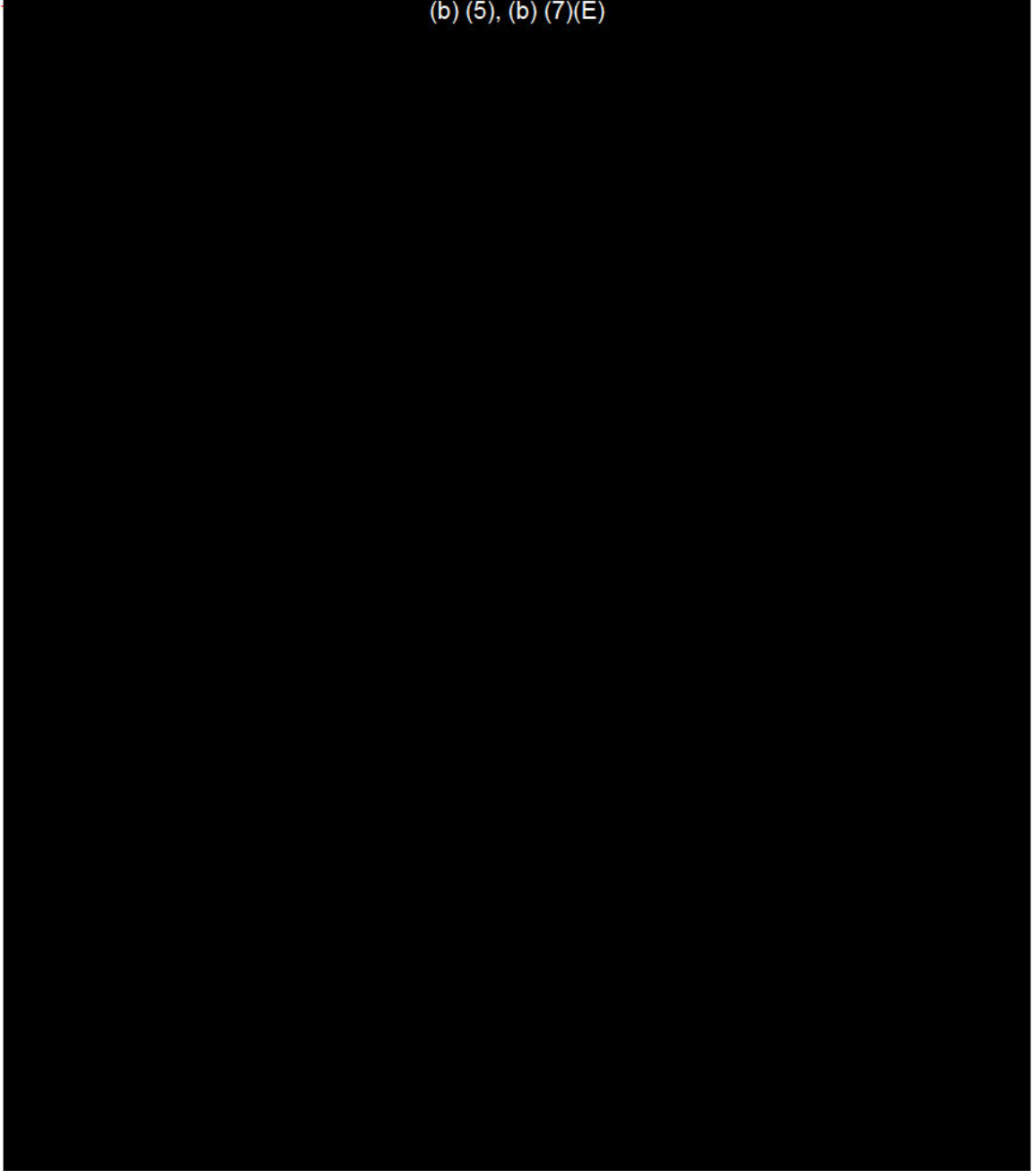
LAW ENFORCEMENT SENSITIVE AND PRIVILEGED  
DELIBERATIVE PROCESS PRIVILEGE  
ATTORNEY WORK PRODUCT  
DELIBERATIVE AND PREDECISIONAL DISCUSSION DRAFT

(b) (5), (b) (7)(E)



LAW ENFORCEMENT SENSITIVE AND PRIVILEGED  
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ATTORNEY WORK PRODUCT  
DELIBERATIVE

(b) (5), (b) (7)(E)



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**E. PROPOSED NEXT STEPS**

(b) (5)



Tranche 1 (b)(5); (b)(7)(E) per FBI Review Memo 03 09 2023

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**From:** MLK (JHPT) (b) (6), (b) (7)(C)  
**To:** (b)(6), (b)(7)(C) per FBI (FBI)" (b)(6), (b)(7)(C), (b)(7)(E) per FBI  
**Date:** Thu, 09 Mar 2023 15:37:33 -0500  
**Attachments:** Tranche 1 (b)(5); (b)(7)(E) per FBI Review Memo 03 09 2023.docx (60.84 kB)

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

(b) (5)

Here is a draft protocol (b)(5); (b)(7)(E) per FBI Can you please look at it and give me your thoughts? No  
need to show it to the (b)(5); (b)(7)(E) per FBI we finalize it tomorrow.

I will be on a flight at 5:55, but available later tonight or tomorrow morning.

Thanks.

Marc

Tranche 1

(b)(5); (b)(7)(E) per FBI

Review Memo 03 10 2023

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**From:** MLK (JHPT) (b) (6), (b) (7) >  
**To:** MLK (JHPT) (b) (6), (b) (7)(C)  
**Date:** Sun, 12 Mar 2023 15:59:45 -0400  
**Attachments:** Tranche 1 (b)(5); (b)(7)(E) per FBI Review Memo 03 10 2023.docx (67.08 kB)

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## Tranche 1 (b)(5); (b)(7)(E) per FBI Review Memo 03 12 2023

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**From:** MLK (JHPT) (b) (6), (b) (7)(C)  
**To:** MLK (JHPT) (b) (6), (b) (7)(C)  
**Date:** Sun, 12 Mar 2023 16:00:48 -0400  
**Attachments:** Tranche 1 (b)(5); (b)(7)(E) per FBI Review Memo 03 12 2023.docx (67.12 kB)

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## Tranche 1 (b)(5); (b)(7)(E) per FBI Review Memo 03 12 2023

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**From:** MLK (JHPT) (b) (6), (b) (7)(C)  
**To:** MLK (JHPT) (b) (6), (b) (7)(C)  
**Date:** Sun, 12 Mar 2023 16:01:30 -0400  
**Attachments:** Tranche 1 (b)(5); (b)(7)(E) per FBI Review Memo 03 12 2023.docx (67.17 kB)

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(b) (5), (b) (7)(E)

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**From:** RKHSC (JHPT) (b) (6), (b) (7)(C)  
**To:** MLK (JHPT) (b) (6), (b) (7)(C)  
**Cc:** RKHSC (JHPT) (b) (6), (b) (7)(C)  
**Date:** Tue, 18 Apr 2023 12:31:09 -0400

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I've tried to sharpen my thinking on this, building on what we prepared to say to the AG before. Welcome any tweaks or additions.

+++++

(b) (5), (b) (7)(E)

Robert K. Hur<sup>el</sup>  
(b) (6), (b) (7)(C)

**RE:**

(b) (5), (b) (7)(E)

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**From:** RKHSC (JHPT) (b) (6), (b) (7)(C)  
**To:** MLK (JHPT) (b) (6), (b) (7)(C)  
**Date:** Tue, 18 Apr 2023 13:35:20 -0400

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Incorporating your excellent additions in red below.


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**From:** RKHSC (JHPT) (b) (6), (b) (7)(C)  
**Sent:** Tuesday, April 18, 2023 1 PM  
**To:** MLK (JHPT) (b) (6), (b) (7)(C)  
**Cc:** RKHSC (JHPT) (b) (6), (b) (7)(C)  
**Subject:** (b) (5), (b) (7)(E)

I've tried to sharpen my thinking on this, building on what we prepared to say to the AG before. Welcome any tweaks or additions.

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(b) (5), (b) (7)(E)



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

## Re: Meetings today

**From:** RKHSC (JHPT) <(b) (6), (b) (7)(C)>  
**To:** MLK (JHPT) <(b) (6), (b) (7)(C)>  
**Date:** Tue, 11 Jul 2023 08:09:40 -0400

Thanks Marc - this list looks great.

One other thing I keep meaning to follow up on: (b) (5)

(b) (5), (b) (6), (b) (7)(C), (b) (7)(E)

Sent from my iPhone

On Jul 11, 2023, at 7:04 AM, MLK (JHPT) (b) (6), (b) (7)(C) wrote:

Morning Rob. In case it's helpful, here are a few things that are on my mind for our meetings today, in no particular order.

I did not include (b) (5), (b) (6), (b) (7)(C) on this list, since that issue is very fresh (you and I haven't talked about it yet), and plenty of other things to discuss.

- (b) (6), (b) (7)(C) with update on procedures for classified interviews/clearances/etc.

- (b) (5), (b) (7)(E)

- (b) (5), (b) (6), (b) (7)(C), (b) (7)(E)

- (b) (5)

- (b) (5), (b) (6), (b) (7)(C), (b) (7)(E)

- Identify/update/coordinate on some key strategic issues and tasks involved (a few below)

- (b) (5), (b) (7)(E) s

- (b) (5), (b) (7)(E)

- (b) (5)

- (b) (5)

- (b) (5)
- (b) (5)
- (b) (5)
- (b) (5)
- (b) (5), (b) (7)(E)
- (b) (5), (b) (6), (b) (7)(C)

- (b) (5), (b) (7)(E)
- (b) (5)
- 
- 

- (b) (5)
- (b) (5)

For FBI meeting

- (b) (5)
- (b) (5), (b) (7)(E)
- (b) (5)
- (b) (5), (b) (6), (b) (7)(C), (b) (7)(E)
- (b) (5), (b) (7)(E)
- (b) (5), (b) (7)(E)

Marc Krickbaum

Deputy Special Counsel

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

## Weekly Team Meeting Agenda\_07112023.docx

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**From:** RKHSC (JHPT) (b) (6), (b) (7)(C)  
**To:** MLK (JHPT) (b) (6), (b) (7)(C)  
**Date:** Tue, 11 Jul 2023 09:06:54 -0400  
**Attachments:** Weekly Team Meeting Agenda\_07112023.docx (31.73 kB)

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[Incorporates your good suggestions up top.](#)

LAW ENFORCEMENT SENSITIVE AND PRIVILEGED  
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DELIBERATIVE AND PREDECISIONAL DISCUSSION DRAFT

SCO-H

Tuesday, July 11, 2023

- I. Classified interviews and clearances (b) (6), (b) (7)(E)
- II. (b) (5), (b) (7)(E)
- III. (b) (5), (b) (6), (b) (7)(C), (b) (7)(E)
- IV. (b) (5)
- V. (b) (5)
- A. (b) (5), (b) (6), (b) (7)(C), (b) (7)(E)
- B. (b) (5)
- (b) (5), (b) (6), (b) (7)(C), (b) (7)(E)
- (b) (5), (b) (6), (b) (7)(C), (b) (7)(E)
- C. (b) (5), (b) (6), (b) (7)(C), (b) (7)(E)
- D. (b) (5), (b) (6), (b) (7)(C), (b) (7)(E)
- VI. (b) (5), (b) (7)(E)
- VII. (b) (5), (b) (6), (b) (7)(C), (b) (7)(E)
- VIII. (b) (5), (b) (7)(E)

**LAW ENFORCEMENT SENSITIVE AND PRIVILEGED  
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- IX. (b) (5)
- X. (b) (5)
- XI. (b) (5)
- XII. (b) (5), (b) (6), (b) (7)(C)
- XIII. (b) (5), (b) (6), (b) (7)(C)
- XIV. (b) (5), (b) (6), (b) (7)(C)
- XV. (b) (5)
- XVI. (b) (5)
- XVII. FBI (b) (5)
- XVIII. (b) (5)
- XIX. (b) (5)
- XX. Coordination with paralegals (b) (5)
- XXI. (b) (5)
- XXII. Admin
- A. Confidentiality reminder
- B. Resource needs/requests
- XXIII. (b) (5)
- XXIV. (b) (5)

This week's goals:

(b) (5)



**Weekly Team Meeting Agenda\_07112023.docx**

**From:** RKHSC (JHPT) (b) (6), (b) (7)(C)  
**To:** SCO-H Attorneys (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (JHPT) (b) (6), (b) (7)(C) >, (b) (6), (b) (7)(C) (JHPT) (b) (6), (b) (7)(C) >, (b) (6), (b) (7)(C) (JHPT) (b) (6), (b) (7)(C) >, (b) (6), (b) (7)(C) (JHPT) (b) (6), (b) (7)(C) >, "Gannon, Curtis E. (OSG)" (b) (6), (b) (7)(C) >, (b) (6), (b) (7)(C) (USAILN)" (b) (6), (b) (7)(C)  
**Date:** Tue, 11 Jul 2023 10:09:21 -0400  
**Attachments:** Weekly Team Meeting Agenda\_07112023.docx (31.82 kB)

Gang,

Attached please find a draft agenda for this morning's meeting.

Talk soon,  
Rob