
From: Abdallah, Chaouki T <ctabdallah@gatech.edu>
Sent: Friday, September 24, 2021 1:56 PM
To: Meeks, Blair
Cc: Cabrera, Angel; Neville, Frank E; McLaughlin, Steven W; Fox,Kelly; Kopkowski, Renee; Elizabeth Young; Fuller,Christian; Wasch, Kate; Lunon, Darryl; Nie,Ling-Ling
Subject: Re: Media statement for NYT

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Great!

Chaouki T. Abdallah
Professor of Electrical & Computer Engineering
Executive Vice President for Research
Georgia Institute of Technology

On Sep 24, 2021, at 13:54, Meeks, Blair <wmeeks7@gatech.edu> wrote:

Hi team,
Here is a reviewed draft of the statement we'd like to provide the NYT.
Please call me with any suggested changes - available by mobile [REDACTED] when you need to reach out.
Thank you!
Blair

A federal agency selected Georgia Tech and its researchers to work on some highly sensitive, extremely sophisticated computer systems research because of the school's and its researchers' world class reputations in this field and their high degree of integrity. The research was very much about securing the United States of America, its systems of governance and its people. All of the work conducted by Georgia Tech researchers was done in a strictly non-partisan way. These researchers focus on data, and everything they did in this case was a result of delving for the truth in the interests of national security.

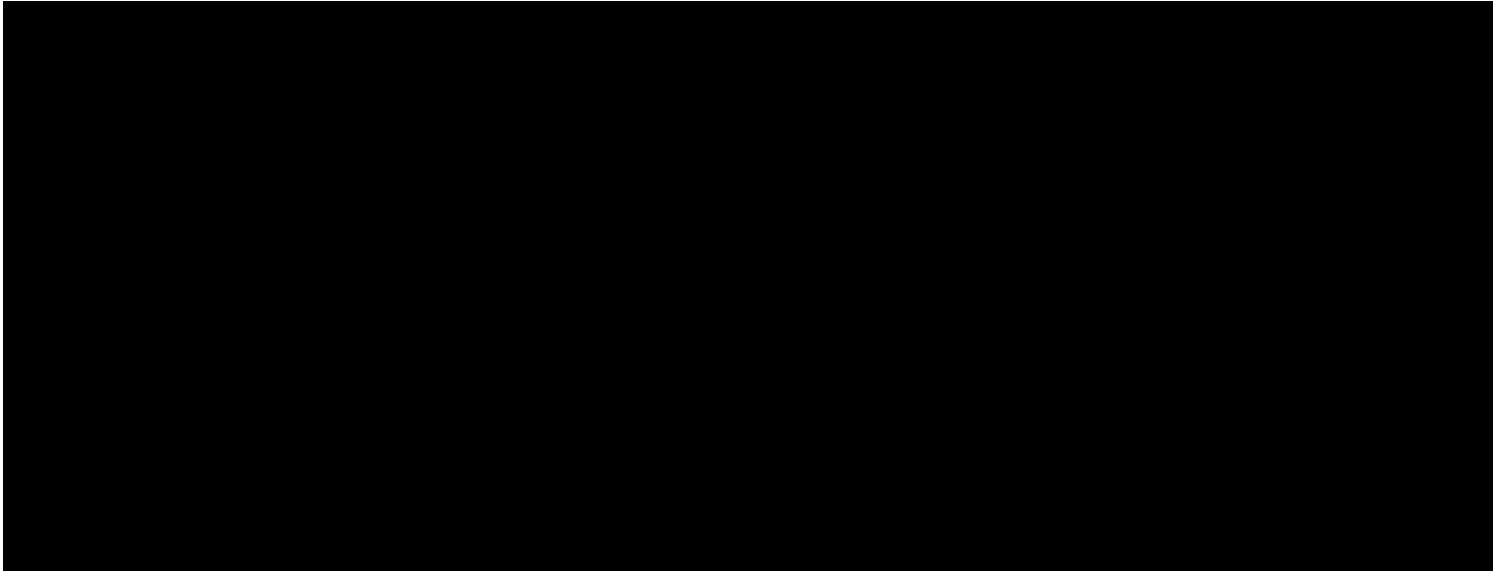
It is important to point out that there is no suggestion in the indictment of any wrongdoing by anyone associated with Georgia Tech. Everyone connected with Georgia Tech has been cooperative with all aspects of the investigation into this matter.


W. Blair Meeks
Assistant Vice President External Communications

Office: 404-894-9793; Mobile: [REDACTED]

www.gatech.edu







From: Antonakakis, Manos <manos@gatech.edu>
Sent: Thursday, August 5, 2021 12:51 PM
To: Jara, Ana <AJara@lowenstein.com>; Schamel, Mark <MSchamel@lowenstein.com>; Fuller, Christian <christian.fuller@legal.gatech.edu>
Subject: FW: All travels on EA

Ana, Mark and Christian,

The only open item I had from the session we had with DoJ last Friday was to give them the International travels my team (really interested in Dave and me, I suspect) did under EA especially to Ukraine, UK, and other International destinations. Still unclear how this is related with anything, therefore, I will like Christian to check if we can disclose the information inline.

As I told them during the interview, I didn't remember anything outside academic conferences (RAID/DIMVA) and training events like MAAWG and O'Reilley.

Not sure there is anything interesting here.

Manos

From: Antonakakis, Manos <manos@gatech.edu>
Date: Thursday, August 5, 2021 at 12:45 PM
To: Mitchell, Michael F <michael.mitchell@ece.gatech.edu>, Demar, Erica <erica.demar@gatech.edu>
Subject: Re: All travels on EA

Thank you very much, Michael.

Manos

From: Mitchell, Michael F <michael.mitchell@ece.gatech.edu>
Date: Thursday, August 5, 2021 at 12:44 PM
To: Demar, Erica <erica.demar@gatech.edu>, Antonakakis, Manos <manos@gatech.edu>
Subject: RE: All travels on EA

Hey Manos,

Sorry this took so long. I have a ticket put in for this but it still hasn't been answered, so I had to figure out a work around. There were 4 international trips taken on EA.

- 1) 07/05/2017 - 07/11/2017 – Yacin - Cologne Germany – Unsure but I believe it was the DIMVA Essos Conference. (\$2,629.66 Travel, \$547.19 Registration)
- 2) 10/02/2017 – 10/07/2017 – Chaz – Toronto Canada – M3AAWG conference (\$2,279.12 Travel)
- 3) 09/08/2018 – 09/17/2018 – Panos – Athens Greece – RAID Symposium (\$1,251.37 Travel)
- 4) 10/06/2018 – 10/15/2018 – Chaz – London UK – O'Reilley AI conference (\$4,271.79 Travel, Registration \$1,878.85)

Michael

From: Demar, Erica <erica.demar@gatech.edu>
Sent: Thursday, August 5, 2021 9:43 AM
To: Antonakakis, Manos <manos@gatech.edu>; Mitchell, Michael F <michael.mitchell@ece.gatech.edu>
Subject: RE: All travels on EA

Will do.

Erica Demar
Research Coordinator I
Center for Cyber Operations Enquiry and Unconventional Sensing (COEUS)
School of Electrical and Computer Engineering | Georgia Institute of Technology
edemar6@gatech.edu | coeus.center | gatech.edu

From: Antonakakis, Manos <manos@gatech.edu>
Sent: Thursday, August 5, 2021 9:42 AM
To: Demar, Erica <erica.demar@gatech.edu>; Mitchell, Michael F <michael.mitchell@ece.gatech.edu>
Subject: Re: All travels on EA

Ok. Please figure it out because people from the USG is asking for this information.

From: Demar, Erica <erica.demar@gatech.edu>
Sent: Thursday, August 5, 2021 9:40:12 AM
To: Antonakakis, Manos <manos@gatech.edu>; Mitchell, Michael F <michael.mitchell@ece.gatech.edu>
Subject: RE: All travels on EA

We cannot access the legacy travel & expense records. Michael submitted a ticket via ServiceNow to OIT. We need it to see travel prior to June 2019.

Erica Demar
Research Coordinator I
Center for Cyber Operations Enquiry and Unconventional Sensing (COEUS)
School of Electrical and Computer Engineering | Georgia Institute of Technology
edemar6@gatech.edu | coeus.center | gatech.edu

From: Antonakakis, Manos <manos@gatech.edu>
Sent: Thursday, August 5, 2021 9:33 AM
To: Mitchell, Michael F <michael.mitchell@ece.gatech.edu>; Demar, Erica <erica.demar@gatech.edu>
Subject: Re: All travels on EA

Why this is talking so long?

From: Antonakakis, Manos <manos@gatech.edu>
Sent: Friday, July 30, 2021 3:21:50 PM
To: Mitchell, Michael F <michael.mitchell@ece.gatech.edu>; Demar, Erica <erica.demar@gatech.edu>
Subject: Re: All travels on EA

Who travel where, when and why. I do not think anyone went abroad with EA money, but I could be wrong. I might have gone at a MAAWG in Ireland, but I do not remember if it was under EA.

From: Mitchell, Michael F <michael.mitchell@ece.gatech.edu>
Sent: Friday, July 30, 2021 3:17:21 PM
To: Antonakakis, Manos <manos@gatech.edu>; Demar, Erica <erica.demar@gatech.edu>
Subject: RE: All travels on EA

We will get to work on this. What records do you need? Do you need a list of people, places, and reasons for traveling? Or do you need copies of tickets and all the corresponding documentation that goes with it?

From: Antonakakis, Manos <manos@gatech.edu>
Sent: Friday, July 30, 2021 3:14 PM
To: Mitchell, Michael F <michael.mitchell@ece.gatech.edu>; Demar, Erica <erica.demar@gatech.edu>
Subject: All travels on EA

Michael and Erica,

I need all non-domestic travel records for EA. Again, I am only interested in non-domestic traveling.

Thanks, Manos

From: Jara, Ana <AJara@lowenstein.com>
Sent: Friday, July 30, 2021 1:02 PM
To: EYoung@LAW.GA.GOV
Subject: FW: Meeting with government
Attachments: attachment.ics

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

-----Original Appointment-----

From: Jara, Ana
Sent: Friday, July 30, 2021 10:08 AM
To: Jara, Ana; DeFilippis, Andrew (USANYS); kate.wasch@legal.gatech.edu; Eckenrode, John (JMD); Aldenberg, William B. (NH) (FBI); Keilty, Michael (USANYE); Scarpelli, Anthony (USADC); Patel, Neeraj (USACT); Maddock, Adam M. (CyD) (FBI); Beutler, Kristen M. (CG) (FBI); Schamel, Mark; Antonakakis, Manos
Cc: Fuhrman, Timothy (USACT)
Subject: Meeting with government
When: Friday, July 30, 2021 1:00 PM-2:55 PM (UTC-05:00) Eastern Time (US & Canada).
Where: WebEx Information in Notes

-- Do not delete or change any of the following text. --

When it's time, join your Webex meeting here.

[Join meeting](#)

More ways to join:

Join from the meeting link

<https://ls1.webex.com/ls1/j.php?MTID=m1fa20a6e4acb3f22484966495fb8601c>

Join by meeting number

Meeting number (access code): [REDACTED]

Meeting password: [REDACTED]

Tap to join from a mobile device (attendees only)

+ [REDACTED] ## United States Toll

[REDACTED] ## United States Toll Free

Join by phone

+1-408-418-9388 United States Toll

1-844-992-4726 United States Toll Free

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Join from a video system or application

Dial [1796514485](tel:1796514485)@ls1.webex.com

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Dial [1796514485](tel:1796514485).ls1@lync.webex.com

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Need help? Go to <https://help.webex.com>

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From: EYoung@LAW.GA.GOV
Sent: Monday, August 2, 2021 9:52 AM
To: MSchamel@lowenstein.com; AJara@lowenstein.com
Subject: FW: Rhannusia Logs

Mark and Ana,

Before we respond to this, I thought I'd check to see if your client has any concern about production of the Rhannusia chat logs (attached). Please let me know asap if there is anything you think we should know before we respond.

Thanks,
Beth

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

-----Original Message-----

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Monday, August 2, 2021 8:23 AM
To: Elizabeth Young <EYoung@LAW.GA.GOV>
Cc: Kate Wasch <kate.wasch@legal.gatech.edu>; Jody R Westby <westby@globalcyberlegal.com>; Mark D. Rasch <rasch@globalcyberlegal.com>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Maddock, Adam M. (CyD) (FBI) <ammaddock@fbi.gov>
Subject: Re: Rhannusia Logs

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Beth,

Will you be able to produce to us today the Rhannusia chats that Mr. Dagon identified? We request that you produce them in their entirety, as we believe based on representations from Mr. Dagon and his counsel that entire set of logs is pertinent to our investigation. If necessary we can provide you with a subpoena for the full set of logs. Let us know. Thanks.

> On Jul 30, 2021, at 10:02 AM, Elizabeth Young <EYoung@law.ga.gov> wrote:

>

> I reached out to Ms. Westby after our call yesterday and she confirmed that Mr. Dagon has copies of these chat logs and will be forwarding them to us so that we can review and produce them.

>

> Beth Young

> Assistant Attorney General

> Office of the Attorney General Chris Carr Government Services &

> Employment

> (404) 458-3425

> eyoung@law.ga.gov

> Georgia Department of Law

> 40 Capitol Square SW

> Atlanta, Georgia 30334

>

>

>

> -----Original Message-----

> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>

> Sent: Friday, July 30, 2021 7:43 AM

> To: Elizabeth Young <EYoung@LAW.GA.GOV>; Kate Wasch

> <kate.wasch@legal.gatech.edu>; Jody R Westby

> <westby@globalcyberlegal.com>; Mark D. Rasch

> <rasch@globalcyberlegal.com>

> Cc: Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Scarpelli,

> Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Keilty, Michael

> (USANYE) <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT)

> <Neeraj.Patel@usdoj.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;

> Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Maddock, Adam

> M. (CyD) (FBI) <ammaddock@fbi.gov>

> Subject: Rhannusia Logs

>

> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

>

>

> All,

>

> As we have discussed with each of you, Mr. Dagon has identified "Rhamnusia" chat communications that we understand are responsive to our subpoena and relevant to our investigation. We would like to obtain these communications promptly and would also like to minimize the burdens on all involved.

>

> Beth, can you please confirm in response to this email that Georgia Tech authorizes and requests that Mr. Dagon provide those logs to the government as an employee of Georgia Tech? If you would like us to issue a subpoena for them specifically and will accept service, we can do so today.

>

> Jody/Mark, can you please let us know when Mr. Dagon can provide the logs to us or, alternatively, to Georgia Tech for production to us?

>

> We are hopeful that we can find a solution to this issue in the near term and avoid unnecessary legal process or disruptions.

>

> Thank you very much.

From: Jara, Ana <AJara@lowenstein.com>
Sent: Friday, July 30, 2021 1:03 PM
To: Wasch, Kate
Cc: Elizabeth Young
Subject: RE: Dr. Antonakakis

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Yes, I forwarded the invite. Let me know, Beth, if you have any trouble.

Ana Jara

She | Her | Hers
Counsel
Lowenstein Sandler LLP

T: 202.753.3747
F: 973.597.2400

From: Wasch, Kate
Sent: Friday, July 30, 2021 1:01 PM
To: Jara, Ana
Cc: Elizabeth Young
Subject: RE: Dr. Antonakakis

Hi, Ana. Can you add Beth to the call? I do not plan to attend.
Kate

From: Jara, Ana <AJara@lowenstein.com>
Sent: Friday, July 30, 2021 10:21 AM
To: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Cc: Schamel, Mark <MSchamel@lowenstein.com>; Wasch, Kate <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>; Maddock, Adam M. (CyD) (FBI) <ammaddock@fbi.gov>; Beutler, Kristen M. (CG) (FBI) <kmbeutler@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>
Subject: RE: Dr. Antonakakis

Done.

Ana Jara
She | Her | Hers

Counsel
Lowenstein Sandler LLP

T: 202.753.3747
F: 973.597.2400

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Friday, July 30, 2021 10:14 AM
To: Jara, Ana <AJara@lowenstein.com>
Cc: Schamel, Mark <MSchamel@lowenstein.com>; kate.wasch@legal.gatech.edu; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>; Maddock, Adam M. (CyD) (FBI) <ammaddock@fbi.gov>; Beutler, Kristen M. (CG) (FBI) <kmbeutler@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>
Subject: Re: Dr. Antonakakis

Thanks, would you mind adding Tim Fuhrman (copied) as well?

On Jul 30, 2021, at 10:09 AM, Jara, Ana <AJara@lowenstein.com> wrote:

I sent the calendar invite to all on this group along with Manos. Talk to you all then.

Best,
Ana

Ana Jara
She | Her | Hers
Counsel
Lowenstein Sandler LLP

T: 202.753.3747
F: 973.597.2400

From: Schamel, Mark <MSchamel@lowenstein.com>
Sent: Friday, July 30, 2021 10:07 AM
To: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Cc: Jara, Ana <AJara@lowenstein.com>; kate.wasch@legal.gatech.edu; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>; Maddock, Adam M. (CyD) (FBI) <ammaddock@fbi.gov>; Beutler, Kristen M. (CG) (FBI) <kmbeutler@fbi.gov>
Subject: Re: Dr. Antonakakis

We can start at 1.
Will send an invite now.

Mark E. Schamel
Partner
Lowenstein Sandler LLP

T: 202.753.3805
M: 202.841.3401
F: 973.597.2400



On Jul 30, 2021, at 7:24 AM, Schamel, Mark <MSchamel@lowenstein.com> wrote:

Will confirm as soon as I hear from Manos.

Mark E. Schamel
Partner
Lowenstein Sandler LLP

T: 202.753.3805
M: 202.841.3401
F: 973.597.2400



On Jul 30, 2021, at 7:08 AM, DeFilippis, Andrew (USANYS)
<Andrew.DeFilippis@usdoj.gov> wrote:

Ok thank you, that works for us.

On Jul 30, 2021, at 7:04 AM, Schamel, Mark
<MSchamel@lowenstein.com> wrote:

Andrew
I can move some things around and do 1230 to 255. I
will check with Ana and Manos.
Mark

Mark E. Schamel
Partner
Lowenstein Sandler LLP

T: 202.753.3805
M: 202.841.3401
F: 973.597.2400



On Jul 29, 2021, at 6:26 PM, DeFilippis,
Andrew (USANYS)
<Andrew.DeFilippis@usdoj.gov> wrote:

Mark,

Thank you, could we do the WebEx
some time after noon? We are tied up
in the morning.

On Jul 29, 2021, at 3:01
PM, Schamel, Mark
<MSchamel@lowenstein.com> wrote:

Andrew et al

I know you are all quite
excited about speaking
with Manos, so we will
send out a WebEx invite
for tomorrow morning
at 915 am. Given that
you have now
appropriately
categorized Dr.
Antonakakis as a
witness and indicated
your willingness to
meet with him
informally rather than
in a Grand Jury, we are

happy to have a follow up meeting as discussed. Please just confirm that you can do that window.

Also, we are including Kate Wasch from the Georgia Attorney General's Office, as counsel to Georgia Tech. This should streamline your requests for documents going forward.

Mark

Mark E. Schamel

Partner

Lowenstein Sandler LLP

T: 202.753.3805

M: 202.841.3401

F: 973.597.2400



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From: Jara, Ana <AJara@lowenstein.com>
Sent: Monday, August 2, 2021 6:45 PM
To: Elizabeth Young; Schamel, Mark
Subject: RE: Rhannusia Logs

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Crazy day but apologies for the late response. Let me check with Manos now and will get back to you.

-----Original Message-----

From: Elizabeth Young <EYoung@LAW.GA.GOV>
Sent: Monday, August 2, 2021 9:52 AM
To: Schamel, Mark <MSchamel@lowenstein.com>; Jara, Ana <AJara@lowenstein.com>
Subject: FW: Rhannusia Logs

Mark and Ana,

Before we respond to this, I thought I'd check to see if your client has any concern about production of the Rhannousia chat logs (attached). Please let me know asap if there is anything you think we should know before we respond.

Thanks,
Beth

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

-----Original Message-----

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Monday, August 2, 2021 8:23 AM
To: Elizabeth Young <EYoung@LAW.GA.GOV>
Cc: Kate Wasch <kate.wasch@legal.gatech.edu>; Jody R Westby <westby@globalcyberlegal.com>; Mark D. Rasch <rasch@globalcyberlegal.com>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Maddock, Adam M. (CyD) (FBI) <ammaddock@fbi.gov>
Subject: Re: Rhannusia Logs

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Good morning Beth,

Will you be able to produce to us today the Rhannousia chats that Mr. Dagon identified? We request that you produce them in their entirety, as we believe based on representations from Mr. Dagon and his counsel that entire set of logs is pertinent to our investigation. If necessary we can provide you with a subpoena for the full set of logs. Let us know. Thanks.

> On Jul 30, 2021, at 10:02 AM, Elizabeth Young <EYoung@law.ga.gov> wrote:

>
> I reached out to Ms. Westby after our call yesterday and she confirmed that Mr. Dagon has copies of these chat logs and will be forwarding them to us so that we can review and produce them.

>
> Beth Young
> Assistant Attorney General
> Office of the Attorney General Chris Carr Government Services &
> Employment
> (404) 458-3425
> eyoung@law.ga.gov
> Georgia Department of Law
> 40 Capitol Square SW
> Atlanta, Georgia 30334

>
>
>

> -----Original Message-----

> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
> Sent: Friday, July 30, 2021 7:43 AM
> To: Elizabeth Young <EYoung@LAW.GA.GOV>; Kate Wasch
> <kate.wasch@legal.gatech.edu>; Jody R Westby
> <westby@globalcyberlegal.com>; Mark D. Rasch
> <rasch@globalcyberlegal.com>
> Cc: Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Scarpelli,
> Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Keilty, Michael
> (USANYE) <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT)
> <Neeraj.Patel@usdoj.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;
> Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Maddock, Adam
> M. (CyD) (FBI) <ammaddock@fbi.gov>
> Subject: Rhannousia Logs

>
> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

>
>
> All,
>

> As we have discussed with each of you, Mr. Dagon has identified "Rhannousia" chat communications that we understand are responsive to our subpoena and relevant to our investigation. We would like to obtain these communications promptly and would also like to minimize the burdens on all involved.

- >
- > Beth, can you please confirm in response to this email that Georgia Tech authorizes and requests that Mr. Dagon provide those logs to the government as an employee of Georgia Tech? If you would like us to issue a subpoena for them specifically and will accept service, we can do so today.
- >
- > Jody/Mark, can you please let us know when Mr. Dagon can provide the logs to us or, alternatively, to Georgia Tech for production to us?
- >
- > We are hopeful that we can find a solution to this issue in the near term and avoid unnecessary legal process or disruptions.
- >
- > Thank you very much.

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From: Jara, Ana <AJara@lowenstein.com>
Sent: Friday, July 30, 2021 10:11 AM
To: Elizabeth Young; 'Wasch, Kate'
Cc: Schamel, Mark
Subject: RE: Time for a quick call today?

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

I wanted to follow up from our conversation yesterday and let you know that we have a call with Manos and the government (which Kate has been included on) this afternoon. We will provide you with an update once that call is complete.

Best,
Ana

Ana Jara
She | Her | Hers
Counsel
Lowenstein Sandler LLP

T: 202.753.3747
F: 973.597.2400

From: Elizabeth Young
Sent: Thursday, July 29, 2021 11:06 AM
To: 'Wasch, Kate' ; Jara, Ana
Cc: Schamel, Mark
Subject: RE: Time for a quick call today?

That works for me as well.



Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr
Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law



40 Capitol Square SW
Atlanta, Georgia 30334

From: Wasch, Kate <kate.wasch@legal.gatech.edu>
Sent: Thursday, July 29, 2021 11:02 AM
To: Jara, Ana <AJara@lowenstein.com>
Cc: Schamel, Mark <MSchamel@lowenstein.com>; Elizabeth Young <EYoung@LAW.GA.GOV>
Subject: RE: Time for a quick call today?

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks, that works for me. Beth, are you available then?

From: Jara, Ana <AJara@lowenstein.com>
Sent: Thursday, July 29, 2021 10:58 AM
To: Wasch, Kate <kate.wasch@legal.gatech.edu>
Cc: Schamel, Mark <MSchamel@lowenstein.com>; Elizabeth Young <EYoung@law.ga.gov>
Subject: Re: Time for a quick call today?

Good morning,

I think Mark and I can do 2:30 EST if that works for you?

Best,
Ana

Ana Jara
She | Her | Hers
Counsel
Lowenstein Sandler LLP

T: 202.753.3747
F: 973.597.2400



On Jul 29, 2021, at 10:11 AM, Wasch, Kate <kate.wasch@legal.gatech.edu> wrote:

Good morning, Mark and Ana. I am working with Christian Fuller on matters related to Manos's lab. Do you have any time today for a quick call with me and Beth?

Kate Wasch
Chief Counsel, Employment & Litigation

This message contains confidential information, intended only for the person(s) named above, which may also be privileged. Any use, distribution, copying or disclosure by any other person is strictly prohibited. In such case, you should delete this message and kindly notify the sender via reply e-mail. Please advise immediately if you or your employer does not consent to Internet e-mail for messages of this kind.

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From: EYoung@LAW.GA.GOV
Sent: Tuesday, July 27, 2021 2:14 PM
To: MSchamel@lowenstein.com
Subject: Georgia Tech subpoena response

Mr. Schamel,

I'm working on Georgia Tech's subpoena response and have a few questions to run by you. Would you be available for a quick call this afternoon?

Thanks,
Beth Young



Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr
Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

From: Schamel, Mark <MSchamel@lowenstein.com>
Sent: Tuesday, July 20, 2021 3:23 PM
To: Fuller, Christian; Jara, Ana
Cc: Elizabeth Young
Subject: RE: DARPA

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Excellent. Thank you. Our plan is to send you a list of the dozen or so documents we would like to turn over to the special counsel. If you would not mind having those pulled and confirm, we will either forward a copy from you, or we can simply make our own informal production and send you a copy.

Whatever is easiest for you.

Mark

Mark E. Schamel
Partner
Lowenstein Sandler LLP

T: 202.753.3805

M: 202.841.3401

F: 973.597.2400



From: Fuller, Christian
Sent: Tuesday, July 20, 2021 3:10 PM
To: Schamel, Mark ; Jara, Ana
Cc: Elizabeth Young
Subject: FW: DARPA

Mark and Ana—

Following up on my chat with Mark a moment ago, DARPA's general counsel forwarded this response to Georgia Tech (see below). Based on the response, Georgia Tech can give authorization for Manos to release any unclassified, DARPA-related records that are considered Georgia Tech's property, pursuant to the DOJ investigative subpoena. My understanding is that Manos does not have any classified documents; however, if there are any classified documents, follow up with Mr. Darin Smith (as instructed below) before any exchange with DOJ.

If there are any questions or concerns, please feel free to reach out.

Thanks,

Christian Fuller

Senior Counsel, Employment & Litigation
Georgia Institute of Technology
Phone: 404-403-8204
christian.fuller@legal.gatech.edu

From: Lopes, Crane <Crane.Lopes@darpa.mil>
Sent: Tuesday, July 20, 2021 2:16 PM
To: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>; Elizabeth Young <EYoung@LAW.GA.GOV>
Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch, Kate <kate.wasch@legal.gatech.edu>; Nie, Ling-Ling <linglingnie@gatech.edu>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Maddock, Adam M. (CyD) (FBI) <ammaddock@fbi.gov>; James, Ryan Joseph (INSD) (FBI) <rjames@fbi.gov>; Bennett, Wes <wes.bennett@darpa.mil>; Smith, Darin <Darin.Smith@darpa.mil>
Subject: RE: DARPA

Ms. Young:

Thank you for your diligence in protecting DARPA-related records and other documents from unauthorized use or disclosure.

I have discussed this matter with Wes Bennett, the Director of the DARPA Contracts Management Office. Mr. Bennett is info-copied on this message. We request that you cooperate with the Department of Justice (DoJ) by immediately providing them with all DARPA-related unclassified documents and records in your possession and that are requested by their subpoena.

If DoJ has requested DARPA-related classified documents and records in your possession, release should be coordinated with Mr. Darin Smith, DARPA Security & Intelligence Directorate. Mr. Smith is info-copied on this message.

Please contact me if I can assist you.

Crane Lopes, Ph.D.
General Counsel
DARPA
Off | 571.218.4887 ☎
Mob | 571.239.5084



Creating **BREAKTHROUGH TECHNOLOGIES**
For National Security

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Tuesday, July 20, 2021 10:51 AM
To: Elizabeth Young <EYoung@LAW.GA.GOV>

Cc: 'Fuller, Christian' <christian.fuller@legal.gatech.edu>; Wasch, Kate <kate.wasch@legal.gatech.edu>; Ling-Ling Nie (linglingnie@gatech.edu) <linglingnie@gatech.edu>; Lopes, Crane <Crane.Lopes@darpa.mil>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Maddock, Adam M. (CyD) (FBI) <ammaddock@fbi.gov>; James, Ryan Joseph (INSD) (FBI) <rjames@fbi.gov>

Subject: DARPA

Ms. Young,

Thank you very much for our call earlier today. On that call, you requested that we provide assurance that the Defense Advanced Research Projects Agency (DARPA) has no objection to Georgia Tech's providing documents and other records in response to our federal grand jury subpoena that relate to a contract between Georgia Tech and DARPA. I am copying Crane Lopes, General Counsel of DARPA. Mr. Lopes and DARPA have been fully cooperative with and supportive of our investigative efforts. On a phone call that occurred a few minutes ago, Mr. Lopes has assured me again that DARPA has no objections to Georgia Tech's provision of any records or information (both classified and unclassified) to our team and to the grand jury.

As noted, federal law requires you to provide such records regardless of any potentially applicable contractual restrictions.

Please let me know if you have any questions. We would appreciate if you could also please confirm that you consent to the two Georgia Tech employees we discussed providing responsive records that they have identified. Thank you.

Andrew J. DeFilippis
Assistant Special Counsel
U.S. Department of Justice
(646) 530-0087

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From: EYoung@LAW.GA.GOV
Sent: Thursday, July 29, 2021 11:06 AM
To: kate.wasch@legal.gatech.edu; AJara@lowenstein.com
Cc: MSchamel@lowenstein.com
Subject: RE: Time for a quick call today?

That works for me as well.



Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr
Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

From: Wasch, Kate <kate.wasch@legal.gatech.edu>
Sent: Thursday, July 29, 2021 11:02 AM
To: Jara, Ana <AJara@lowenstein.com>
Cc: Schamel, Mark <MSchamel@lowenstein.com>; Elizabeth Young <EYoung@LAW.GA.GOV>
Subject: RE: Time for a quick call today?

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Thanks, that works for me. Beth, are you available then?

From: Jara, Ana <AJara@lowenstein.com>
Sent: Thursday, July 29, 2021 10:58 AM
To: Wasch, Kate <kate.wasch@legal.gatech.edu>
Cc: Schamel, Mark <MSchamel@lowenstein.com>; Elizabeth Young <EYoung@law.ga.gov>
Subject: Re: Time for a quick call today?

Good morning,

I think Mark and I can do 2:30 EST if that works for you?

Best,
Ana

Ana Jara

She | Her | Hers

Counsel

Lowenstein Sandler LLP

T: 202.753.3747

F: 973.597.2400



On Jul 29, 2021, at 10:11 AM, Wasch, Kate <kate.wasch@legal.gatech.edu> wrote:

Good morning, Mark and Ana. I am working with Christian Fuller on matters related to Manos's lab. Do you have any time today for a quick call with me and Beth?

Kate Wasch
Chief Counsel, Employment & Litigation

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From: EYoung@LAW.GA.GOV
Sent: Thursday, July 29, 2021 4:17 PM
To: Andrew.DeFilippis@usdoj.gov
Subject: Accepted: Special Counsel/Georgia Tech
Attachments: attachment.ics

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Tuesday, July 20, 2021 10:24 PM
To: Elizabeth Young; Mark Rasch; Jody R Westby; 'Fuller, Christian'; Wasch, Kate
Cc: Eckenrode, John (JMD); Aldenberg, WilliamB. (NH) (FBI); Fuhrman, Tim (JMD); Keilty, Michael (USANYE); Scarpelli, Anthony (USADC); Patel, Neeraj (USACT)
Subject: Call Tomorrow (Special Counsel Investigation)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Evening Counsel for Georgia Tech and Counsel for David Dagon,

We hope all is well. Can you please let us know when you are available for a joint call tomorrow -- preferably at either 11:30 AM, 2:20 PM or 3:30 PM? We would like to discuss your clients' compliance with recently issued federal grand jury subpoenas. It is important that we have this call to ensure timely and comprehensive compliance with the subpoenas. Thanks very much.

The Special Counsel Team

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Tuesday, July 20, 2021 10:51 AM
To: Elizabeth Young
Cc: 'Fuller, Christian'; Wasch, Kate; Ling-Ling Nie (linglingnie@gatech.edu); Lopes, Crane; Keilty, Michael (USANYE); Patel, Neeraj (USACT); Scarpelli, Anthony (USADC); Eckenrode, John (JMD); Aldenberg, William B.(NH) (FBI); Maddock, Adam M. (CyD) (FBI); James, Ryan Joseph (INSD) (FBI)
Subject: DARPA

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Ms. Young,

Thank you very much for our call earlier today. On that call, you requested that we provide assurance that the Defense Advanced Research Projects Agency (DARPA) has no objection to Georgia Tech's providing documents and other records in response to our federal grand jury subpoena that relate to a contract between Georgia Tech and DARPA. I am copying Crane Lopes, General Counsel of DARPA. Mr. Lopes and DARPA have been fully cooperative with and supportive of our investigative efforts. On a phone call that occurred a few minutes ago, Mr. Lopes has assured me again that DARPA has no objections to Georgia Tech's provision of any records or information (both classified and unclassified) to our team and to the grand jury.

As noted, federal law requires you to provide such records regardless of any potentially applicable contractual restrictions.

Please let me know if you have any questions. We would appreciate if you could also please confirm that you consent to the two Georgia Tech employees we discussed providing responsive records that they have identified. Thank you.

Andrew J. DeFilippis
Assistant Special Counsel
U.S. Department of Justice
(646) 530-0087

From: eyoung@law.ga.gov
Sent: Wednesday, July 28, 2021 11:02 AM
To: eyoung@law.ga.gov; andrew.defilippis@usdoj.gov
Subject: Link to Kiteworks Folder

Kiteworks

Elizabeth Young sent a message related to the "Georgia Tech - Documents Produced in Response to Grand Jury Subpoena" folder

[Access folder](#)

Here is a link to a Kiteworks folder containing Georgia Tech's production of documents in response to the Grand Jury Subpoena:

[Redacted link]

Secured by **Kiteworks**

This message requires that you sign in to access the folder and any files in it.

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Thursday, July 29, 2021 4:20 PM
To: Elizabeth Young
Cc: Fuller, Christian; Wasch, Kate; Eckenrode, John (JMD); Aldenberg, William B. (NH) (FBI); Fuhrman, Tim (JMD); Keilty, Michael (USANYE); Scarpelli, Anthony(USADC); Patel, Neeraj (USACT)
Subject: Re: Call Tomorrow (Special Counsel Investigation)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Let's use the dial in below at 4:30. Sorry I left it off the last invite.

Dial-in

██████████
Conference ID: ██████████

On Jul 29, 2021, at 10:45 AM, Elizabeth Young wrote:

We are working on responding to the issues you've raised in this and your previous email. Sometime late afternoon would be best - would 4:00 work for you?

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr
Government Services & Employment
(404) 458-3425
mailto:eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

-----Original Message-----

From: DeFilippis, Andrew (USANYS)
Sent: Thursday, July 29, 2021 6:44 AM
To: Elizabeth Young

Cc: Fuller, Christian ; Wasch, Kate ; Eckenrode, John (JMD) ; Aldenberg, William B. (NH) (FBI) ; Fuhrman, Tim (JMD) ; Keilty, Michael (USANYE) ; Scarpelli, Anthony (USADC) ; Patel, Neeraj (USACT)
Subject: Re: Call Tomorrow (Special Counsel Investigation)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Beth,

The white papers and related documents you produced to us are documents that *we* provided to Dr. Antonakakis's counsel for their client's review. That is where his counsel obtained them. It appears you have not located any responsive documents. We are also told by Mr. Dagon's counsel that he pointed you to a number of responsive records. We further understand that Michael Farrell likely has responsive documents. When are you available for a call today to discuss?

We may need a Georgia Tech custodian to testify in grand jury next week about the steps taken to search for responsive records. Let us know some times today when you are free.

Thanks.

On Jul 28, 2021, at 10:59 AM, Elizabeth Young wrote:

I am sending you via Kiteworks a link to a folder containing the documents that Georgia Tech is able to produce with regard to the three categories of documents you asked us to search for during our 7/21 phone conference as follows:

1. White papers/analytical papers related to Trump/Alfa Bank/Yotaphone: We are providing copies of several white papers and related documents that we received via counsel for Dr. Antonakakis. We are not certain as to the origin and storage history of these documents and therefore cannot provide authentication for these documents as business records of Georgia Tech.
2. Email communications related to Trump/Alfa Bank/Yotaphone: You asked us to revisit our prior email production to ensure that no responsive communications had been overlooked in our earlier email response. A new search was conducted using the original search terms listed in the earlier subpoena, and added white papers and analytical papers to the request. The search did identify a number of emails that were not included in the initial production, although they appear to be irrelevant and are predominantly junk mail. However, I am providing them to you in order to demonstrate Tech's compliance with your request.
3. You indicated that there was a "fairly large file of Trump related materials" that had been assembled for production to the office of Special Counsel Robert Muller

or the DOJ. We are unable to locate such a file. I have been informed that Dr. Antonakakis has searched his server for such a file and did not find anything meeting that description.

If you would like me to add any additional recipients to the Kiteworks folder, please let me know.

Thank you,

Beth Young

Assistant Attorney General

Office of the Attorney General Chris Carr Government Services &

Employment

(404) 458-3425

mailto:eyoung@law.ga.gov

Georgia Department of Law

40 Capitol Square SW

Atlanta, Georgia 30334

-----Original Message-----

From: DeFilippis, Andrew (USANYS)

Sent: Wednesday, July 28, 2021 6:37 AM

To: Elizabeth Young

Cc: Fuller, Christian ; Wasch, Kate

; Eckenrode, John (JMD)

; Aldenberg, William B. (NH) (FBI)

; Fuhrman, Tim (JMD) ;

Keilty, Michael (USANYE) ; Scarpelli,

Anthony (USADC) ; Patel, Neeraj (USACT)

Subject: Re: Call Tomorrow (Special Counsel Investigation)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Beth,

You had said on Friday that you hoped to start producing documents on Monday. Can we expect to receive them today? Thanks.

On Jul 23, 2021, at 9:31 AM, Elizabeth Young wrote:

That's fine. Talk to you then.

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr Government Services &
Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

-----Original Message-----

From: DeFilippis, Andrew (USANYS)
Sent: Friday, July 23, 2021 9:08 AM
To: Elizabeth Young
Cc: Fuller, Christian ; Wasch,
Kate ; Eckenrode, John (JMD)
; Aldenberg, William B. (NH) (FBI)
; Fuhrman, Tim (JMD) ;
Keilty, Michael (USANYE) ; Scarpelli,
Anthony (USADC) ; Patel, Neeraj (USACT)

Subject: Re: Call Tomorrow (Special Counsel Investigation)

CAUTION: This email originated from outside of the organization.
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sender and know the content is safe.

Can we say 4:30? Thank you.

On Jul 23, 2021, at 8:59 AM,
Elizabeth Young wrote:

I'm booked up this morning but available after
lunch - how about 2:30? If that doesn't work let me
know what does.

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr
Government Services &
Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

-----Original Message-----

From: DeFilippis, Andrew (USANYS)
Sent: Thursday, July 22, 2021 10:17 PM
To: Elizabeth Young
Cc: Fuller, Christian ; Wasch,
Kate ; Eckenrode, John (JMD)
; Aldenberg, William B. (NH) (FBI)
; Fuhrman, Tim (JMD) ;
Keilty, Michael (USANYE) ; Scarpelli,

Anthony (USADC) ; Patel, Neeraj (USACT)

Subject: Re: Call Tomorrow (Special Counsel Investigation)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Beth,

We hope all is well. Can you let us know some times tomorrow when you would be available for an update call?

Thank you.

On Jul 21, 2021, at
8:07 AM, Elizabeth
Young wrote:

I'm available for a call at 3:30 today.
Please let me know what number
you'd like me to call.

Elizabeth (Beth) Young

Assistant Attorney General

Office of the Attorney General Chris
Carr Government Services &

Employment

(404) 458-3425

eyoung@law.ga.gov

Georgia Department of Law

40 Capitol Square SW

Atlanta, Georgia 30334

-----Original Message-----

From: DeFilippis, Andrew
(USANYS)

Sent: Wednesday, July 21, 2021 7:05
AM

To: Jody R Westby
Cc: Elizabeth Young ; Mark Rasch
; Fuller, Christian
; Wasch, Kate
; Eckenrode, John (JMD)
; Aldenberg, William B. (NH) (FBI)
; Fuhrman, Tim (JMD) ;
Keilty, Michael (USANYE) ;
Scarpelli,
Anthony (USADC) ; Patel, Neeraj
(USACT)

Subject: RE: Call Tomorrow
(Special Counsel Investigation)

CAUTION: This email originated
from outside of the organization. Do
not click links or open attachments
unless you recognize the sender and
know the content is safe.

Jody, It is unfortunate that you are
not willing to join a call with
Georgia Tech's counsel for purposes
of efficiency and to avoid delaying
compliance with federal subpoenas.
Regardless, can we please speak at
11:30 AM with you and Mark? Beth,
would you then be available for a
separate call with our team at either
2:30 PM or 3:30 PM?

-----Original Message-----

From: Jody R Westby
Sent: Tuesday, July 20, 2021 11:23
PM
To: DeFilippis, Andrew (USANYS)
Cc: Elizabeth Young ; Mark Rasch
; Fuller, Christian
; Wasch, Kate
; Eckenrode, John (JMD)
; Aldenberg, William B. (NH) (FBI)
; Fuhrman, Tim (JMD) ;
Keilty, Michael (USANYE) ;
Scarpelli, Anthony
(USADC) ; Patel, Neeraj (USACT)

Subject: Re: Call Tomorrow (Special Counsel Investigation) Dear

Andrew:

We appreciate that you need the documents / data subject to the subpoenas to Georgia Tech. However, we are not a party to those subpoenas and have no knowledge of them. We are not the custodian of records for Georgia Tech, and our client is not the Principal Investigator on the DARPA contract or a professor of the College of Electrical Engineering. We have indicated that we do not believe that Mr. Dagon has any responsive Georgia Tech documents / data in his personal capacity. While our client may be helpful in pointing Georgia Tech to documents or data relevant to their subpoenas (if we are informed of their contents), responsibility for compliance lies with Georgia Tech. We respectfully request that the Special Counsel's team work with each party that it is seeking evidence from and not ask us to get in the middle. Georgia Tech needs to determine how it wants to respond to the subpoenas; we are more than happy to provide any assistance that would be useful to them.

We hope you understand that we are trying to be cooperative. We would be happy to have a call with you and your team separately if that would be helpful.

Best regards,

Jody

Jody R Westby, Esq.

Managing Principal

Global Cyber Legal LLC

+1.202.255.2700

westby@globalcyberlegal.com

https://protect2.fireeye.com/v1/url?k
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http%3A%2F%2Fwww.globalcyberl
egal.com%2F

On Jul 20, 2021, at
10:24 PM, DeFilippis,
Andrew (USANYS)
wrote:

Good Evening Counsel for Georgia
Tech and Counsel for David Dagon,

We hope all is well. Can you please
let us know when you are available
for a joint call tomorrow --
preferably at either 11:30 AM, 2:20
PM or 3:30 PM? We would like to
discuss your clients' compliance
with recently issued federal grand
jury subpoenas. It is important that
we have this call to ensure timely
and comprehensive compliance with
the subpoenas. Thanks very much.

The Special Counsel Team

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Thursday, July 29, 2021 12:38 PM
To: Elizabeth Young
Cc: Wasch, Kate; Aldenberg, William B. (NH)(FBI); Fuhrman, Tim (JMD); Keilty, Michael (USANYE); Scarpelli, Anthony(USADC); Patel, Neeraj (USACT)
Subject: Re: Call Tomorrow (Special Counsel Investigation)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

OK

> On Jul 29, 2021, at 12:25 PM, Elizabeth Young <EYoung@law.ga.gov> wrote:

>
>
> I now have a call that I need to take at 4, so could we make it 4:30?

>
>
> Beth Young
> Assistant Attorney General
> Office of the Attorney General Chris Carr Government Services &
> Employment
> (404) 458-3425
> eyoung@law.ga.gov
> Georgia Department of Law
> 40 Capitol Square SW
> Atlanta, Georgia 30334

>
>
>
> -----Original Message-----

> From: Elizabeth Young
> Sent: Thursday, July 29, 2021 10:45 AM
> To: 'DeFilippis, Andrew (USANYS)' <Andrew.DeFilippis@usdoj.gov>
> Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch, Kate
> <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD)
> <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI)
> <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;
> Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli,
> Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT)
> <Neeraj.Patel@usdoj.gov>
> Subject: RE: Call Tomorrow (Special Counsel Investigation)

>
>
> We are working on responding to the issues you've raised in this and your previous email. Sometime late afternoon would be best - would 4:00 work for you?

>
> Beth Young
> Assistant Attorney General
> Office of the Attorney General Chris Carr Government Services &
> Employment
> (404) 458-3425
> <mailto:eyoung@law.ga.gov>
> Georgia Department of Law
> 40 Capitol Square SW
> Atlanta, Georgia 30334

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>
> -----Original Message-----

> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
> Sent: Thursday, July 29, 2021 6:44 AM
> To: Elizabeth Young <EYoung@LAW.GA.GOV>
> Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch, Kate
> <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD)
> <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI)
> <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;
> Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli,
> Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT)
> <Neeraj.Patel@usdoj.gov>
> Subject: Re: Call Tomorrow (Special Counsel Investigation)

>
> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

>
>
> Beth,

>
> The white papers and related documents you produced to us are documents that *we* provided to Dr. Antonakakis's counsel for their client's review. That is where his counsel obtained them. It appears you have not located any responsive documents. We are also told by Mr. Dagon's counsel that he pointed you to a number of responsive records. We further understand that Michael Farrell likely has responsive documents. When are you available for a call today to discuss?

>
> We may need a Georgia Tech custodian to testify in grand jury next week about the steps taken to search for responsive records. Let us know some times today when you are free.

>
> Thanks.

>
>
>> On Jul 28, 2021, at 10:59 AM, Elizabeth Young <EYoung@law.ga.gov> wrote:

>>
>> I am sending you via Kiteworks a link to a folder containing the documents that Georgia Tech is able to produce with regard to the three categories of documents you asked us to search for during our 7/21 phone conference as follows:
>>

>> 1. White papers/analytical papers related to Trump/Alfa Bank/Yotaphone: We are providing copies of several white papers and related documents that we received via counsel for Dr. Antonakakis. We are not certain as to the origin and storage history of these documents and therefore cannot provide authentication for these documents as business records of Georgia Tech.

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>> 2. Email communications related to Trump/Alfa Bank/Yotaphone: You asked us to revisit our prior email production to ensure that no responsive communications had been overlooked in our earlier email response. A new search was conducted using the original search terms listed in the earlier subpoena, and added white papers and analytical papers to the request. The search did identify a number of emails that were not included in the initial production, although they appear to be irrelevant and are predominantly junk mail. However, I am providing them to you in order to demonstrate Tech's compliance with your request.

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>> 3. You indicated that there was a "fairly large file of Trump related materials" that had been assembled for production to the office of Special Counsel Robert Muller or the DOJ. We are unable to locate such a file. I have been informed that Dr. Antonakakis has searched his server for such a file and did not find anything meeting that description.

>>

>> If you would like me to add any additional recipients to the Kiteworks folder, please let me know.

>>

>> Thank you,

>>

>> Beth Young

>> Assistant Attorney General

>> Office of the Attorney General Chris Carr Government Services &

>> Employment

>> (404) 458-3425

>> <mailto:eyoung@law.ga.gov>

>> Georgia Department of Law

>> 40 Capitol Square SW

>> Atlanta, Georgia 30334

>>

>>

>>

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>> -----Original Message-----

>> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>

>> Sent: Wednesday, July 28, 2021 6:37 AM

>> To: Elizabeth Young <EYoung@LAW.GA.GOV>

>> Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch,

>> Kate <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD)

>> <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI)

>> <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;

>> Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli,

>> Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT)

>> <Neeraj.Patel@usdoj.gov>

>> Subject: Re: Call Tomorrow (Special Counsel Investigation)

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>>

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>> Good morning Beth,

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>> You had said on Friday that you hoped to start producing documents on Monday. Can we expect to receive them today? Thanks.

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>>>> On Jul 23, 2021, at 9:31 AM, Elizabeth Young <EYoung@law.ga.gov> wrote:

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>>> That's fine. Talk to you then.

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>>> Beth Young

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>>> Atlanta, Georgia 30334

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>>> Sent: Friday, July 23, 2021 9:08 AM

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>>> Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch,

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>>> <Neeraj.Patel@usdoj.gov>

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>>> Can we say 4:30? Thank you.

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>>>>> On Jul 23, 2021, at 8:59 AM, Elizabeth Young <EYoung@law.ga.gov> wrote:

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>>>> I'm booked up this morning but available after lunch - how about 2:30? If that doesn't work let me know what does.

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>>>> Beth Young

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>>>> eyoung@law.ga.gov
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>>>> Atlanta, Georgia 30334

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>>>> -----Original Message-----

>>>> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
>>>> Sent: Thursday, July 22, 2021 10:17 PM
>>>> To: Elizabeth Young <EYoung@LAW.GA.GOV>
>>>> Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch,
>>>> Kate <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD)
>>>> <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI)
>>>> <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;
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>>>> Beth,
>>>> We hope all is well. Can you let us know some times tomorrow when you would be available for an update call?

>>>>
>>>> Thank you.
>>>>
>>>>
>>>>

>>>>> On Jul 21, 2021, at 8:07 AM, Elizabeth Young <EYoung@law.ga.gov> wrote:
>>>>> I'm available for a call at 3:30 today. Please let me know what number you'd like me to call.
>>>>> Elizabeth (Beth) Young
>>>>> Assistant Attorney General
>>>>> Office of the Attorney General Chris Carr Government Services &
>>>>> Employment
>>>>> (404) 458-3425
>>>>> eyoung@law.ga.gov
>>>>> Georgia Department of Law
>>>>> 40 Capitol Square SW
>>>>> Atlanta, Georgia 30334

>>>>> -----Original Message-----
>>>>> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
>>>>> Sent: Wednesday, July 21, 2021 7:05 AM
>>>>> To: Jody R Westby <westby@globalcyberlegal.com>
>>>>> Cc: Elizabeth Young <EYoung@LAW.GA.GOV>; Mark Rasch
>>>>> <rasch@globalcyberlegal.com>; Fuller, Christian
>>>>> <christian.fuller@legal.gatech.edu>; Wasch, Kate
>>>>> <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD)
>>>>> <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI)
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>>>> Subject: RE: Call Tomorrow (Special Counsel Investigation)
>>>> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless
you recognize the sender and know the content is safe.
>>>> Jody, It is unfortunate that you are not willing to join a call with Georgia Tech's counsel for purposes of efficiency
and to avoid delaying compliance with federal subpoenas. Regardless, can we please speak at 11:30 AM with you and
Mark? Beth, would you then be available for a separate call with our team at either 2:30 PM or 3:30 PM?
>>>> -----Original Message-----
>>>> From: Jody R Westby <westby@globalcyberlegal.com>
>>>> Sent: Tuesday, July 20, 2021 11:23 PM
>>>> To: DeFilippis, Andrew (USANYS) <ADeFilippis@usa.doj.gov>
>>>> Cc: Elizabeth Young <EYoung@LAW.GA.GOV>; Mark Rasch
>>>> <rasch@globalcyberlegal.com>; Fuller, Christian
>>>> <christian.fuller@legal.gatech.edu>; Wasch, Kate
>>>> <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD)
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>>>> (USADC) <AScarpelli@usa.doj.gov>; Patel, Neeraj (USACT)
>>>> <npatel2@usa.doj.gov>
>>>> Subject: Re: Call Tomorrow (Special Counsel Investigation) Dear
>>>> Andrew:
>>>> We appreciate that you need the documents / data subject to the subpoenas to Georgia Tech. However, we are
not a party to those subpoenas and have no knowledge of them. We are not the custodian of records for Georgia Tech,
and our client is not the Principal Investigator on the DARPA contract or a professor of the College of Electrical
Engineering. We have indicated that we do not believe that Mr. Dagon has any responsive Georgia Tech documents /
data in his personal capacity. While our client may be helpful in pointing Georgia Tech to documents or data relevant to
their subpoenas (if we are informed of their contents), responsibility for compliance lies with Georgia Tech. We
respectfully request that the Special Counsel's team work with each party that it is seeking evidence from and not ask us
to get in the middle. Georgia Tech needs to determine how it wants to respond to the subpoenas; we are more than
happy to provide any assistance that would be useful to them.
>>>> We hope you understand that we are trying to be cooperative. We would be happy to have a call with you and
your team separately if that would be helpful.
>>>> Best regards,
>>>> Jody
>>>> Jody R Westby, Esq.
>>>> Managing Principal
>>>> Global Cyber Legal LLC
>>>> +1.202.255.2700
>>>> westby@globalcyberlegal.com
>>>> <https://protect2.fireeye.com/v1/url?k=7211baee-2d8a821e-72169e0b-a>
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>>>> 1
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>>>> b0176b0-2941286214a1b996&q=1&e=3db575fb-ac73-4426-bd1f-7b6d618c069
>>>> d & u = <http://3A%2F%2Fwww.globalcyberlegal.com%2F>
>>>>> On Jul 20, 2021, at 10:24 PM, DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov> wrote:
>>>>> Good Evening Counsel for Georgia Tech and Counsel for David Dagon,

>>>> We hope all is well. Can you please let us know when you are available for a joint call tomorrow -- preferably at either 11:30 AM, 2:20 PM or 3:30 PM? We would like to discuss your clients' compliance with recently issued federal grand jury subpoenas. It is important that we have this call to ensure timely and comprehensive compliance with the subpoenas. Thanks very much.

>>>> The Special Counsel Team

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Wednesday, July 28, 2021 11:39 AM
To: Elizabeth Young
Cc: Fuller, Christian; Wasch, Kate; Eckenrode, John (JMD); Aldenberg, William B. (NH) (FBI); Fuhrman, Tim (JMD); Keilty, Michael (USANYE); Scarpelli, Anthony (USADC); Patel, Neeraj (USACT); Moak, Joyce (JMD); Royce, Jane (JMD); Royce, Jane (USACT)
Subject: Re: Call Tomorrow (Special Counsel Investigation)

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Beth,

Thank you. We will discuss your assertions below. Can you please add Joyce Moak and Jane Royce (copied) to the Kiteworks site? Also, we have been informed that there is an internal chat system at Georgia Tech. Did you search that system for responsive records? If not, please do so. Also, can you assure us that you searched and produced any pertinent Georgia Tech documents in the custody of Angelos Keromytis and other employees or students involved in the DARPA contract? If not, please ensure that you conduct searches to include documents of all relevant persons. As we noted, the categories of documents we provided to you on our call were not an exclusive list and you are obligated to search for documents more broadly to comply with the subpoena.

Thanks.

> On Jul 28, 2021, at 10:59 AM, Elizabeth Young <EYoung@law.ga.gov> wrote:

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>>>> Best regards,

>>>> Jody

>>>> Jody R Westby, Esq.

>>>> Managing Principal

>>>> Global Cyber Legal LLC

>>>> +1.202.255.2700

>>>> westby@globalcyberlegal.com

>>>> <https://protect2.fireeye.com/v1/url?k=7211baee-2d8a821e-72169e0b-ac>

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>>>> b0176b0-2941286214a1b996&q=1&e=3db575fb-ac73-4426-bd1f-7b6d618c069d

>>>> & u = <http%3A%2F%2Fwww.globalcyberlegal.com%2F>

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Subject: RE: Call Tomorrow (Special Counsel Investigation)

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Jody, It is unfortunate that you are not willing to join a call with Georgia Tech's counsel for purposes of efficiency and to avoid delaying compliance with federal subpoenas. Regardless, can we please speak at 11:30 AM with you and Mark? Beth, would you then be available for a separate call with our team at either 2:30 PM or 3:30 PM?

-----Original Message-----

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Tuesday, July 20, 2021 11:23 PM
To: DeFilippis, Andrew (USANYS) <ADeFilippis@usa.doj.gov>
Cc: Elizabeth Young <EYoung@LAW.GA.GOV>; Mark Rasch <rasch@globalcyberlegal.com>; Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch, Kate <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD)

<John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>; Keilty, Michael (USANYE) <MKeilty@usa.doj.gov>; Scarpelli, Anthony (USADC) <AScarpelli@usa.doj.gov>; Patel, Neeraj (USACT) <npatel2@usa.doj.gov>
Subject: Re: Call Tomorrow (Special Counsel Investigation)

Dear Andrew:

We appreciate that you need the documents / data subject to the subpoenas to Georgia Tech. However, we are not a party to those subpoenas and have no knowledge of them. We are not the custodian of records for Georgia Tech, and our client is not the Principal Investigator on the DARPA contract or a professor of the College of Electrical Engineering. We have indicated that we do not believe that Mr. Dagon has any responsive Georgia Tech documents / data in his personal capacity. While our client may be helpful in pointing Georgia Tech to documents or data relevant to their subpoenas (if we are informed of their contents), responsibility for compliance lies with Georgia Tech. We respectfully request that the Special Counsel's team work with each party that it is seeking evidence from and not ask us to get in the middle. Georgia Tech needs to determine how it wants to respond to the subpoenas; we are more than happy to provide any assistance that would be useful to them.

We hope you understand that we are trying to be cooperative. We would be happy to have a call with you and your team separately if that would be helpful.

Best regards,
Jody

Jody R Westby, Esq.
Managing Principal
Global Cyber Legal LLC
+1.202.255.2700
westby@globalcyberlegal.com
<https://protect2.fireeye.com/v1/url?k=7211baee-2d8a821e-72169e0b-ac1f6b0176b0-2941286214a1b996&q=1&e=3db575fb-ac73-4426-bd1f-7b6d618c069d&u=http%3A%2F%2Fwww.globalcyberlegal.com%2F>

On Jul 20, 2021, at 10:24 PM, DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov> wrote:

Good Evening Counsel for Georgia Tech and Counsel for David Dagon,

We hope all is well. Can you please let us know when you are available for a joint call tomorrow -- preferably at either 11:30 AM, 2:20 PM or 3:30 PM? We would like to discuss your clients' compliance with recently issued federal grand jury subpoenas. It is important that we have this call to ensure timely and comprehensive compliance with the subpoenas. Thanks very much.

The Special Counsel Team

From: MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@LAW.GA.GOV on behalf of DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Wednesday, July 21, 2021 7:05 AM
To: Jody R Westby
Cc: Elizabeth Young; Mark Rasch; Fuller, Christian; Wasch, Kate; Eckenrode, John (JMD); Aldenberg, William B. (NH) (FBI); Fuhrman, Tim (JMD); Keilty, Michael (USANYE); Scarpelli, Anthony (USADC); Patel, Neeraj (USACT)
Subject: RE: Call Tomorrow (Special Counsel Investigation)
Attachments: RE: Call Tomorrow (Special Counsel Investigation)

Sender: Andrew.DeFilippis@usdoj.gov

Subject: RE: Call Tomorrow (Special Counsel Investigation)

Message-Id: <CY1P110MB01658F0C172C9B90D0BBB82AF2E39@CY1P110MB0165.NAMP110.PROD.OUTLOOK.COM>

Recipient: EYoung@law.ga.gov

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Wednesday, July 21, 2021 7:05 AM
To: Jody R Westby
Cc: Elizabeth Young; Mark Rasch; Fuller, Christian; Wasch, Kate; Eckenrode, John (JMD); Aldenberg, William B. (NH) (FBI); Fuhrman, Tim (JMD); Keilty, Michael (USANYE); Scarpelli, Anthony (USADC); Patel, Neeraj (USACT)
Subject: RE: Call Tomorrow (Special Counsel Investigation)

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Jody, It is unfortunate that you are not willing to join a call with Georgia Tech's counsel for purposes of efficiency and to avoid delaying compliance with federal subpoenas. Regardless, can we please speak at 11:30 AM with you and Mark? Beth, would you then be available for a separate call with our team at either 2:30 PM or 3:30 PM?

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To: DeFilippis, Andrew (USANYS) <ADeFilippis@usa.doj.gov>
Cc: Elizabeth Young <EYoung@LAW.GA.GOV>; Mark Rasch <rasch@globalcyberlegal.com>; Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch, Kate <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>; Keilty, Michael (USANYE) <MKeilty@usa.doj.gov>; Scarpelli, Anthony (USADC) <AScarpelli@usa.doj.gov>; Patel, Neeraj (USACT) <npatel2@usa.doj.gov>
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Best regards,
Jody

Jody R Westby, Esq.
Managing Principal
Global Cyber Legal LLC

+1.202.255.2700

westby@globalcyberlegal.com

<https://protect2.fireeye.com/v1/url?k=7211baee-2d8a821e-72169e0b-ac1f6b0176b0-2941286214a1b996&q=1&e=3db575fb-ac73-4426-bd1f-7b6d618c069d&u=http%3A%2F%2Fwww.globalcyberlegal.com%2F>

On Jul 20, 2021, at 10:24 PM, DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov> wrote:

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We hope all is well. Can you please let us know when you are available for a joint call tomorrow -- preferably at either 11:30 AM, 2:20 PM or 3:30 PM? We would like to discuss your clients' compliance with recently issued federal grand jury subpoenas. It is important that we have this call to ensure timely and comprehensive compliance with the subpoenas. Thanks very much.

The Special Counsel Team

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Friday, July 30, 2021 10:49 AM
To: Elizabeth Young
Cc: Wasch, Kate; Aldenberg, William B. (NH)(FBI); Fuhrman, Tim (JMD); Keilty, Michael (USANYE); Scarpelli, Anthony(USADC); Patel, Neeraj (USACT)
Subject: Re: Call Tomorrow (Special Counsel Investigation)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Beth,

We just wanted to give you a heads up that the FBI will be reaching out to Michael Farrell today to request an interview with him. Let us know if you have any questions. Thanks very much.

> On Jul 29, 2021, at 12:25 PM, Elizabeth Young <EYoung@law.ga.gov> wrote:

>

>

> I now have a call that I need to take at 4, so could we make it 4:30?

>

>

> Beth Young

> Assistant Attorney General

> Office of the Attorney General Chris Carr Government Services &

> Employment

> (404) 458-3425

> eyoung@law.ga.gov

> Georgia Department of Law

> 40 Capitol Square SW

> Atlanta, Georgia 30334

>

>

>

> -----Original Message-----

> From: Elizabeth Young

> Sent: Thursday, July 29, 2021 10:45 AM

> To: 'DeFilippis, Andrew (USANYS)' <Andrew.DeFilippis@usdoj.gov>

> Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch, Kate

> <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD)

> <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI)

> <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;

> Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli,

> Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT)

> <Neeraj.Patel@usdoj.gov>

> Subject: RE: Call Tomorrow (Special Counsel Investigation)

>

>
> We are working on responding to the issues you've raised in this and your previous email. Sometime late afternoon would be best - would 4:00 work for you?

>
> Beth Young
> Assistant Attorney General
> Office of the Attorney General Chris Carr Government Services &
> Employment
> (404) 458-3425
> <mailto:eyoung@law.ga.gov>
> Georgia Department of Law
> 40 Capitol Square SW
> Atlanta, Georgia 30334

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> -----Original Message-----

> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
> Sent: Thursday, July 29, 2021 6:44 AM
> To: Elizabeth Young <EYoung@LAW.GA.GOV>
> Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch, Kate
> <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD)
> <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI)
> <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;
> Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli,
> Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT)
> <Neeraj.Patel@usdoj.gov>
> Subject: Re: Call Tomorrow (Special Counsel Investigation)

>
> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

>
>
> Beth,
>
> The white papers and related documents you produced to us are documents that *we* provided to Dr. Antonakakis's counsel for their client's review. That is where his counsel obtained them. It appears you have not located any responsive documents. We are also told by Mr. Dagon's counsel that he pointed you to a number of responsive records. We further understand that Michael Farrell likely has responsive documents. When are you available for a call today to discuss?

>
> We may need a Georgia Tech custodian to testify in grand jury next week about the steps taken to search for responsive records. Let us know some times today when you are free.

>
> Thanks.

>
>
>> On Jul 28, 2021, at 10:59 AM, Elizabeth Young <EYoung@law.ga.gov> wrote:
>>

>> I am sending you via Kiteworks a link to a folder containing the documents that Georgia Tech is able to produce with regard to the three categories of documents you asked us to search for during our 7/21 phone conference as follows:

>>

>> 1. White papers/analytical papers related to Trump/Alfa Bank/Yotaphone: We are providing copies of several white papers and related documents that we received via counsel for Dr. Antonakakis. We are not certain as to the origin and storage history of these documents and therefore cannot provide authentication for these documents as business records of Georgia Tech.

>>

>> 2. Email communications related to Trump/Alfa Bank/Yotaphone: You asked us to revisit our prior email production to ensure that no responsive communications had been overlooked in our earlier email response. A new search was conducted using the original search terms listed in the earlier subpoena, and added white papers and analytical papers to the request. The search did identify a number of emails that were not included in the initial production, although they appear to be irrelevant and are predominantly junk mail. However, I am providing them to you in order to demonstrate Tech's compliance with your request.

>>

>> 3. You indicated that there was a "fairly large file of Trump related materials" that had been assembled for production to the office of Special Counsel Robert Muller or the DOJ. We are unable to locate such a file. I have been informed that Dr. Antonakakis has searched his server for such a file and did not find anything meeting that description.

>>

>> If you would like me to add any additional recipients to the Kiteworks folder, please let me know.

>>

>> Thank you,

>>

>> Beth Young

>> Assistant Attorney General

>> Office of the Attorney General Chris Carr Government Services &

>> Employment

>> (404) 458-3425

>> <mailto:eyoung@law.ga.gov>

>> Georgia Department of Law

>> 40 Capitol Square SW

>> Atlanta, Georgia 30334

>>

>>

>>

>>

>>

>>

>> -----Original Message-----

>> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>

>> Sent: Wednesday, July 28, 2021 6:37 AM

>> To: Elizabeth Young <EYoung@LAW.GA.GOV>

>> Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch,

>> Kate <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD)

>> <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI)

>> <waldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;

>> Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli,

>> Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT)

>> <Neeraj.Patel@usdoj.gov>

>> Subject: Re: Call Tomorrow (Special Counsel Investigation)

>>

>> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

>>

>>

>> Good morning Beth,

>>

>> You had said on Friday that you hoped to start producing documents on Monday. Can we expect to receive them today? Thanks.

>>

>>>> On Jul 23, 2021, at 9:31 AM, Elizabeth Young <EYoung@law.ga.gov> wrote:

>>>

>>> That's fine. Talk to you then.

>>>

>>> Beth Young

>>> Assistant Attorney General

>>> Office of the Attorney General Chris Carr Government Services &

>>> Employment

>>> (404) 458-3425

>>> eyoung@law.ga.gov

>>> Georgia Department of Law

>>> 40 Capitol Square SW

>>> Atlanta, Georgia 30334

>>>

>>>

>>>

>>>

>>> -----Original Message-----

>>> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>

>>> Sent: Friday, July 23, 2021 9:08 AM

>>> To: Elizabeth Young <EYoung@LAW.GA.GOV>

>>> Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch,

>>> Kate <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD)

>>> <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI)

>>> <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;

>>> Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli,

>>> Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT)

>>> <Neeraj.Patel@usdoj.gov>

>>> Subject: Re: Call Tomorrow (Special Counsel Investigation)

>>>

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>>>

>>>

>>> Can we say 4:30? Thank you.

>>>

>>>>> On Jul 23, 2021, at 8:59 AM, Elizabeth Young <EYoung@law.ga.gov> wrote:

>>>>

>>>> I'm booked up this morning but available after lunch - how about 2:30? If that doesn't work let me know what does.

>>>>

>>>>

>>>> Beth Young

>>>> Assistant Attorney General
>>>> Office of the Attorney General Chris Carr Government Services &
>>>> Employment
>>>> (404) 458-3425
>>>> eyoung@law.ga.gov
>>>> Georgia Department of Law
>>>> 40 Capitol Square SW
>>>> Atlanta, Georgia 30334

>>>>
>>>>
>>>>

>>>> -----Original Message-----

>>>> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
>>>> Sent: Thursday, July 22, 2021 10:17 PM
>>>> To: Elizabeth Young <EYoung@LAW.GA.GOV>
>>>> Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch,
>>>> Kate <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD)
>>>> <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI)
>>>> <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;
>>>> Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli,
>>>> Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj
>>>> (USACT) <Neeraj.Patel@usdoj.gov>
>>>> Subject: Re: Call Tomorrow (Special Counsel Investigation)

>>>>
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recognize the sender and know the content is safe.

>>>>
>>>>
>>>> Beth,
>>>> We hope all is well. Can you let us know some times tomorrow when you would be available for an update call?

>>>>
>>>> Thank you.

>>>>
>>>>
>>>>

>>>>>> On Jul 21, 2021, at 8:07 AM, Elizabeth Young <EYoung@law.ga.gov> wrote:
>>>>>> I'm available for a call at 3:30 today. Please let me know what number you'd like me to call.

>>>>>> Elizabeth (Beth) Young
>>>>>> Assistant Attorney General
>>>>>> Office of the Attorney General Chris Carr Government Services &
>>>>>> Employment
>>>>>> (404) 458-3425
>>>>>> eyoung@law.ga.gov
>>>>>> Georgia Department of Law
>>>>>> 40 Capitol Square SW
>>>>>> Atlanta, Georgia 30334

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>>>>>> To: Jody R Westby <westby@globalcyberlegal.com>
>>>>>> Cc: Elizabeth Young <EYoung@LAW.GA.GOV>; Mark Rasch
>>>>>> <rasch@globalcyberlegal.com>; Fuller, Christian

>>>> <christian.fuller@legal.gatech.edu>; Wasch, Kate
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>>>> Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli,
>>>> Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj
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>>>> <npatel2@usa.doj.gov>
>>>> Subject: Re: Call Tomorrow (Special Counsel Investigation) Dear
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>>>> Best regards,
>>>> Jody
>>>> Jody R Westby, Esq.
>>>> Managing Principal
>>>> Global Cyber Legal LLC
>>>> +1.202.255.2700
>>>> westby@globalcyberlegal.com
>>>> <https://protect2.fireeye.com/v1/url?k=7211baee-2d8a821e-72169e0b-a>
>>>> c
>>>> 1
>>>> f
>>>> 6
>>>> b0176b0-2941286214a1b996&q=1&e=3db575fb-ac73-4426-bd1f-7b6d618c069

>>>> d & u = <http%3A%2F%2Fwww.globalcyberlegal.com%2F>

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>>>> The Special Counsel Team

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Tuesday, July 20, 2021 4:40 PM
To: Elizabeth Young
Cc: Lopes, Crane; Fuller, Christian; Wasch, Kate; Ling-Ling Nie (linglingnie@gatech.edu); Keilty, Michael (USANYE); Patel, Neeraj (USACT); Scarpelli, Anthony (USADC); Eckenrode, John (JMD); Aldenberg, William B. (NH) (FBI); Maddock, Adam M.(CyD) (FBI); James, Ryan Joseph (INSD) (FBI); Bennett, Wes; Smith, Darin
Subject: Re: DARPA
Attachments: image002.jpg; image004.png; image005.png; image007.jpg

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Thanks very much, all. We greatly appreciate your quick responses. Ms. Young, we will be in touch once we have received and reviewed the documents and can discuss any further records searches at that time.

Thanks again.

On Jul 20, 2021, at 4:11 PM, Elizabeth Young wrote:

Mr. Lopes,

Thank you for confirming that Georgia Tech may produce documents responsive to the DOJ's subpoena without running afoul of any obligations it may have to DARPA/DOD to safeguard confidential or classified information. Georgia Tech therefore is authorizing the release of responsive materials that have been identified by the employees involved directly to the DOJ.

It is our understanding from conversations with the employees' counsel that the documents that are about to be produced do not contain any classified information. To the extent that the DOJ might seek production of additional documents from Georgia Tech in the future, we will take appropriate steps to determine whether any responsive documents are classified and, if so, will coordinate with Mr. Smith regarding production.

Mr. DeFilippis, if you require anything further from Georgia Tech in order to fulfill its obligations under the subpoena beyond the above statement affirming that Tech is authorizing release of the records that have been compiled by the employees, please let me know.

Sincerely,

Beth Young

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr
Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law

40 Capitol Square SW
Atlanta, Georgia 30334

From: Lopes, Crane

Sent: Tuesday, July 20, 2021 2:16 PM

To: DeFilippis, Andrew (USANYS) ; Elizabeth Young

Cc: 'Fuller, Christian' ; Wasch, Kate ; Ling-Ling Nie (linglingnie@gatech.edu) ; Keilty, Michael (USANYE) ; Patel, Neeraj (USACT) ; Scarpelli, Anthony (USADC) ; Eckenrode, John (JMD) ; Aldenberg, William B. (NH) (FBI) ; Maddock, Adam M. (CyD) (FBI) ; James, Ryan Joseph (INSD) (FBI) ; Bennett, Wes ; Smith, Darin

Subject: RE: DARPA

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Young:

Thank you for your diligence in protecting DARPA-related records and other documents from unauthorized use or disclosure.

I have discussed this matter with Wes Bennett, the Director of the DARPA Contracts Management Office. Mr. Bennett is info-copied on this message. We request that you cooperate with the Department of Justice (DoJ) by immediately providing them with all DARPA-related unclassified documents and records in your possession and that are requested by their subpoena.

If DoJ has requested DARPA-related classified documents and records in your possession, release should be coordinated with Mr. Darin Smith, DARPA Security & Intelligence Directorate. Mr. Smith is info-copied on this message.

Please contact me if I can assist you.

Crane Lopes, Ph.D.

General Counsel

DARPA

Off | 571.218.4887 ☎

Mob | 571.239.5084

Creating **BREAKTHROUGH TECHNOLOGIES**

For National Security

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>

Sent: Tuesday, July 20, 2021 10:51 AM

To: Elizabeth Young <EYoung@LAW.GA.GOV>

Cc: 'Fuller, Christian' <christian.fuller@legal.gatech.edu>; Wasch, Kate <kate.wasch@legal.gatech.edu>; Ling-Ling Nie (linglingnie@gatech.edu) <linglingnie@gatech.edu>; Lopes, Crane <Crane.Lopes@darpa.mil>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Maddock, Adam M. (CyD) (FBI) <ammaddock@fbi.gov>; James, Ryan Joseph (INSD) (FBI) <rjames@fbi.gov>

Subject: DARPA

Ms. Young,

Thank you very much for our call earlier today. On that call, you requested that we provide assurance that the Defense Advanced Research Projects Agency (DARPA) has no objection to Georgia Tech's providing documents and other records in response to our federal grand jury subpoena that relate to a contract between Georgia Tech and DARPA. I am copying Crane Lopes, General Counsel of DARPA. Mr. Lopes and DARPA have been fully cooperative with and supportive of our investigative efforts. On a phone call that occurred a few minutes ago, Mr. Lopes has assured me again that DARPA has no

objections to Georgia Tech's provision of any records or information (both classified and unclassified) to our team and to the grand jury.

As noted, federal law requires you to provide such records regardless of any potentially applicable contractual restrictions.

Please let me know if you have any questions. We would appreciate if you could also please confirm that you consent to the two Georgia Tech employees we discussed providing responsive records that they have identified. Thank you.

Andrew J. DeFilippis

Assistant Special Counsel

U.S. Department of Justice

(646) 530-0087

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Monday, July 19, 2021 5:28 PM
To: Elizabeth Young
Cc: Fuller, Christian; Wasch, Kate; Ling-Ling Nie (linglingnie@gatech.edu)
Subject: Re: Georgia Tech Subpoena 7-19-2021
Attachments: image001.jpg; image002.png; image003.png

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Yes 10:00 am tomorrow is perfect. Thank you. We can use the dial-in below.

Dial-in

Conference ID: [REDACTED]

On Jul 19, 2021, at 1:53 PM, Elizabeth Young wrote:

Mr. DeFilippis,

I have been engaged to represent Georgia Tech and the University System of Georgia in responding to your 7/19 subpoena. I've been forwarded a copy of the subpoena and your email sent this afternoon. I look forward to discussing your suggestions for identifying responsive materials. Would tomorrow morning at 10 AM work for a call to discuss? If not, let me know what times would be better for you. Thank you,
Beth Young

Elizabeth (Beth) Young
Assistant Attorney General
Office of the Attorney General Chris Carr
Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

From: Elizabeth Young <eyoung@law.ga.gov>
Sent: Monday, August 2, 2021 1:08 PM
To: 'DeFilippis, Andrew (USANYS)'
Cc: Kate Wasch; Jody R Westby; Mark D. Rasch; Eckenrode, John (JMD); Scarpelli, Anthony (USADC); Keilty, Michael (USANYE); Patel, Neeraj (USACT); Fuhrman, Tim (JMD); Aldenberg, William B. (NH) (FBI); Maddock, Adam M. (CyD) (FBI)
Subject: RE: Rhannusia Logs

We've reviewed the chat logs and there are only a few comments that would be responsive to the subpoena. We can produce those portions of the log.

I am checking to see whether we can agree to produce the full log without requiring a subpoena and will have an answer for you this afternoon. If we agree to that, will that be sufficient complete Tech's obligations under the subpoena (unless Michael Farrell identifies any additional documents in Tech's custody or control that have not been previously produced and are responsive to the subpoena)?

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

-----Original Message-----

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Monday, August 2, 2021 8:23 AM
To: Elizabeth Young <EYoung@LAW.GA.GOV>
Cc: Kate Wasch <kate.wasch@legal.gatech.edu>; Jody R Westby <westby@globalcyberlegal.com>; Mark D. Rasch <rasch@globalcyberlegal.com>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Maddock, Adam M. (CyD) (FBI) <ammaddock@fbi.gov>
Subject: Re: Rhannusia Logs

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Beth,

Will you be able to produce to us today the Rhannusia chats that Mr. Dagon identified? We request that you produce them in their entirety, as we believe based on representations from Mr. Dagon and his counsel that entire set of logs is

pertinent to our investigation. If necessary we can provide you with a subpoena for the full set of logs. Let us know. Thanks.

> On Jul 30, 2021, at 10:02 AM, Elizabeth Young <EYoung@law.ga.gov> wrote:

>
> I reached out to Ms. Westby after our call yesterday and she confirmed that Mr. Dagon has copies of these chat logs and will be forwarding them to us so that we can review and produce them.

>
> Beth Young
> Assistant Attorney General
> Office of the Attorney General Chris Carr Government Services &
> Employment
> (404) 458-3425
> eyoung@law.ga.gov
> Georgia Department of Law
> 40 Capitol Square SW
> Atlanta, Georgia 30334

>
>
>
> -----Original Message-----

> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
> Sent: Friday, July 30, 2021 7:43 AM
> To: Elizabeth Young <EYoung@LAW.GA.GOV>; Kate Wasch
> <kate.wasch@legal.gatech.edu>; Jody R Westby
> <westby@globalcyberlegal.com>; Mark D. Rasch
> <rasch@globalcyberlegal.com>
> Cc: Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Scarpelli,
> Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Keilty, Michael
> (USANYE) <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT)
> <Neeraj.Patel@usdoj.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;
> Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Maddock, Adam
> M. (CyD) (FBI) <ammaddock@fbi.gov>
> Subject: Rhannusia Logs

>
> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

>
>
> All,

>
> As we have discussed with each of you, Mr. Dagon has identified "Rhannusia" chat communications that we understand are responsive to our subpoena and relevant to our investigation. We would like to obtain these communications promptly and would also like to minimize the burdens on all involved.

>
> Beth, can you please confirm in response to this email that Georgia Tech authorizes and requests that Mr. Dagon provide those logs to the government as an employee of Georgia Tech? If you would like us to issue a subpoena for them specifically and will accept service, we can do so today.

>

> Jody/Mark, can you please let us know when Mr. Dagon can provide the logs to us or, alternatively, to Georgia Tech for production to us?

>

> We are hopeful that we can find a solution to this issue in the near term and avoid unnecessary legal process or disruptions.

>

> Thank you very much.

Jotonna Tulloch

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Friday, July 30, 2021 12:33 PM
To: Jody R Westby
Cc: Elizabeth Young; Kate Wasch; Mark D. Rasch; Eckenrode, John (JMD); Scarpelli, Anthony(USADC); Keilty, Michael (USANYE); Patel, Neeraj (USACT); Fuhrman, Tim (JMD); Aldenberg, William B. (NH) (FBI); Maddock, Adam M.(CyD) (FBI)
Subject: Re: Rhannusia Logs

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks Jody.

> On Jul 30, 2021, at 11:43 AM, Jody R Westby <westby@globalcyberlegal.com> wrote:

>
> Working on getting these now. Will be back in touch. Understand the priority. Thanks!
>
> Jody R Westby, Esq.
> Managing Principal
> Global Cyber Legal LLC
> +1.202.255.2700
> westby@globalcyberlegal.com
> <https://protect2.fireeye.com/v1/url?k=b29a74d1-ed014c21-b29d5034-ac1f6b0176b0-adca19826f2a37b1&q=1&e=d14cab5e-a36f-490e-b1c7-7aba64fad846&u=http%3A%2F%2Fwww.globalcyberlegal.com%2F>
>
>
>

> On Jul 30, 2021, at 10:04 AM, DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov> wrote:

>
> Excellent thanks very much.

>> On Jul 30, 2021, at 10:02 AM, Elizabeth Young <EYoung@law.ga.gov> wrote:

>>
>> I reached out to Ms. Westby after our call yesterday and she confirmed that Mr. Dagon has copies of these chat logs and will be forwarding them to us so that we can review and produce them.

>>
>> Beth Young
>> Assistant Attorney General
>> Office of the Attorney General Chris Carr Government Services &
>> Employment
>> (404) 458-3425
>> eyoung@law.ga.gov
>> Georgia Department of Law

>> 40 Capitol Square SW
>> Atlanta, Georgia 30334
>>
>>
>>

>> -----Original Message-----

>> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
>> Sent: Friday, July 30, 2021 7:43 AM
>> To: Elizabeth Young <EYoung@LAW.GA.GOV>; Kate Wasch
>> <kate.wasch@legal.gatech.edu>; Jody R Westby
>> <westby@globalcyberlegal.com>; Mark D. Rasch
>> <rasch@globalcyberlegal.com>
>> Cc: Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Scarpelli,
>> Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Keilty, Michael
>> (USANYE) <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT)
>> <Neeraj.Patel@usdoj.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;
>> Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Maddock, Adam
>> M. (CyD) (FBI) <ammaddock@fbi.gov>
>> Subject: Rhannusia Logs

>>
>> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

>>
>>
>> All,
>>

>> As we have discussed with each of you, Mr. Dagon has identified "Rhamnusia" chat communications that we understand are responsive to our subpoena and relevant to our investigation. We would like to obtain these communications promptly and would also like to minimize the burdens on all involved.

>>
>> Beth, can you please confirm in response to this email that Georgia Tech authorizes and requests that Mr. Dagon provide those logs to the government as an employee of Georgia Tech? If you would like us to issue a subpoena for them specifically and will accept service, we can do so today.

>>
>> Jody/Mark, can you please let us know when Mr. Dagon can provide the logs to us or, alternatively, to Georgia Tech for production to us?

>>
>> We are hopeful that we can find a solution to this issue in the near term and avoid unnecessary legal process or disruptions.

>>
>> Thank you very much.

>>
>
>

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Friday, July 30, 2021 10:04 AM
To: Elizabeth Young
Cc: Kate Wasch; Jody R Westby; Mark D. Rasch; Eckenrode, John (JMD); Scarpelli, Anthony(USADC); Keilty, Michael (USANYE); Patel, Neeraj (USACT); Fuhrman, Tim (JMD); Aldenberg, William B. (NH) (FBI); Maddock, Adam M.(CyD) (FBI)
Subject: Re: Rhannusia Logs

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Excellent thanks very much.

> On Jul 30, 2021, at 10:02 AM, Elizabeth Young <EYoung@law.ga.gov> wrote:

>
> I reached out to Ms. Westby after our call yesterday and she confirmed that Mr. Dagon has copies of these chat logs and will be forwarding them to us so that we can review and produce them.

>
> Beth Young
> Assistant Attorney General
> Office of the Attorney General Chris Carr Government Services &
> Employment
> (404) 458-3425
> eyoung@law.ga.gov
> Georgia Department of Law
> 40 Capitol Square SW
> Atlanta, Georgia 30334

>
>
>
> -----Original Message-----

> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
> Sent: Friday, July 30, 2021 7:43 AM
> To: Elizabeth Young <EYoung@LAW.GA.GOV>; Kate Wasch
> <kate.wasch@legal.gatech.edu>; Jody R Westby
> <westby@globalcyberlegal.com>; Mark D. Rasch
> <rasch@globalcyberlegal.com>
> Cc: Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Scarpelli,
> Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Keilty, Michael
> (USANYE) <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT)
> <Neeraj.Patel@usdoj.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;
> Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Maddock, Adam
> M. (CyD) (FBI) <ammaddock@fbi.gov>
> Subject: Rhannusia Logs

>

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>

>

> All,

>

> As we have discussed with each of you, Mr. Dagon has identified "Rhamnusia" chat communications that we understand are responsive to our subpoena and relevant to our investigation. We would like to obtain these communications promptly and would also like to minimize the burdens on all involved.

>

> Beth, can you please confirm in response to this email that Georgia Tech authorizes and requests that Mr. Dagon provide those logs to the government as an employee of Georgia Tech? If you would like us to issue a subpoena for them specifically and will accept service, we can do so today.

>

> Jody/Mark, can you please let us know when Mr. Dagon can provide the logs to us or, alternatively, to Georgia Tech for production to us?

>

> We are hopeful that we can find a solution to this issue in the near term and avoid unnecessary legal process or disruptions.

>

> Thank you very much.

>

From: EYoung@LAW.GA.GOV
Sent: Monday, August 2, 2021 5:01 PM
To: Andrew.DeFilippis@usdoj.gov
Cc: kate.wasch@legal.gatech.edu; westby@globalcyberlegal.com; rasch@globalcyberlegal.com; John.Eckenrode@usdoj.gov; Anthony.Scarpelli@usdoj.gov; Michael.Keilty@usdoj.gov; Neeraj.Patel@usdoj.gov; Tim.Fuhrman@usdoj.gov; christian.fuller@legal.gatech.edu; wbaldenberg@fbi.gov; ammaddock@fbi.gov
Subject: RE: Rhannusia Logs

I am attaching the full Rhannusia chat log as you have requested. The second attachment (rhannusia_expanded_formatting.txt) should be identical to the first, except that Mr. Dagon added some additional formatting to identify the sender and date. However, since we have not independently verified that all other details between the two logs are identical, I am providing you with both the original and expanded formatting versions.

Sincerely,
Beth Young

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

-----Original Message-----

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Monday, August 2, 2021 8:23 AM
To: Elizabeth Young <EYoung@LAW.GA.GOV>
Cc: Kate Wasch <kate.wasch@legal.gatech.edu>; Jody R Westby <westby@globalcyberlegal.com>; Mark D. Rasch <rasch@globalcyberlegal.com>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Maddock, Adam M. (CyD) (FBI) <ammaddock@fbi.gov>
Subject: Re: Rhannusia Logs

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Good morning Beth,

Will you be able to produce to us today the Rhannousia chats that Mr. Dagon identified? We request that you produce them in their entirety, as we believe based on representations from Mr. Dagon and his counsel that entire set of logs is pertinent to our investigation. If necessary we can provide you with a subpoena for the full set of logs. Let us know. Thanks.

> On Jul 30, 2021, at 10:02 AM, Elizabeth Young <EYoung@law.ga.gov> wrote:

>

> I reached out to Ms. Westby after our call yesterday and she confirmed that Mr. Dagon has copies of these chat logs and will be forwarding them to us so that we can review and produce them.

>

> Beth Young

> Assistant Attorney General

> Office of the Attorney General Chris Carr Government Services &

> Employment

> (404) 458-3425

> eyoung@law.ga.gov

> Georgia Department of Law

> 40 Capitol Square SW

> Atlanta, Georgia 30334

>

>

>

> -----Original Message-----

> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>

> Sent: Friday, July 30, 2021 7:43 AM

> To: Elizabeth Young <EYoung@LAW.GA.GOV>; Kate Wasch

> <kate.wasch@legal.gatech.edu>; Jody R Westby

> <westby@globalcyberlegal.com>; Mark D. Rasch

> <rasch@globalcyberlegal.com>

> Cc: Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Scarpelli,

> Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Keilty, Michael

> (USANYE) <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT)

> <Neeraj.Patel@usdoj.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;

> Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Maddock, Adam

> M. (CyD) (FBI) <ammaddock@fbi.gov>

> Subject: Rhannousia Logs

>

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>

>

> All,

>

> As we have discussed with each of you, Mr. Dagon has identified "Rhannousia" chat communications that we understand are responsive to our subpoena and relevant to our investigation. We would like to obtain these communications promptly and would also like to minimize the burdens on all involved.

>

> Beth, can you please confirm in response to this email that Georgia Tech authorizes and requests that Mr. Dagon provide those logs to the government as an employee of Georgia Tech? If you would like us to issue a subpoena for them specifically and will accept service, we can do so today.

>

> Jody/Mark, can you please let us know when Mr. Dagon can provide the logs to us or, alternatively, to Georgia Tech for production to us?

>

> We are hopeful that we can find a solution to this issue in the near term and avoid unnecessary legal process or disruptions.

>

> Thank you very much.

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Thursday, July 29, 2021 4:16 PM
To: eyoung@law.ga.gov; Keilty, Michael (USANYE); Scarpelli, Anthony (USADC); Patel, Neeraj (USACT); Aldenberg, William B. (NH) (FBI); Eckenrode, John (JMD); Fuhrman, Tim (JMD)
Subject: Special Counsel/Georgia Tech
Attachments: attachment.ics

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: EYoung@LAW.GA.GOV
Sent: Wednesday, July 28, 2021 1:11 PM
To: kate.wasch@legal.gatech.edu
Subject: Accepted: Beth Young
Attachments: attachment.ics

From: EYoung@LAW.GA.GOV
Sent: Thursday, July 29, 2021 11:13 AM
To: kate.wasch@legal.gatech.edu
Subject: Accepted: Subpoena response
Attachments: attachment.ics

From: EYoung@LAW.GA.GOV
Sent: Thursday, July 29, 2021 11:07 AM
To: kate.wasch@legal.gatech.edu
Subject: Accepted: Subpoena
Attachments: attachment.ics

Jotonna Tulloch

From: Wasch, Kate <kate.wasch@legal.gatech.edu>
Sent: Wednesday, July 28, 2021 12:51 PM
To: Elizabeth Young
Subject: Beth Young
Attachments: attachment.ics

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: Wasch, Kate <kate.wasch@legal.gatech.edu>
Sent: Wednesday, July 28, 2021 6:49 PM
To: Lewis, Nate H; Craig, Christopher A
Cc: Elizabeth Young; Contis, Didier M
Subject: Follow up questions regarding server search

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good evening, gentlemen. If possible, can we talk for 30 minutes or so tomorrow or Friday? The attorney representing GT (copied on this email) has some additional questions about both the likely quantity of information on the server we discussed earlier this week, our (in)ability to search it, and possibly a few other questions. We are not asking you to perform any new searches; we just want to be able to accurately describe the situation.

It would be great if you can make time for this in the next day or so.

Didier, I am not sure you have to attend, but you are welcome to do so and may add a valuable perspective.

Kate Wasch
Chief Counsel
Employment & Litigation
Office of Legal Affairs
Georgia Institute of Technology
Office (404) 894-4812
Cell [REDACTED]

Most communications to or from Georgia Tech employees are a public record and available to the public and the media upon request under Georgia's broad open records law. Therefore, this e-mail communication and any response may be subject to public disclosure.

From: EYoung@LAW.GA.GOV
Sent: Thursday, July 29, 2021 9:32 AM
To: linglingnie@gatech.edu
Cc: kate.wasch@legal.gatech.edu
Subject: FW: Call Tomorrow (Special Counsel Investigation)

FYI

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr Government Services & Employment
(404) 458-3425
mailto:eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

-----Original Message-----

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Thursday, July 29, 2021 6:44 AM
To: Elizabeth Young <EYoung@LAW.GA.GOV>
Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch, Kate <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>
Subject: Re: Call Tomorrow (Special Counsel Investigation)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Beth,

The white papers and related documents you produced to us are documents that *we* provided to Dr. Antonakakis's counsel for their client's review. That is where his counsel obtained them. It appears you have not located any responsive documents. We are also told by Mr. Dagon's counsel that he pointed you to a number of responsive records. We further understand that Michael Farrell likely has responsive documents. When are you available for a call today to discuss?

We may need a Georgia Tech custodian to testify in grand jury next week about the steps taken to search for responsive records. Let us know some times today when you are free.

Thanks.

> On Jul 28, 2021, at 10:59 AM, Elizabeth Young <EYoung@law.ga.gov> wrote:

>

> I am sending you via Kiteworks a link to a folder containing the documents that Georgia Tech is able to produce with regard to the three categories of documents you asked us to search for during our 7/21 phone conference as follows:

>

> 1. White papers/analytical papers related to Trump/Alfa Bank/Yotaphone: We are providing copies of several white papers and related documents that we received via counsel for Dr. Antonakakis. We are not certain as to the origin and storage history of these documents and therefore cannot provide authentication for these documents as business records of Georgia Tech.

>

> 2. Email communications related to Trump/Alfa Bank/Yotaphone: You asked us to revisit our prior email production to ensure that no responsive communications had been overlooked in our earlier email response. A new search was conducted using the original search terms listed in the earlier subpoena, and added white papers and analytical papers to the request. The search did identify a number of emails that were not included in the initial production, although they appear to be irrelevant and are predominantly junk mail. However, I am providing them to you in order to demonstrate Tech's compliance with your request.

>

> 3. You indicated that there was a "fairly large file of Trump related materials" that had been assembled for production to the office of Special Counsel Robert Muller or the DOJ. We are unable to locate such a file. I have been informed that Dr. Antonakakis has searched his server for such a file and did not find anything meeting that description.

>

> If you would like me to add any additional recipients to the Kiteworks folder, please let me know.

>

> Thank you,

>

> Beth Young

> Assistant Attorney General

> Office of the Attorney General Chris Carr Government Services &

> Employment

> (404) 458-3425

> <mailto:eyoung@law.ga.gov>

> Georgia Department of Law

> 40 Capitol Square SW

> Atlanta, Georgia 30334

>

>

>

>

>

>

> -----Original Message-----

> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>

> Sent: Wednesday, July 28, 2021 6:37 AM

> To: Elizabeth Young <EYoung@LAW.GA.GOV>

> Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch, Kate

> <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD)

> <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI)

> <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;

> Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli,

> Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT)

> <Neeraj.Patel@usdoj.gov>
> Subject: Re: Call Tomorrow (Special Counsel Investigation)
>
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>
>
> Good morning Beth,
>
> You had said on Friday that you hoped to start producing documents on Monday. Can we expect to receive them today? Thanks.
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>> On Jul 23, 2021, at 9:31 AM, Elizabeth Young <EYoung@law.ga.gov> wrote:
>>
>> That's fine. Talk to you then.
>>
>> Beth Young
>> Assistant Attorney General
>> Office of the Attorney General Chris Carr Government Services &
>> Employment
>> (404) 458-3425
>> eyoung@law.ga.gov
>> Georgia Department of Law
>> 40 Capitol Square SW
>> Atlanta, Georgia 30334
>>
>>
>>
>>
>> -----Original Message-----
>> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
>> Sent: Friday, July 23, 2021 9:08 AM
>> To: Elizabeth Young <EYoung@LAW.GA.GOV>
>> Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch,
>> Kate <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD)
>> <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI)
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>>>>
>>>> I'm booked up this morning but available after lunch - how about 2:30? If that doesn't work let me know what does.
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>>> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
>>> Sent: Thursday, July 22, 2021 10:17 PM
>>> To: Elizabeth Young <EYoung@LAW.GA.GOV>
>>> Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch,
>>> Kate <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD)
>>> <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI)
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>>> Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli,
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>>> Beth,
>>> We hope all is well. Can you let us know some times tomorrow when you would be available for an update call?
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>>> Thank you.
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>>>>> On Jul 21, 2021, at 8:07 AM, Elizabeth Young <EYoung@law.ga.gov> wrote:
>>>>> I'm available for a call at 3:30 today. Please let me know what number you'd like me to call.
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>>>>> (404) 458-3425
>>>>> eyoung@law.ga.gov
>>>>> Georgia Department of Law
>>>>> 40 Capitol Square SW
>>>>> Atlanta, Georgia 30334
>>>>> -----Original Message-----
>>>>> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
>>>>> Sent: Wednesday, July 21, 2021 7:05 AM
>>>>> To: Jody R Westby <westby@globalcyberlegal.com>

>>>> Cc: Elizabeth Young <EYoung@LAW.GA.GOV>; Mark Rasch
>>>> <rasch@globalcyberlegal.com>; Fuller, Christian
>>>> <christian.fuller@legal.gatech.edu>; Wasch, Kate
>>>> <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD)
>>>> <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI)
>>>> <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;
>>>> Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli,
>>>> Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj
>>>> (USACT) <Neeraj.Patel@usdoj.gov>
>>>> Subject: RE: Call Tomorrow (Special Counsel Investigation)
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>>>> Jody, It is unfortunate that you are not willing to join a call with Georgia Tech's counsel for purposes of efficiency and to avoid delaying compliance with federal subpoenas. Regardless, can we please speak at 11:30 AM with you and Mark? Beth, would you then be available for a separate call with our team at either 2:30 PM or 3:30 PM?
>>>> -----Original Message-----
>>>> From: Jody R Westby <westby@globalcyberlegal.com>
>>>> Sent: Tuesday, July 20, 2021 11:23 PM
>>>> To: DeFilippis, Andrew (USANYS) <ADeFilippis@usa.doj.gov>
>>>> Cc: Elizabeth Young <EYoung@LAW.GA.GOV>; Mark Rasch
>>>> <rasch@globalcyberlegal.com>; Fuller, Christian
>>>> <christian.fuller@legal.gatech.edu>; Wasch, Kate
>>>> <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD)
>>>> <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI)
>>>> <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;
>>>> Keilty, Michael (USANYE) <MKeilty@usa.doj.gov>; Scarpelli, Anthony
>>>> (USADC) <AScarpelli@usa.doj.gov>; Patel, Neeraj (USACT)
>>>> <npatel2@usa.doj.gov>
>>>> Subject: Re: Call Tomorrow (Special Counsel Investigation) Dear
>>>> Andrew:
>>>> We appreciate that you need the documents / data subject to the subpoenas to Georgia Tech. However, we are not a party to those subpoenas and have no knowledge of them. We are not the custodian of records for Georgia Tech, and our client is not the Principal Investigator on the DARPA contract or a professor of the College of Electrical Engineering. We have indicated that we do not believe that Mr. Dagon has any responsive Georgia Tech documents / data in his personal capacity. While our client may be helpful in pointing Georgia Tech to documents or data relevant to their subpoenas (if we are informed of their contents), responsibility for compliance lies with Georgia Tech. We respectfully request that the Special Counsel's team work with each party that it is seeking evidence from and not ask us to get in the middle. Georgia Tech needs to determine how it wants to respond to the subpoenas; we are more than happy to provide any assistance that would be useful to them.
>>>> We hope you understand that we are trying to be cooperative. We would be happy to have a call with you and your team separately if that would be helpful.
>>>> Best regards,
>>>> Jody
>>>> Jody R Westby, Esq.
>>>> Managing Principal
>>>> Global Cyber Legal LLC
>>>> +1.202.255.2700
>>>> westby@globalcyberlegal.com
>>>> <https://protect2.fireeye.com/v1/url?k=7211baee-2d8a821e-72169e0b-ac>
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>>>> b0176b0-2941286214a1b996&q=1&e=3db575fb-ac73-4426-bd1f-7b6d618c069d

>>>> & u = http%3A%2F%2Fwww.globalcyberlegal.com%2F

>>>>> On Jul 20, 2021, at 10:24 PM, DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov> wrote:

>>>> Good Evening Counsel for Georgia Tech and Counsel for David Dagon,

>>>> We hope all is well. Can you please let us know when you are available for a joint call tomorrow -- preferably at either 11:30 AM, 2:20 PM or 3:30 PM? We would like to discuss your clients' compliance with recently issued federal grand jury subpoenas. It is important that we have this call to ensure timely and comprehensive compliance with the subpoenas. Thanks very much.

>>>> The Special Counsel Team

From: Wasch, Kate <kate.wasch@legal.gatech.edu>
Sent: Friday, July 30, 2021 1:02 PM
To: Elizabeth Young
Subject: FW: Meeting with government
Attachments: attachment.ics

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

-----Original Appointment-----

From: Jara, Ana <AJara@lowenstein.com>

Sent: Friday, July 30, 2021 10:09 AM

To: Jara, Ana; DeFilippis, Andrew (USANYS); Wasch, Kate; Eckenrode, John (JMD); Aldenberg, William B. (NH) (FBI); Keilty, Michael (USANYE); Scarpelli, Anthony (USADC); Patel, Neeraj (USACT); Maddock, Adam M. (CyD) (FBI); Beutler, Kristen M. (CG) (FBI); Schamel, Mark; Antonakakis, Manos

Subject: Meeting with government

When: Friday, July 30, 2021 1:00 PM-2:55 PM (UTC-05:00) Eastern Time (US & Canada).

Where: WebEx Information in Notes

-- Do not delete or change any of the following text. --

When it's time, join your Webex meeting here.

[Join meeting](#)

More ways to join:

Join from the meeting link

<https://ls1.webex.com/ls1/j.php?MTID=m1fa20a6e4acb3f22484966495fb8601c>

Join by meeting number

Meeting number (access code): [REDACTED]

Meeting password: [REDACTED]

Tap to join from a mobile device (attendees only)

+ [REDACTED] United States Toll

[REDACTED] United States Toll Free

Join by phone

+1-408-418-9388 United States Toll
1-844-992-4726 United States Toll Free
[Global call-in numbers](#) | [Toll-free calling restrictions](#)

Join from a video system or application

Dial [1796514485@ls1.webex.com](tel:1796514485)

You can also dial 173.243.2.68 and enter your meeting number.

Join using Microsoft Lync or Microsoft Skype for Business

Dial [1796514485.ls1@lync.webex.com](tel:1796514485)

If you are a host, [click here](#) to view host information.

Need help? Go to <https://help.webex.com>

This message contains confidential information, intended only for the person(s) named above, which may also be privileged. Any use, distribution, copying or disclosure by any other person is strictly prohibited. In such case, you should delete this message and kindly notify the sender via reply e-mail. Please advise immediately if you or your employer does not consent to Internet e-mail for messages of this kind.

From: Elizabeth Young <eyoung@law.ga.gov>
Sent: Monday, July 19, 2021 1:53 PM
To: 'Andrew.DeFilippis@usdoj.gov'
Cc: 'Fuller, Christian'; Wasch, Kate; Ling-Ling Nie (linglingnie@gatech.edu)
Subject: Georgia Tech Subpoena 7-19-2021

Mr. DeFilippis,

I have been engaged to represent Georgia Tech and the University System of Georgia in responding to your 7/19 subpoena. I've been forwarded a copy of the subpoena and your email sent this afternoon.

I look forward to discussing your suggestions for identifying responsive materials. Would tomorrow morning at 10 AM work for a call to discuss? If not, let me know what times would be better for you.

Thank you,
Beth Young



Elizabeth (Beth) Young
Assistant Attorney General
Office of the Attorney General Chris Carr
Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

Jotonna Tulloch

From: EYoung@LAW.GA.GOV
Sent: Thursday, July 29, 2021 10:45 AM
To: Andrew.DeFilippis@usdoj.gov
Cc: christian.fuller@legal.gatech.edu; kate.wasch@legal.gatech.edu;
John.Eckenrode@usdoj.gov; wbaldenberg@fbi.gov; Tim.Fuhrman@usdoj.gov;
Michael.Keilty@usdoj.gov; Anthony.Scarpelli@usdoj.gov; Neeraj.Patel@usdoj.gov
Subject: RE: Call Tomorrow (Special Counsel Investigation)

We are working on responding to the issues you've raised in this and your previous email. Sometime late afternoon would be best - would 4:00 work for you?

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr Government Services & Employment
(404) 458-3425
mailto:eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

-----Original Message-----

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Thursday, July 29, 2021 6:44 AM
To: Elizabeth Young <EYoung@LAW.GA.GOV>
Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch, Kate <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>
Subject: Re: Call Tomorrow (Special Counsel Investigation)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Beth,

The white papers and related documents you produced to us are documents that *we* provided to Dr. Antonakakis's counsel for their client's review. That is where his counsel obtained them. It appears you have not located any responsive documents. We are also told by Mr. Dagon's counsel that he pointed you to a number of responsive records. We further understand that Michael Farrell likely has responsive documents. When are you available for a call today to discuss?

We may need a Georgia Tech custodian to testify in grand jury next week about the steps taken to search for responsive records. Let us know some times today when you are free.

Thanks.

> On Jul 28, 2021, at 10:59 AM, Elizabeth Young <EYoung@law.ga.gov> wrote:

>

> I am sending you via Kiteworks a link to a folder containing the documents that Georgia Tech is able to produce with regard to the three categories of documents you asked us to search for during our 7/21 phone conference as follows:

>

> 1. White papers/analytical papers related to Trump/Alfa Bank/Yotaphone: We are providing copies of several white papers and related documents that we received via counsel for Dr. Antonakakis. We are not certain as to the origin and storage history of these documents and therefore cannot provide authentication for these documents as business records of Georgia Tech.

>

> 2. Email communications related to Trump/Alfa Bank/Yotaphone: You asked us to revisit our prior email production to ensure that no responsive communications had been overlooked in our earlier email response. A new search was conducted using the original search terms listed in the earlier subpoena, and added white papers and analytical papers to the request. The search did identify a number of emails that were not included in the initial production, although they appear to be irrelevant and are predominantly junk mail. However, I am providing them to you in order to demonstrate Tech's compliance with your request.

>

> 3. You indicated that there was a "fairly large file of Trump related materials" that had been assembled for production to the office of Special Counsel Robert Muller or the DOJ. We are unable to locate such a file. I have been informed that Dr. Antonakakis has searched his server for such a file and did not find anything meeting that description.

>

> If you would like me to add any additional recipients to the Kiteworks folder, please let me know.

>

> Thank you,

>

> Beth Young

> Assistant Attorney General

> Office of the Attorney General Chris Carr Government Services &

> Employment

> (404) 458-3425

> <mailto:eyoung@law.ga.gov>

> Georgia Department of Law

> 40 Capitol Square SW

> Atlanta, Georgia 30334

>

>

>

>

>

>

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> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>

> Sent: Wednesday, July 28, 2021 6:37 AM

> To: Elizabeth Young <EYoung@LAW.GA.GOV>

> Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch, Kate

> <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD)

> <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI)
> <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;
> Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli,
> Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT)
> <Neeraj.Patel@usdoj.gov>
> Subject: Re: Call Tomorrow (Special Counsel Investigation)
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>>> Georgia Department of Law

>>> 40 Capitol Square SW

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>>> Kate <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD)

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>>>> <christian.fuller@legal.gatech.edu>; Wasch, Kate

>>>> <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD)

>>>> <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI)

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>>>> <npatel2@usa.doj.gov>

>>>> Subject: Re: Call Tomorrow (Special Counsel Investigation) Dear

>>>> Andrew:

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>>>> We hope you understand that we are trying to be cooperative. We would be happy to have a call with you and your team separately if that would be helpful.

>>>> Best regards,

>>>> Jody

>>>> Jody R Westby, Esq.

>>>> Managing Principal

>>>> Global Cyber Legal LLC

>>>> +1.202.255.2700

>>>> westby@globalcyberlegal.com

>>>> https://protect2.fireeye.com/v1/url?k=7211baee-2d8a821e-72169e0b-ac

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>>>> & u = http%3A%2F%2Fwww.globalcyberlegal.com%2F

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Sent: Wednesday, July 28, 2021 10:59 AM
To: 'DeFilippis, Andrew (USANYS)'
Cc: Fuller, Christian; Wasch, Kate; Eckenrode, John (JMD); Aldenberg, William B. (NH) (FBI); Fuhrman, Tim (JMD); Keilty, Michael (USANYE); Scarpelli, Anthony (USADC); Patel, Neeraj (USACT)
Subject: RE: Call Tomorrow (Special Counsel Investigation)

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1. White papers/analytical papers related to Trump/Alfa Bank/Yotaphone: We are providing copies of several white papers and related documents that we received via counsel for Dr. Antonakakis. We are not certain as to the origin and storage history of these documents and therefore cannot provide authentication for these documents as business records of Georgia Tech.
2. Email communications related to Trump/Alfa Bank/Yotaphone: You asked us to revisit our prior email production to ensure that no responsive communications had been overlooked in our earlier email response. A new search was conducted using the original search terms listed in the earlier subpoena, and added white papers and analytical papers to the request. The search did identify a number of emails that were not included in the initial production, although they appear to be irrelevant and are predominantly junk mail. However, I am providing them to you in order to demonstrate Tech's compliance with your request.
3. You indicated that there was a "fairly large file of Trump related materials" that had been assembled for production to the office of Special Counsel Robert Muller or the DOJ. We are unable to locate such a file. I have been informed that Dr. Antonakakis has searched his server for such a file and did not find anything meeting that description.

If you would like me to add any additional recipients to the Kiteworks folder, please let me know.

Thank you,

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr Government Services & Employment
(404) 458-3425
mailto:eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

-----Original Message-----

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Wednesday, July 28, 2021 6:37 AM

To: Elizabeth Young <EYoung@LAW.GA.GOV>

Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch, Kate <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>

Subject: Re: Call Tomorrow (Special Counsel Investigation)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Beth,

You had said on Friday that you hoped to start producing documents on Monday. Can we expect to receive them today? Thanks.

> On Jul 23, 2021, at 9:31 AM, Elizabeth Young <EYoung@law.ga.gov> wrote:

>

> That's fine. Talk to you then.

>

> Beth Young

> Assistant Attorney General

> Office of the Attorney General Chris Carr Government Services &

> Employment

> (404) 458-3425

> eyoung@law.ga.gov

> Georgia Department of Law

> 40 Capitol Square SW

> Atlanta, Georgia 30334

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> -----Original Message-----

> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>

> Sent: Friday, July 23, 2021 9:08 AM

> To: Elizabeth Young <EYoung@LAW.GA.GOV>

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> <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD)

> <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI)

> <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;

> Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli,

> Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT)

> <Neeraj.Patel@usdoj.gov>

> Subject: Re: Call Tomorrow (Special Counsel Investigation)

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>

>

> Can we say 4:30? Thank you.

>

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>>

>> I'm booked up this morning but available after lunch - how about 2:30? If that doesn't work let me know what does.

>>

>>

>> Beth Young

>> Assistant Attorney General

>> Office of the Attorney General Chris Carr Government Services &

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>> eyoung@law.ga.gov

>> Georgia Department of Law

>> 40 Capitol Square SW

>> Atlanta, Georgia 30334

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>>

>>

>> -----Original Message-----

>> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>

>> Sent: Thursday, July 22, 2021 10:17 PM

>> To: Elizabeth Young <EYoung@LAW.GA.GOV>

>> Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch,

>> Kate <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD)

>> <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI)

>> <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;

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>> Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT)

>> <Neeraj.Patel@usdoj.gov>

>> Subject: Re: Call Tomorrow (Special Counsel Investigation)

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>>

>>

>> Beth,

>> We hope all is well. Can you let us know some times tomorrow when you would be available for an update call?

>>

>> Thank you.

>>

>>

>>

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>>> I'm available for a call at 3:30 today. Please let me know what number you'd like me to call.

>>> Elizabeth (Beth) Young

>>> Assistant Attorney General

>>> Office of the Attorney General Chris Carr Government Services &

>>> Employment

>>> (404) 458-3425

>>> eyoung@law.ga.gov

>>> Georgia Department of Law

>>> 40 Capitol Square SW

>>> Atlanta, Georgia 30334

>>> -----Original Message-----

>>> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>

>>> Sent: Wednesday, July 21, 2021 7:05 AM

>>> To: Jody R Westby <westby@globalcyberlegal.com>

>>> Cc: Elizabeth Young <EYoung@LAW.GA.GOV>; Mark Rasch

>>> <rasch@globalcyberlegal.com>; Fuller, Christian

>>> <christian.fuller@legal.gatech.edu>; Wasch, Kate

>>> <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD)

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>>> <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;

>>> Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli,

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>>> <Neeraj.Patel@usdoj.gov>

>>> Subject: RE: Call Tomorrow (Special Counsel Investigation)

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>>> Jody, It is unfortunate that you are not willing to join a call with Georgia Tech's counsel for purposes of efficiency and to avoid delaying compliance with federal subpoenas. Regardless, can we please speak at 11:30 AM with you and Mark? Beth, would you then be available for a separate call with our team at either 2:30 PM or 3:30 PM?

>>> -----Original Message-----

>>> From: Jody R Westby <westby@globalcyberlegal.com>

>>> Sent: Tuesday, July 20, 2021 11:23 PM

>>> To: DeFilippis, Andrew (USANYS) <ADeFilippis@usa.doj.gov>

>>> Cc: Elizabeth Young <EYoung@LAW.GA.GOV>; Mark Rasch

>>> <rasch@globalcyberlegal.com>; Fuller, Christian

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>>> (USADC) <AScarpelli@usa.doj.gov>; Patel, Neeraj (USACT)

>>> <npatel2@usa.doj.gov>

>>> Subject: Re: Call Tomorrow (Special Counsel Investigation) Dear

>>> Andrew:

>>> We appreciate that you need the documents / data subject to the subpoenas to Georgia Tech. However, we are not a party to those subpoenas and have no knowledge of them. We are not the custodian of records for Georgia Tech, and our client is not the Principal Investigator on the DARPA contract or a professor of the College of Electrical Engineering. We have indicated that we do not believe that Mr. Dagon has any responsive Georgia Tech documents / data in his personal capacity. While our client may be helpful in pointing Georgia Tech to documents or data relevant to their subpoenas (if we are informed of their contents), responsibility for compliance lies with Georgia Tech. We respectfully request that the Special Counsel's team work with each party that it is seeking evidence from and not ask us to get in the middle. Georgia Tech needs to determine how it wants to respond to the subpoenas; we are more than happy to provide any assistance that would be useful to them.

>>> We hope you understand that we are trying to be cooperative. We would be happy to have a call with you and your team separately if that would be helpful.

>>> Best regards,

>>> Jody

>>> Jody R Westby, Esq.

>>> Managing Principal

>>> Global Cyber Legal LLC

>>> +1.202.255.2700

>>> westby@globalcyberlegal.com

>>> <https://protect2.fireeye.com/v1/url?k=7211baee-2d8a821e-72169e0b-ac1>

>>> f

>>> 6

>>> b0176b0-2941286214a1b996&q=1&e=3db575fb-ac73-4426-bd1f-7b6d618c069d&

>>> u = <http://www.globalcyberlegal.com>

>>>> On Jul 20, 2021, at 10:24 PM, DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov> wrote:

>>> Good Evening Counsel for Georgia Tech and Counsel for David Dagon,

>>> We hope all is well. Can you please let us know when you are available for a joint call tomorrow -- preferably at either 11:30 AM, 2:20 PM or 3:30 PM? We would like to discuss your clients' compliance with recently issued federal grand jury subpoenas. It is important that we have this call to ensure timely and comprehensive compliance with the subpoenas. Thanks very much.

>>> The Special Counsel Team

From: Elizabeth Young <eyoung@law.ga.gov>
Sent: Friday, July 23, 2021 9:32 AM
To: 'DeFilippis, Andrew (USANYS)'
Cc: Fuller, Christian; Wasch, Kate; Eckenrode, John (JMD); Aldenberg, William B. (NH) (FBI); Fuhrman, Tim (JMD); Keilty, Michael (USANYE); Scarpelli, Anthony (USADC); Patel, Neeraj (USACT)
Subject: RE: Call Tomorrow (Special Counsel Investigation)

That's fine. Talk to you then.

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
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Atlanta, Georgia 30334

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>> (USADC) <AScarpelli@usa.doj.gov>; Patel, Neeraj (USACT)
>> <npatel2@usa.doj.gov>
>> Subject: Re: Call Tomorrow (Special Counsel Investigation) Dear
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>> We hope you understand that we are trying to be cooperative. We would be happy to have a call with you and your team separately if that would be helpful.
>> Best regards,
>> Jody
>> Jody R Westby, Esq.
>> Managing Principal
>> Global Cyber Legal LLC
>> +1.202.255.2700
>> westby@globalcyberlegal.com
>> <https://protect2.fireeye.com/v1/url?k=7211baee-2d8a821e-72169e0b-ac1f>
>> 6
>> b0176b0-2941286214a1b996&q=1&e=3db575fb-ac73-4426-bd1f-7b6d618c069d&u
>> = http%3A%2F%2Fwww.globalcyberlegal.com%2F
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>> The Special Counsel Team

From: EYoung@LAW.GA.GOV
Sent: Thursday, July 29, 2021 12:26 PM
To: Andrew.DeFilippis@usdoj.gov
Cc: kate.wasch@legal.gatech.edu; wbaldenberg@fbi.gov; Tim.Fuhrman@usdoj.gov; Michael.Keilty@usdoj.gov; Anthony.Scarpelli@usdoj.gov; Neeraj.Patel@usdoj.gov
Subject: RE: Call Tomorrow (Special Counsel Investigation)

I now have a call that I need to take at 4, so could we make it 4:30?

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

-----Original Message-----

From: Elizabeth Young
Sent: Thursday, July 29, 2021 10:45 AM
To: 'DeFilippis, Andrew (USANYS)' <Andrew.DeFilippis@usdoj.gov>
Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch, Kate <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>
Subject: RE: Call Tomorrow (Special Counsel Investigation)

We are working on responding to the issues you've raised in this and your previous email. Sometime late afternoon would be best - would 4:00 work for you?

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr Government Services & Employment
(404) 458-3425
mailto:eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

-----Original Message-----

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>

Sent: Thursday, July 29, 2021 6:44 AM

To: Elizabeth Young <EYoung@LAW.GA.GOV>

Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch, Kate <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>

Subject: Re: Call Tomorrow (Special Counsel Investigation)

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Beth,

The white papers and related documents you produced to us are documents that *we* provided to Dr. Antonakakis's counsel for their client's review. That is where his counsel obtained them. It appears you have not located any responsive documents. We are also told by Mr. Dagon's counsel that he pointed you to a number of responsive records. We further understand that Michael Farrell likely has responsive documents. When are you available for a call today to discuss?

We may need a Georgia Tech custodian to testify in grand jury next week about the steps taken to search for responsive records. Let us know some times today when you are free.

Thanks.

> On Jul 28, 2021, at 10:59 AM, Elizabeth Young <EYoung@law.ga.gov> wrote:

>

> I am sending you via Kiteworks a link to a folder containing the documents that Georgia Tech is able to produce with regard to the three categories of documents you asked us to search for during our 7/21 phone conference as follows:

>

> 1. White papers/analytical papers related to Trump/Alfa Bank/Yotaphone: We are providing copies of several white papers and related documents that we received via counsel for Dr. Antonakakis. We are not certain as to the origin and storage history of these documents and therefore cannot provide authentication for these documents as business records of Georgia Tech.

>

> 2. Email communications related to Trump/Alfa Bank/Yotaphone: You asked us to revisit our prior email production to ensure that no responsive communications had been overlooked in our earlier email response. A new search was conducted using the original search terms listed in the earlier subpoena, and added white papers and analytical papers to the request. The search did identify a number of emails that were not included in the initial production, although they appear to be irrelevant and are predominantly junk mail. However, I am providing them to you in order to demonstrate Tech's compliance with your request.

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> 3. You indicated that there was a "fairly large file of Trump related materials" that had been assembled for production to the office of Special Counsel Robert Muller or the DOJ. We are unable to locate such a file. I have been informed that Dr. Antonakakis has searched his server for such a file and did not find anything meeting that description.

>

> If you would like me to add any additional recipients to the Kiteworks folder, please let me know.

>
> Thank you,
>
> Beth Young
> Assistant Attorney General
> Office of the Attorney General Chris Carr Government Services &
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> (404) 458-3425
> <mailto:eyoung@law.ga.gov>
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> Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli,
> Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT)
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> Subject: Re: Call Tomorrow (Special Counsel Investigation)

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>>>> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>

>>>> Sent: Thursday, July 22, 2021 10:17 PM

>>>> To: Elizabeth Young <EYoung@LAW.GA.GOV>

>>>> Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch,

>>>> Kate <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD)

>>>> <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI)

>>>> <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;

>>>> Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli,

>>>> Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT)

>>>> <Neeraj.Patel@usdoj.gov>

>>> Subject: Re: Call Tomorrow (Special Counsel Investigation)

>>>

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>>>

>>>

>>> Beth,

>>> We hope all is well. Can you let us know some times tomorrow when you would be available for an update call?

>>>

>>> Thank you.

>>>

>>>

>>>

>>>> On Jul 21, 2021, at 8:07 AM, Elizabeth Young <EYoung@law.ga.gov> wrote:

>>>> I'm available for a call at 3:30 today. Please let me know what number you'd like me to call.

>>>> Elizabeth (Beth) Young

>>>> Assistant Attorney General

>>>> Office of the Attorney General Chris Carr Government Services &

>>>> Employment

>>>> (404) 458-3425

>>>> eyoung@law.ga.gov

>>>> Georgia Department of Law

>>>> 40 Capitol Square SW

>>>> Atlanta, Georgia 30334

>>>> -----Original Message-----

>>>> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>

>>>> Sent: Wednesday, July 21, 2021 7:05 AM

>>>> To: Jody R Westby <westby@globalcyberlegal.com>

>>>> Cc: Elizabeth Young <EYoung@LAW.GA.GOV>; Mark Rasch

>>>> <rasch@globalcyberlegal.com>; Fuller, Christian

>>>> <christian.fuller@legal.gatech.edu>; Wasch, Kate

>>>> <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD)

>>>> <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI)

>>>> <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;

>>>> Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli,

>>>> Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj

>>>> (USACT) <Neeraj.Patel@usdoj.gov>

>>>> Subject: RE: Call Tomorrow (Special Counsel Investigation)

>>>> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

>>>> Jody, It is unfortunate that you are not willing to join a call with Georgia Tech's counsel for purposes of efficiency and to avoid delaying compliance with federal subpoenas. Regardless, can we please speak at 11:30 AM with you and Mark? Beth, would you then be available for a separate call with our team at either 2:30 PM or 3:30 PM?

>>>> -----Original Message-----

>>>> From: Jody R Westby <westby@globalcyberlegal.com>

>>>> Sent: Tuesday, July 20, 2021 11:23 PM

>>>> To: DeFilippis, Andrew (USANYS) <ADeFilippis@usa.doj.gov>

>>>> Cc: Elizabeth Young <EYoung@LAW.GA.GOV>; Mark Rasch

>>>> <rasch@globalcyberlegal.com>; Fuller, Christian

>>>> <christian.fuller@legal.gatech.edu>; Wasch, Kate

>>>> <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD)

>>>> <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI)

>>>> <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;

>>>> Keilty, Michael (USANYE) <MKeilty@usa.doj.gov>; Scarpelli, Anthony

>>>> (USADC) <AScarpelli@usa.doj.gov>; Patel, Neeraj (USACT)

>>>> <npatel2@usa.doj.gov>

>>>> Subject: Re: Call Tomorrow (Special Counsel Investigation) Dear

>>>> Andrew:

>>>> We appreciate that you need the documents / data subject to the subpoenas to Georgia Tech. However, we are not a party to those subpoenas and have no knowledge of them. We are not the custodian of records for Georgia Tech, and our client is not the Principal Investigator on the DARPA contract or a professor of the College of Electrical Engineering. We have indicated that we do not believe that Mr. Dagon has any responsive Georgia Tech documents / data in his personal capacity. While our client may be helpful in pointing Georgia Tech to documents or data relevant to their subpoenas (if we are informed of their contents), responsibility for compliance lies with Georgia Tech. We respectfully request that the Special Counsel's team work with each party that it is seeking evidence from and not ask us to get in the middle. Georgia Tech needs to determine how it wants to respond to the subpoenas; we are more than happy to provide any assistance that would be useful to them.

>>>> We hope you understand that we are trying to be cooperative. We would be happy to have a call with you and your team separately if that would be helpful.

>>>> Best regards,

>>>> Jody

>>>> Jody R Westby, Esq.

>>>> Managing Principal

>>>> Global Cyber Legal LLC

>>>> +1.202.255.2700

>>>> westby@globalcyberlegal.com

>>>> <https://protect2.fireeye.com/v1/url?k=7211baee-2d8a821e-72169e0b-ac>

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>>>> & u = <http://www.globalcyberlegal.com>

>>>>> On Jul 20, 2021, at 10:24 PM, DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov> wrote:

>>>> Good Evening Counsel for Georgia Tech and Counsel for David Dagon,

>>>> We hope all is well. Can you please let us know when you are available for a joint call tomorrow -- preferably at either 11:30 AM, 2:20 PM or 3:30 PM? We would like to discuss your clients' compliance with recently issued federal grand jury subpoenas. It is important that we have this call to ensure timely and comprehensive compliance with the subpoenas. Thanks very much.

>>>> The Special Counsel Team

Jotonna Tulloch

From: Wasch, Kate <kate.wasch@legal.gatech.edu>
Sent: Friday, July 30, 2021 1:02 PM
To: Elizabeth Young
Subject: RE: Do you need me on the 1:00 call?

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Thanks. I didn't look closely and did not realize that only I was included. I forwarded the invite just now.

From: Elizabeth Young
Sent: Friday, July 30, 2021 12:59 PM
To: Wasch, Kate
Subject: RE: Do you need me on the 1:00 call?

I think Ana sent the invite only to you. Happy to attend if you send the invite to me, or you can attend – either works for me. Not sure there's any reason for us both to be on the call.



Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr
Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

From: Wasch, Kate <kate.wasch@legal.gatech.edu>
Sent: Friday, July 30, 2021 12:56 PM
To: Elizabeth Young <EYoung@LAW.GA.GOV>
Subject: Do you need me on the 1:00 call?

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Let me know. Thanks!

Kate Wasch
Chief Counsel
Employment & Litigation
Office of Legal Affairs
Georgia Institute of Technology
Office (404) 894-4812
Cell [REDACTED]

Most communications to or from Georgia Tech employees are a public record and available to the public and the media upon request under Georgia's broad open records law. Therefore, this e-mail communication and any response may be subject to public disclosure.

From: Wasch, Kate <kate.wasch@legal.gatech.edu>
Sent: Friday, July 30, 2021 1:01 PM
To: Jara, Ana
Cc: Elizabeth Young
Subject: RE: Dr. Antonakakis

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi, Ana. Can you add Beth to the call? I do not plan to attend.
Kate

From: Jara, Ana <AJara@lowenstein.com>
Sent: Friday, July 30, 2021 10:21 AM
To: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Cc: Schamel, Mark <MSchamel@lowenstein.com>; Wasch, Kate <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>; Maddock, Adam M. (CyD) (FBI) <ammaddock@fbi.gov>; Beutler, Kristen M. (CG) (FBI) <kmbeutler@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>
Subject: RE: Dr. Antonakakis

Done.

Ana Jara
She | Her | Hers
Counsel
Lowenstein Sandler LLP

T: 202.753.3747
F: 973.597.2400

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Friday, July 30, 2021 10:14 AM
To: Jara, Ana <AJara@lowenstein.com>
Cc: Schamel, Mark <MSchamel@lowenstein.com>; kate.wasch@legal.gatech.edu; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>; Maddock, Adam M. (CyD) (FBI) <ammaddock@fbi.gov>; Beutler, Kristen M. (CG) (FBI) <kmbeutler@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>
Subject: Re: Dr. Antonakakis

Thanks, would you mind adding Tim Fuhrman (copied) as well?

On Jul 30, 2021, at 10:09 AM, Jara, Ana <AJara@lowenstein.com> wrote:

I sent the calendar invite to all on this group along with Manos. Talk to you all then.

Best,
Ana

Ana Jara

She | Her | Hers

Counsel

Lowenstein Sandler LLP

T: 202.753.3747

F: 973.597.2400

From: Schamel, Mark <MSchamel@lowenstein.com>

Sent: Friday, July 30, 2021 10:07 AM

To: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>

Cc: Jara, Ana <AJara@lowenstein.com>; kate.wasch@legal.gatech.edu; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>; Maddock, Adam M. (CyD) (FBI) <ammaddock@fbi.gov>; Beutler, Kristen M. (CG) (FBI) <kmbeutler@fbi.gov>

Subject: Re: Dr. Antonakakis

We can start at 1.
Will send an invite now.

Mark E. Schamel

Partner

Lowenstein Sandler LLP

T: 202.753.3805

M: 202.841.3401

F: 973.597.2400



On Jul 30, 2021, at 7:24 AM, Schamel, Mark <MSchamel@lowenstein.com> wrote:

Will confirm as soon as I hear from Manos.

Mark E. Schamel
Partner
Lowenstein Sandler LLP

T: 202.753.3805
M: 202.841.3401
F: 973.597.2400



On Jul 30, 2021, at 7:08 AM, DeFilippis, Andrew (USANYS)
<Andrew.DeFilippis@usdoj.gov> wrote:

Ok thank you, that works for us.

On Jul 30, 2021, at 7:04 AM, Schamel, Mark
<MSchamel@lowenstein.com> wrote:

Andrew
I can move some things around and do 1230 to 255. I
will check with Ana and Manos.
Mark

Mark E. Schamel
Partner
Lowenstein Sandler LLP

T: 202.753.3805
M: 202.841.3401
F: 973.597.2400



On Jul 29, 2021, at 6:26 PM, DeFilippis,
Andrew (USANYS)
<Andrew.DeFilippis@usdoj.gov> wrote:

Thank you, could we do the WebEx some time after noon? We are tied up in the morning.

On Jul 29, 2021, at 3:01 PM, Schamel, Mark <MSchamel@lowenstein.com> wrote:

Andrew et al

I know you are all quite excited about speaking with Manos, so we will send out a WebEx invite for tomorrow morning at 9:15 am. Given that you have now appropriately categorized Dr. Antonakakis as a witness and indicated your willingness to meet with him informally rather than in a Grand Jury, we are happy to have a follow up meeting as discussed. Please just confirm that you can do that window.

Also, we are including Kate Wasch from the Georgia Attorney General's Office, as counsel to Georgia Tech. This should streamline your requests for documents going forward.

Mark

Mark E. Schamel
Partner
Lowenstein Sandler LLP

T: 202.753.3805
M: 202.841.3401
F: 973.597.2400



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This message contains confidential information, intended only for the person(s) named above, which may also be privileged. Any use, distribution, copying or disclosure by any other person is strictly prohibited. In such case, you should delete this message and kindly notify the sender via reply e-mail. Please advise immediately if you or your employer does not consent to Internet e-mail for messages of this kind.

From: Wasch, Kate <kate.wasch@legal.gatech.edu>
Sent: Thursday, July 29, 2021 10:29 AM
To: Lewis, Nate H; Contis, Didier M; Craig, Christopher A; Driskell, Griffin; Garrison, William R
Cc: Elizabeth Young
Subject: RE: Follow up questions regarding server search

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Thanks, Nate. I am adding them here.

From: Lewis, Nate H
Sent: Thursday, July 29, 2021 8:50 AM
To: Contis, Didier M ; Wasch, Kate ; Craig, Christopher A
Cc: Elizabeth Young
Subject: Re: Follow up questions regarding server search

I'm happy to meet and discuss, but I definitely think we need to engage the lab support team. They may be able to attest to what would be in scope and directly provide the relevant files/data.

-Nate

From: "Contis, Didier M" <didier.contis@gatech.edu>
Date: Wednesday, July 28, 2021 at 7:41 PM
To: "Wasch, Kate" <kate.wasch@legal.gatech.edu>, "Lewis, Nate H" <nate.lewis@security.gatech.edu>, "Craig, Christopher A" <christopher.craig@security.gatech.edu>
Cc: Elizabeth Young <EYoung@LAW.GA.GOV>
Subject: RE: Follow up questions regarding server search

Thanks Kate. List me as optional in the invite and I will try to attend.

Quick question for Nate: following the last discussion, were you put in touch with the local IT team by Christian?

Best regards,

Didier.

From: Wasch, Kate <kate.wasch@legal.gatech.edu>
Sent: Wednesday, July 28, 2021 6:49 PM
To: Lewis, Nate H <nate.lewis@security.gatech.edu>; Craig, Christopher A <christopher.craig@security.gatech.edu>
Cc: Elizabeth Young <EYoung@LAW.GA.GOV>; Contis, Didier M <didier.contis@gatech.edu>
Subject: Follow up questions regarding server search

Good evening, gentlemen. If possible, can we talk for 30 minutes or so tomorrow or Friday? The attorney representing GT (copied on this email) has some additional questions about both the likely quantity of information on the server we discussed earlier this week, our (in)ability to search it, and possibly a few other questions. We are not asking you to perform any new searches; we just want to be able to accurately describe the situation.

It would be great if you can make time for this in the next day or so.

Didier, I am not sure you have to attend, but you are welcome to do so and may add a valuable perspective.

Kate Wasch
Chief Counsel
Employment & Litigation
Office of Legal Affairs
Georgia Institute of Technology
Office (404) 894-4812
Cell [REDACTED]

Most communications to or from Georgia Tech employees are a public record and available to the public and the media upon request under Georgia's broad open records law. Therefore, this e-mail communication and any response may be subject to public disclosure.

From: Wasch, Kate <kate.wasch@legal.gatech.edu>
Sent: Thursday, July 29, 2021 10:13 AM
To: Lewis, Nate H
Cc: Contis, Didier M; Craig, Christopher A; Elizabeth Young
Subject: Re: Follow up questions regarding server search

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sure. That's William Garrison?

Kate Wasch
Chief Counsel, Employment & Litigation

On Jul 29, 2021, at 8:50 AM, Lewis, Nate H <nlewis6@gatech.edu> wrote:

I'm happy to meet and discuss, but I definitely think we need to engage the lab support team. They may be able to attest to what would be in scope and directly provide the relevant files/data.

-Nate

From: "Contis, Didier M" <didier.contis@gatech.edu>
Date: Wednesday, July 28, 2021 at 7:41 PM
To: "Wasch, Kate" <kate.wasch@legal.gatech.edu>, "Lewis, Nate H" <nate.lewis@security.gatech.edu>, "Craig, Christopher A" <christopher.craig@security.gatech.edu>
Cc: Elizabeth Young <EYoung@LAW.GA.GOV>
Subject: RE: Follow up questions regarding server search

Thanks Kate. List me as optional in the invite and I will try to attend.

Quick question for Nate: following the last discussion, were you put in touch with the local IT team by Christian?

Best regards,

Didier.

From: Wasch, Kate <kate.wasch@legal.gatech.edu>
Sent: Wednesday, July 28, 2021 6:49 PM
To: Lewis, Nate H <nate.lewis@security.gatech.edu>; Craig, Christopher A <christopher.craig@security.gatech.edu>
Cc: Elizabeth Young <EYoung@LAW.GA.GOV>; Contis, Didier M <didier.contis@gatech.edu>
Subject: Follow up questions regarding server search

Good evening, gentlemen. If possible, can we talk for 30 minutes or so tomorrow or Friday? The attorney representing GT (copied on this email) has some additional questions about both the likely quantity of information on the server we discussed earlier this week, our (in)ability to search it, and possibly a few other questions. We are not asking you to perform any new searches; we just want to be able to accurately describe the situation.

It would be great if you can make time for this in the next day or so.

Didier, I am not sure you have to attend, but you are welcome to do so and may add a valuable perspective.

Kate Wasch
Chief Counsel
Employment & Litigation
Office of Legal Affairs
Georgia Institute of Technology
Office (404) 894-4812
Cell [REDACTED]

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From: Wasch, Kate <kate.wasch@legal.gatech.edu>
Sent: Thursday, July 29, 2021 10:35 AM
To: Garrison, William R; Lewis, Nate H; Contis, Didier M; Craig, Christopher A; Driskell, Griffin
Cc: Elizabeth Young; Neal, Alexander G
Subject: RE: Follow up questions regarding server search

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We have received a subpoena from the Department of Justice and are trying to figure out how to respond. We have not, to my knowledge, actually searched any servers in the lab.

From: Garrison, William R <wgarrison7@gatech.edu>
Sent: Thursday, July 29, 2021 10:32 AM
To: Wasch, Kate <kate.wasch@legal.gatech.edu>; Lewis, Nate H <nate.lewis@security.gatech.edu>; Contis, Didier M <didier.contis@gatech.edu>; Craig, Christopher A <christopher.craig@security.gatech.edu>; Driskell, Griffin <cdriskell7@gatech.edu>
Cc: Elizabeth Young <EYoung@LAW.GA.GOV>; Neal, Alexander G <agneal7@gatech.edu>
Subject: Re: Follow up questions regarding server search

Hello!

What is this regarding? This is the first I'm hearing about any server search.

Also, I'm adding Alexander Neal, another member of our Operations team for the lab/center.

Thanks,

William Garrison | IT Support Pro Sr.
Astrolavos Lab (ECE) | KACB 3361
678-522-3808 | wgarrison7@gatech.edu

From: Wasch, Kate <kate.wasch@legal.gatech.edu>
Date: Thursday, July 29, 2021 at 10:28 AM
To: Lewis, Nate H <nate.lewis@security.gatech.edu>, Contis, Didier M <didier.contis@gatech.edu>, Craig, Christopher A <christopher.craig@security.gatech.edu>, Driskell, Griffin <cdriskell7@gatech.edu>, Garrison, William R <wgarrison7@gatech.edu>
Cc: Elizabeth Young <EYoung@LAW.GA.GOV>
Subject: RE: Follow up questions regarding server search

Thanks, Nate. I am adding them here.

From: Lewis, Nate H <nlewis6@gatech.edu>
Sent: Thursday, July 29, 2021 8:50 AM
To: Contis, Didier M <didier.contis@gatech.edu>; Wasch, Kate <kate.wasch@legal.gatech.edu>; Craig, Christopher A <christopher.craig@security.gatech.edu>

Cc: Elizabeth Young <EYoung@LAW.GA.GOV>

Subject: Re: Follow up questions regarding server search

I'm happy to meet and discuss, but I definitely think we need to engage the lab support team. They may be able to attest to what would be in scope and directly provide the relevant files/data.

-Nate

From: "Contis, Didier M" <didier.contis@gatech.edu>

Date: Wednesday, July 28, 2021 at 7:41 PM

To: "Wasch, Kate" <kate.wasch@legal.gatech.edu>, "Lewis, Nate H" <nate.lewis@security.gatech.edu>, "Craig, Christopher A" <christopher.craig@security.gatech.edu>

Cc: Elizabeth Young <EYoung@LAW.GA.GOV>

Subject: RE: Follow up questions regarding server search

Thanks Kate. List me as optional in the invite and I will try to attend.

Quick question for Nate: following the last discussion, were you put in touch with the local IT team by Christian?

Best regards,

Didier.

From: Wasch, Kate <kate.wasch@legal.gatech.edu>

Sent: Wednesday, July 28, 2021 6:49 PM

To: Lewis, Nate H <nate.lewis@security.gatech.edu>; Craig, Christopher A <christopher.craig@security.gatech.edu>

Cc: Elizabeth Young <EYoung@LAW.GA.GOV>; Contis, Didier M <didier.contis@gatech.edu>

Subject: Follow up questions regarding server search

Good evening, gentlemen. If possible, can we talk for 30 minutes or so tomorrow or Friday? The attorney representing GT (copied on this email) has some additional questions about both the likely quantity of information on the server we discussed earlier this week, our (in)ability to search it, and possibly a few other questions. We are not asking you to perform any new searches; we just want to be able to accurately describe the situation.

It would be great if you can make time for this in the next day or so.

Didier, I am not sure you have to attend, but you are welcome to do so and may add a valuable perspective.

Kate Wasch
Chief Counsel
Employment & Litigation
Office of Legal Affairs
Georgia Institute of Technology
Office (404) 894-4812
Cell [REDACTED]

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From: Wasch, Kate <kate.wasch@legal.gatech.edu>
Sent: Thursday, July 29, 2021 11:55 AM
To: Antonakakis, Manos; Fuller, Christian
Cc: Elizabeth Young
Subject: RE: My sysadmin called me

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It's the same subpoena. We're just trying to get some information about the systems to use in our response.

From: Antonakakis, Manos <manos@gatech.edu>
Sent: Thursday, July 29, 2021 11:21 AM
To: Wasch, Kate <kate.wasch@legal.gatech.edu>; Fuller, Christian <christian.fuller@legal.gatech.edu>
Subject: My sysadmin called me

Hey Kate,

I just received a call from my sysadmin about a subpoena request. Is this something new or it relates to the documents I sent to Christian and my lawyers a week or so ago?

Thanks, Manos

From: EYoung@LAW.GA.GOV
Sent: Friday, July 30, 2021 10:03 AM
To: Andrew.DeFilippis@usdoj.gov; kate.wasch@legal.gatech.edu;
westby@globalcyberlegal.com; rasch@globalcyberlegal.com
Cc: John.Eckenrode@usdoj.gov; Anthony.Scarpelli@usdoj.gov; Michael.Keilty@usdoj.gov;
Neeraj.Patel@usdoj.gov; Tim.Fuhrman@usdoj.gov; wbaldenberg@fbi.gov;
ammaddock@fbi.gov
Subject: RE: Rhannusia Logs

I reached out to Ms. Westby after our call yesterday and she confirmed that Mr. Dagon has copies of these chat logs and will be forwarding them to us so that we can review and produce them.

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

-----Original Message-----

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Friday, July 30, 2021 7:43 AM
To: Elizabeth Young <EYoung@LAW.GA.GOV>; Kate Wasch <kate.wasch@legal.gatech.edu>; Jody R Westby <westby@globalcyberlegal.com>; Mark D. Rasch <rasch@globalcyberlegal.com>
Cc: Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Maddock, Adam M. (CyD) (FBI) <ammaddock@fbi.gov>
Subject: Rhannusia Logs

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All,

As we have discussed with each of you, Mr. Dagon has identified "Rhannusia" chat communications that we understand are responsive to our subpoena and relevant to our investigation. We would like to obtain these communications promptly and would also like to minimize the burdens on all involved.

Beth, can you please confirm in response to this email that Georgia Tech authorizes and requests that Mr. Dagon provide those logs to the government as an employee of Georgia Tech? If you would like us to issue a subpoena for them specifically and will accept service, we can do so today.

Jody/Mark, can you please let us know when Mr. Dagon can provide the logs to us or, alternatively, to Georgia Tech for production to us?

We are hopeful that we can find a solution to this issue in the near term and avoid unnecessary legal process or disruptions.

Thank you very much.

From: EYoung@LAW.GA.GOV
Sent: Thursday, July 29, 2021 11:06 AM
To: kate.wasch@legal.gatech.edu; AJara@lowenstein.com
Cc: MSchamel@lowenstein.com
Subject: RE: Time for a quick call today?

That works for me as well.



Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr
Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

From: Wasch, Kate <kate.wasch@legal.gatech.edu>
Sent: Thursday, July 29, 2021 11:02 AM
To: Jara, Ana <AJara@lowenstein.com>
Cc: Schamel, Mark <MSchamel@lowenstein.com>; Elizabeth Young <EYoung@LAW.GA.GOV>
Subject: RE: Time for a quick call today?

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks, that works for me. Beth, are you available then?

From: Jara, Ana <AJara@lowenstein.com>
Sent: Thursday, July 29, 2021 10:58 AM
To: Wasch, Kate <kate.wasch@legal.gatech.edu>
Cc: Schamel, Mark <MSchamel@lowenstein.com>; Elizabeth Young <EYoung@law.ga.gov>
Subject: Re: Time for a quick call today?

Good morning,

I think Mark and I can do 2:30 EST if that works for you?

Best,
Ana

Ana Jara

She | Her | Hers

Counsel

Lowenstein Sandler LLP

T: 202.753.3747

F: 973.597.2400



On Jul 29, 2021, at 10:11 AM, Wasch, Kate <kate.wasch@legal.gatech.edu> wrote:

Good morning, Mark and Ana. I am working with Christian Fuller on matters related to Manos's lab. Do you have any time today for a quick call with me and Beth?

Kate Wasch
Chief Counsel, Employment & Litigation

This message contains confidential information, intended only for the person(s) named above, which may also be privileged. Any use, distribution, copying or disclosure by any other person is strictly prohibited. In such case, you should delete this message and kindly notify the sender via reply e-mail. Please advise immediately if you or your employer does not consent to Internet e-mail for messages of this kind.

From: EYoung@LAW.GA.GOV
Sent: Thursday, July 29, 2021 12:27 PM
To: angelos@gatech.edu
Cc: kate.wasch@legal.gatech.edu
Subject: RE: Request for assistance with subpoena issued to Georgia Tech

Very sorry to bother you on vacation; I'll try to keep it as brief as possible. I'll give you a call on that number at 4.



Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr
Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

From: Keromytis, Angelos D <angelos@gatech.edu>
Sent: Thursday, July 29, 2021 12:06 PM
To: Elizabeth Young <EYoung@LAW.GA.GOV>
Cc: Wasch, Kate <kate.wasch@legal.gatech.edu>
Subject: Re: Request for assistance with subpoena issued to Georgia Tech

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Hi Beth,
I'm on vacation in Mexico (1 hour behind). I can do 4pm today your time. Call me at [REDACTED]
Best,
-Angelos

On Jul 29, 2021, at 09:49, Elizabeth Young <EYoung@law.ga.gov> wrote:

Dr. Keromytis,

I am assisting Georgia Tech with responding to a subpoena issued to Georgia Tech by the Department of Justice. It has been suggested to us by David Dagon that you may know the location of some documents responsive to the subpoena and might be able to assist us with getting access to them.

Would you be available for a quick telephone call to discuss this today or tomorrow? If so, please let me know what time would be convenient and what phone number is best for me to reach you.

Thank you,
Beth Young

<image001.jpg>

<image002.png> <image003.png>

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr
Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
b40 Capitol Square SW
Atlanta, Georgia 30334

From: EYoung@LAW.GA.GOV
Sent: Thursday, July 29, 2021 10:50 AM
To: angelos@gatech.edu
Cc: kate.wasch@legal.gatech.edu
Subject: Request for assistance with subpoena issued to Georgia Tech

Dr. Keromytis,

I am assisting Georgia Tech with responding to a subpoena issued to Georgia Tech by the Department of Justice. It has been suggested to us by David Dagon that you may know the location of some documents responsive to the subpoena and might be able to assist us with getting access to them.

Would you be available for a quick telephone call to discuss this today or tomorrow? If so, please let me know what time would be convenient and what phone number is best for me to reach you.

Thank you,
Beth Young



Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr
Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
b40 Capitol Square SW
Atlanta, Georgia 30334

From: Wasch, Kate <kate.wasch@legal.gatech.edu>
Sent: Thursday, July 29, 2021 11:12 AM
To: Elizabeth Young; Schamel, Mark; AJara@lowenstein.com
Subject: Subpoena response
Attachments: attachment.ics

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Microsoft Teams meeting

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+ [REDACTED] United States, Atlanta

Phone Conference ID: [REDACTED]

[Find a local number](#) | [Reset PIN](#)

[Learn More](#) | [Help](#) | [Meeting options](#)

From: Wasch, Kate <kate.wasch@legal.gatech.edu>
Sent: Thursday, July 29, 2021 11:05 AM
To: Craig, Christopher A; Lewis,Nate H; Garrison, William R; Elizabeth Young; Neal,Alexander G
Subject: Subpoena
Attachments: attachment.ics

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Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

+ [REDACTED] United States, Atlanta

Phone Conference ID: [REDACTED]

[Find a local number](#) | [Reset PIN](#)

[Learn More](#) | [Help](#) | [Meeting options](#)

From: Wasch, Kate <kate.wasch@legal.gatech.edu>
Sent: Thursday, July 29, 2021 10:11 AM
To: MSchamel@lowenstein.com; AJara@lowenstein.com
Cc: Elizabeth Young
Subject: Time for a quick call today?

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning, Mark and Ana. I am working with Christian Fuller on matters related to Manos's lab. Do you have any time today for a quick call with me and Beth?

Kate Wasch
Chief Counsel, Employment & Litigation

From: Nie, Ling-Ling <linglingnie@gatech.edu>
Sent: Monday, January 24, 2022 4:16 PM
To: Russell D. Willard; Bryan Webb; Courtney Poole; Katherine Stoff; Elizabeth Young; Wright Banks
Cc: Gosden, Kathleen T
Subject: Departure and Interim Georgia Tech General Counsel

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Wright, Bryan, Russ, Beth, Courtney, and Katie:

I wanted to let you know that I will be leaving Georgia Tech next Friday, February 4 to join a start-up company. Kathleen Gosden will be the interim General Counsel after my departure until the position is filled. I have been working these past few weeks to ensure Kathleen is aware of all open matters with the AG's office, and I'm copying her here so you all are connected directly.

It's been a pleasure working with the AG's office and with each one of you. I have admired the dedication, expertise, and excellence that you all have brought to the table in handling the various matters we've interacted on. I have learned so much, and sincerely appreciate your warmth and professionalism during these past few years.

I will be staying in Atlanta and look forward to keeping in touch. My cell phone number is [REDACTED] and my e-mail is [REDACTED].

With kind regards,

Ling-Ling Nie
General Counsel &
Vice President for Ethics & Compliance



From: Elizabeth Young <eyoung@law.ga.gov>
Sent: Monday, July 19, 2021 1:53 PM
To: 'Andrew.DeFilippis@usdoj.gov'
Cc: 'Fuller, Christian'; Wasch, Kate; Ling-Ling Nie (linglingnie@gatech.edu)
Subject: Georgia Tech Subpoena 7-19-2021

Mr. DeFilippis,

I have been engaged to represent Georgia Tech and the University System of Georgia in responding to your 7/19 subpoena. I've been forwarded a copy of the subpoena and your email sent this afternoon.

I look forward to discussing your suggestions for identifying responsive materials. Would tomorrow morning at 10 AM work for a call to discuss? If not, let me know what times would be better for you.

Thank you,
Beth Young



Elizabeth (Beth) Young
Assistant Attorney General
Office of the Attorney General Chris Carr
Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

From: Elizabeth Young <eyoung@law.ga.gov>
Sent: Tuesday, July 20, 2021 4:11 PM
To: 'Lopes, Crane'; DeFilippis, Andrew (USANYS)
Cc: 'Fuller, Christian'; Wasch, Kate; Ling-Ling Nie (linglingnie@gatech.edu); Keilty, Michael (USANYE); Patel, Neeraj (USACT); Scarpelli, Anthony (USADC); Eckenrode, John (JMD); Aldenberg, William B. (NH) (FBI); Maddock, Adam M. (CyD) (FBI); James, Ryan Joseph (INSD) (FBI); Bennett, Wes; Smith, Darin
Subject: RE: DARPA

Mr. Lopes,

Thank you for confirming that Georgia Tech may produce documents responsive to the DOJ's subpoena without running afoul of any obligations it may have to DARPA/DOD to safeguard confidential or classified information. Georgia Tech therefore is authorizing the release of responsive materials that have been identified by the employees involved directly to the DOJ.

It is our understanding from conversations with the employees' counsel that the documents that are about to be produced do not contain any classified information. To the extent that the DOJ might seek production of additional documents from Georgia Tech in the future, we will take appropriate steps to determine whether any responsive documents are classified and, if so, will coordinate with Mr. Smith regarding production.

Mr. DeFilippis, if you require anything further from Georgia Tech in order to fulfill its obligations under the subpoena beyond the above statement affirming that Tech is authorizing release of the records that have been compiled by the employees, please let me know.

Sincerely,

Beth Young



Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr
Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

From: Lopes, Crane
Sent: Tuesday, July 20, 2021 2:16 PM
To: DeFilippis, Andrew (USANYS) ; Elizabeth Young
Cc: 'Fuller, Christian' ; Wasch, Kate ; Ling-Ling Nie (linglingnie@gatech.edu) ; Keilty, Michael (USANYE) ; Patel, Neeraj (USACT) ; Scarpelli, Anthony (USADC) ; Eckenrode, John (JMD) ; Aldenberg, William B. (NH) (FBI) ; Maddock, Adam M. (CyD) (FBI) ; James, Ryan Joseph (INSD) (FBI) ; Bennett, Wes ; Smith, Darin
Subject: RE: DARPA

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Ms. Young:

Thank you for your diligence in protecting DARPA-related records and other documents from unauthorized use or disclosure.

I have discussed this matter with Wes Bennett, the Director of the DARPA Contracts Management Office. Mr. Bennett is info-copied on this message. We request that you cooperate with the Department of Justice (DoJ) by immediately providing them with all DARPA-related unclassified documents and records in your possession and that are requested by their subpoena.

If DoJ has requested DARPA-related classified documents and records in your possession, release should be coordinated with Mr. Darin Smith, DARPA Security & Intelligence Directorate. Mr. Smith is info-copied on this message.

Please contact me if I can assist you.

Crane Lopes, Ph.D.
General Counsel
DARPA
Off | 571.218.4887 
Mob | 571.239.5084



Creating **BREAKTHROUGH TECHNOLOGIES**
For National Security

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Tuesday, July 20, 2021 10:51 AM
To: Elizabeth Young <EYoung@LAW.GA.GOV>
Cc: 'Fuller, Christian' <christian.fuller@legal.gatech.edu>; Wasch, Kate <kate.wasch@legal.gatech.edu>; Ling-Ling Nie (linglingnie@gatech.edu) <linglingnie@gatech.edu>; Lopes, Crane <Crane.Lopes@darpa.mil>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Maddock, Adam M. (CyD) (FBI) <ammaddock@fbi.gov>; James, Ryan Joseph (INSD) (FBI) <rjames@fbi.gov>
Subject: DARPA

Ms. Young,

Thank you very much for our call earlier today. On that call, you requested that we provide assurance that the Defense Advanced Research Projects Agency (DARPA) has no objection to Georgia Tech's providing documents and other records in response to our federal grand jury subpoena that relate to a contract between Georgia Tech and DARPA. I am copying Crane Lopes, General Counsel of DARPA. Mr. Lopes and DARPA have been fully cooperative with and supportive of our investigative efforts. On a phone call that occurred a few minutes ago, Mr. Lopes has assured me again that DARPA has

no objections to Georgia Tech's provision of any records or information (both classified and unclassified) to our team and to the grand jury.

As noted, federal law requires you to provide such records regardless of any potentially applicable contractual restrictions.

Please let me know if you have any questions. We would appreciate if you could also please confirm that you consent to the two Georgia Tech employees we discussed providing responsive records that they have identified. Thank you.

Andrew J. DeFilippis
Assistant Special Counsel
U.S. Department of Justice
(646) 530-0087

From: Nie, Ling-Ling <linglingnie@gatech.edu>
Sent: Tuesday, January 25, 2022 4:48 PM
To: Elizabeth Young
Subject: Re: Departure and Interim Georgia Tech General Counsel

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks, Beth! I am excited about working at a start-up. Thanks for sharing your husband's experience. It will be my first time in that environment and I'm not really sure how it will turn out, but I'm curious to give it a shot and see! I look forward to keeping in touch!

Have a great rest of the week!

Ling-Ling Nie
General Counsel &
Vice President for Ethics & Compliance



From: Elizabeth Young <EYoung@LAW.GA.GOV>
Date: Tuesday, January 25, 2022 at 1:14 PM
To: Nie, Ling-Ling <linglingnie@gatech.edu>
Subject: Re: Departure and Interim Georgia Tech General Counsel

Wow! Sorry to hear that you're going but am glad to hear it's for such an exciting opportunity. My husband is in tech and has often said over the years that getting in on the ground floor with a great start up is basically the dream scenario...hope that proves to be the case for you!

It's been a pleasure working with you and hope our paths will cross again someday.

Beth Young

From: Nie, Ling-Ling <linglingnie@gatech.edu>
Sent: Monday, January 24, 2022 4:15:46 PM
To: Russell D. Willard; Bryan Webb; Courtney Poole; Katie Stoff; Elizabeth Young; Wright Banks
Cc: Gosden, Kathleen T
Subject: Departure and Interim Georgia Tech General Counsel

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Wright, Bryan, Russ, Beth, Courtney, and Katie:

I wanted to let you know that I will be leaving Georgia Tech next Friday, February 4 to join a start-up company. Kathleen Gosden will be the interim General Counsel after my departure until the position is filled. I have been working these past few weeks to ensure Kathleen is aware of all open matters with the AG's office, and I'm copying her here so you all are connected directly.

It's been a pleasure working with the AG's office and with each one of you. I have admired the dedication, expertise, and excellence that you all have brought to the table in handling the various matters we've interacted on. I have learned so much, and sincerely appreciate your warmth and professionalism during these past few years.

I will be staying in Atlanta and look forward to keeping in touch. My cell phone number is [REDACTED] and my e-mail is [REDACTED].

With kind regards,

Ling-Ling Nie

General Counsel &

Vice President for Ethics & Compliance



From: Nie, Ling-Ling <linglingnie@gatech.edu>
Sent: Monday, July 19, 2021 5:55 PM
To: Elizabeth Young
Cc: Fuller, Christian; Wasch, Kate
Subject: Re: Georgia Tech Subpoena 7-19-2021

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you Beth! I won't be able to join this call but either Christian or Kate will. We look forward to working with you again!

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Monday, July 19, 2021 5:27:34 PM
To: Elizabeth Young <EYoung@law.ga.gov>
Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch, Kate <kate.wasch@legal.gatech.edu>; Nie, Ling-Ling <linglingnie@gatech.edu>
Subject: Re: Georgia Tech Subpoena 7-19-2021

Yes 10:00 am tomorrow is perfect. Thank you. We can use the dial-in below.

Dial-in

Conference ID: [REDACTED]

On Jul 19, 2021, at 1:53 PM, Elizabeth Young <EYoung@law.ga.gov> wrote:

Mr. DeFilippis,

I have been engaged to represent Georgia Tech and the University System of Georgia in responding to your 7/19 subpoena. I've been forwarded a copy of the subpoena and your email sent this afternoon.

I look forward to discussing your suggestions for identifying responsive materials. Would tomorrow morning at 10 AM work for a call to discuss? If not, let me know what times would be better for you.

Thank you,
Beth Young

<image001.jpg>

Elizabeth (Beth) Young
Assistant Attorney General
Office of the Attorney General Chris Carr

<image002.png> <image003.png>

Government Services & Employment

(404) 458-3425

eyoung@law.ga.gov

Georgia Department of Law

40 Capitol Square SW

Atlanta, Georgia 30334

From: Elizabeth Young <eyoung@law.ga.gov>
Sent: Wednesday, July 21, 2021 4:42 PM
To: 'Jody R Westby'
Cc: christian.fuller@legal.gatech.edu; Mark Rasch; Mark Rasch
Subject: RE: DARPA
Attachments: Georgia-Tech-Subpoena-July-14-2021 (002).pdf

Jody and Mark,

Attached please find a copy of the Special Counsel's most recent subpoena to Georgia Tech. Please note that the cover letter contains a strongly worded request not to disclose the subpoena (or Tech's compliance therewith), but I expressly confirmed with Special Counsel on our call today that this was not intended to prohibit Tech from sharing the subpoena with you and your client.

We have been given some instructions of where to begin looking for responsive documents and will begin by working with Dr. Antonakakis and other Tech employees to find responsive documents. I presume that as we go along we may end up needing your client's help finding the location of certain documents, and I'll reach out to you when/if that happens.

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

-----Original Message-----

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Wednesday, July 21, 2021 10:39 AM
To: Elizabeth Young <EYoung@LAW.GA.GOV>
Cc: christian.fuller@legal.gatech.edu; Mark Rasch <rasch@globalcyberlegal.com>; Mark Rasch <[REDACTED]>
Subject: Re: DARPA

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Elizabeth,

Thank you for your note. Georgia Tech needs to work out its production with the Special Counsel and if they need assistance, let us know. We are happy to assist, if necessary. We are available for a call between noon and 2:30 p.m. (have hard stop at 2:30 or after 4:00 p.m.)

Thank you,

Jody

Jody R Westby, Esq.
Managing Principal
Global Cyber Legal LLC
+1.202.255.2700
westby@globalcyberlegal.com
www.globalcyberlegal.com

On Jul 21, 2021, at 8:00 AM, Elizabeth Young <EYoung@LAW.GA.GOV> wrote:

Ms. Wesby,

It seems I may have inadvertently created a misunderstanding in my correspondence with Special Counsel's office, especially by my references to "employees" that may have appeared to include your client. Georgia Tech had received a request to authorize the release of documents, and at the time I thought that request had come jointly from your client and Dr. Antonakasis. I'm now aware that this was incorrect and apologize for the confusion. I have only been involved in this matter for a few days and while I'm doing my best to get acclimated, there has been a lot to process in a very short time.

I did not mean to suggest that Georgia Tech was directing your client to produce anything directly to the Special Counsel's office or to take on any obligations that rightfully belong to Georgia Tech. And it is certainly not Georgia Tech's intent to place your client in an untenable position. To the extent that my imprecise language may have suggested otherwise, please accept my apologies.

Would you be available for a quick call sometime today so that I can get better acquainted and discuss how to manage any issues that might need your client's logistical assistance in terms of things such as locating where responsive documents/files might be stored on Georgia Tech computers or servers? I'd be happy to give you a call at your convenience.

Best regards,
Beth Young

<image001.jpg>

<image002.png>

<image003.png>

Elizabeth (Beth) Young

Assistant Attorney General

Office of the Attorney General Chris Carr Government Services & Employment

(404) 458-3425

eyoung@law.ga.gov

Georgia Department of Law

40 Capitol Square SW

Atlanta, Georgia 30334

From: Jody R Westby <westby@globalcyberlegal.com>

Sent: Tuesday, July 20, 2021 7:01 PM

To: christian.fuller@legal.gatech.edu

Cc: Elizabeth Young <EYoung@LAW.GA.GOV>

Subject: Fwd: DARPA

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Christian,

My apologies, my email auto-filled the name on the note below to a friend who works at Aon. I have contacted him and asked him to ignore and delete the note and confirm. Please see note below that was meant for you.

Kind regards,

Jody

Jody R Westby, Esq.
Managing Principal
Global Cyber Legal LLC
+1.202.255.2700
westby@globalcyberlegal.com
www.globalcyberlegal.com

Begin forwarded message:

From: Jody R Westby <westby@globalcyberlegal.com>

Subject: DARPA

Date: July 20, 2021 at 6:22:14 PM EDT

To: Christian Hoffman <christian.hoffman@aon.com>

Cc: eyoung@law.ga.gov, Mark Rasch <rasch@globalcyberlegal.com>, Mark Rasch <[REDACTED]>

Dear Christian,

Thank you for your call today and forwarding the communications below. Please be advised that, despite your authorization, Mr. Dagon will not provide to the Special Counsel or "release any unclassified, DARPA-related records that are considered Georgia Tech's property, pursuant to the DOJ investigative subpoena." Global Cyber Legal and Mr. Dagon will not be responsible for Georgia Tech's response to these criminal grand jury subpoenas; Georgia Tech is solely responsible for responding to these subpoenas.

We have never seen the first subpoena Georgia Tech produced or your production; nor have we seen this second subpoena. Although Georgia Tech agreed to an informal joint defense agreement, after we produced our subpoena and relevant documents, Georgia Tech pulled back from that and refused to share any information, including providing a copy of the relevant DARPA contract (Kate provided the wrong one earlier but refused to provide the Enhanced Attribution contract). We are also not privy to your discussions with the Special Counsel office. I am sure you can understand that this puts us in an untenable position. If you need any assistance from Mr. Dagon, please let us know.

Kind regards,

Jody

Jody R Westby, Esq.
Managing Principal
Global Cyber Legal LLC
+1.202.255.2700
westby@globalcyberlegal.com
www.globalcyberlegal.com

----- Forwarded message -----

From: Fuller, Christian <christian.fuller@legal.gatech.edu>

Date: Tue, Jul 20, 2021 at 3:18 PM

Subject: RE: DARPA

To: [REDACTED] >

Cc: Elizabeth Young <EYoung@law.ga.gov>

Jody—

DARPA's general counsel forwarded this response to Georgia Tech (see below). Based on the response, Georgia Tech can give authorization for David to release any unclassified, DARPA-related records that are considered Georgia Tech's property, pursuant to the DOJ investigative subpoena. My understanding is that David does not have any classified documents; however, if there are any classified documents, follow up with Mr. Darin Smith (as instructed below) before any exchange with DOJ.

If there are any questions or concerns, please feel free to reach out.

Thanks,

Christian Fuller
Senior Counsel, Employment & Litigation
Georgia Institute of Technology
Phone: 404-403-8204
christian.fuller@legal.gatech.edu

From: Lopes, Crane <Crane.Lopes@darpa.mil>

Sent: Tuesday, July 20, 2021 2:16 PM

To: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>; Elizabeth Young <EYoung@LAW.GA.GOV>

Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch, Kate <kate.wasch@legal.gatech.edu>; Nie, Ling-Ling <linglingnie@gatech.edu>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Maddock, Adam M. (CyD) (FBI) <ammaddock@fbi.gov>; James, Ryan Joseph (INSD) (FBI) <rjjames@fbi.gov>; Bennett, Wes <wes.bennett@darpa.mil>; Smith, Darin <Darin.Smith@darpa.mil>
Subject: RE: DARPA

Ms. Young:


Thank you for your diligence in protecting DARPA-related records and other documents from unauthorized use or disclosure.

I have discussed this matter with Wes Bennett, the Director of the DARPA Contracts Management Office. Mr. Bennett is info-copied on this message. We request that you cooperate with the Department of Justice (DoJ) by immediately providing them with all DARPA-related unclassified documents and records in your possession and that are requested by their subpoena.

If DoJ has requested DARPA-related classified documents and records in your possession, release should be coordinated with Mr. Darin Smith, DARPA Security & Intelligence Directorate. Mr. Smith is info-copied on this message.

Please contact me if I can assist you.

Crane Lopes, Ph.D.
General Counsel
DARPA

Off | 571.218.4887 
Mob | 571.239.5084

<image004.jpg>Creating BREAKTHROUGH TECHNOLOGIES For National Security

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>

Sent: Tuesday, July 20, 2021 10:51 AM

To: Elizabeth Young <EYoung@LAW.GA.GOV>

Cc: 'Fuller, Christian' <christian.fuller@legal.gatech.edu>; Wasch, Kate <kate.wasch@legal.gatech.edu>; Ling-Ling Nie (linglingnie@gatech.edu) <linglingnie@gatech.edu>; Lopes, Crane <Crane.Lopes@darpa.mil>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Maddock, Adam M. (CyD) (FBI) <ammaddock@fbi.gov>; James, Ryan Joseph (INSD) (FBI) <rjjames@fbi.gov>

Subject: DARPA

Ms. Young,

Thank you very much for our call earlier today. On that call, you requested that we provide assurance that the Defense Advanced Research Projects Agency (DARPA) has no objection to Georgia Tech's providing documents and other records in response to our federal grand jury subpoena that relate to a contract between Georgia Tech and DARPA. I am copying Crane Lopes, General Counsel of DARPA. Mr. Lopes and DARPA have been fully cooperative with and supportive of our investigative efforts. On a phone call that occurred a few minutes ago, Mr. Lopes has assured me again that DARPA has no objections to Georgia Tech's provision of any records or information (both classified and unclassified) to our team and to the grand jury.

As noted, federal law requires you to provide such records regardless of any potentially applicable contractual restrictions.

Please let me know if you have any questions. We would appreciate if you could also please confirm that you consent to the two Georgia Tech employees we discussed providing responsive records that they have identified. Thank you.

Andrew J. DeFilippis
Assistant Special Counsel
U.S. Department of Justice
(646) 530-0087
<image005.jpg>



United States Department of Justice

Special Counsel

*145 N Street Northeast
Room 3E.803
Washington, D.C. 20530*

July 14, 2021

Via Email

Georgia Institute of Technology
Georgia Tech Research Institute/Georgia Tech Research Corporations
C/O
Christian Fuller, Esq.

Re: Grand Jury Subpoena
USAO # 2020R01428

To Whom It May Concern:

Pursuant to a criminal investigation being conducted by the U.S. Department of Justice, it is required that you furnish the requested records as described in the attached subpoena.

You may comply with this grand jury subpoena by providing the requested records on or before the date indicated in the subpoena. If you choose to provide the requested records voluntarily, please provide them in a non-proprietary electronic format via FedEx, UPS or DHL. Also enclosed please find a blank "Declaration of Custodian of Records" form. It may save time and costs if an appropriate person at your business could complete the form and return it with the records. A properly completed "Declaration of Custodian of Records" form will make it more likely that we could present the records at trial without requiring you or another employee to come to court and testify. If you would like to appear in lieu of solely providing the records, please contact the undersigned Assistant Special Counsel.

Although you are not required to do so, **you are requested not to disclose the existence of this subpoena or the fact of your compliance. Any such disclosure could impede the investigation being conducted and thereby interfere with the enforcement of the law.**

We appreciate your cooperation in this matter. If you have any questions, please contact the undersigned Assistant Special Counsel at the number below.

Very truly yours,

JOHN H. DURHAM
SPECIAL COUNSEL

By: /S/
Andrew J. DeFilippis
Assistant Special Counsel
U.S. Department of Justice
145 N Street, NE
Room 3E.803
Washington, DC 20530
andrew.defilippis@usdoj.gov
(646) 530-0087

UNITED STATES DISTRICT COURT
for the
District of Columbia

SUBPOENA TO TESTIFY BEFORE A GRAND JURY

To: Georgia Institute of Technology/Georgia Tech Research Institute/Georgia Tech Research Corporations
C/O Christian Fuller, Esq.

YOU ARE COMMANDED to appear in this United States district court at the time, date, and place shown below to testify before the court's grand jury. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place: U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA U.S. Courthouse, 3 rd Floor Grand Jury #21-02 333 Constitution Avenue, N.W. Washington, D.C. 20001	Date and Time: July 22, 2021 at 9:00 AM
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------

You must also bring with you the following documents, electronically stored information, or objects:

PLEASE SEE ATTACHMENT

You may provide the results directly to the Special Counsel's Office. If you choose to do so, we request that you send the returns to **Jack Eckenrode**, john.eckenrode@usdoj.gov, U.S. Department of Justice, 145 N Street, NE, Room 3E.803, Washington, DC 20530, by July 29, 2021. If, however, you wish to personally appear before the Grand Jury to provide the records, please contact the undersigned Assistant Special Counsel

Date: July 14, 2021

CLERK OF COURT


Signature of Clerk or Deputy Clerk

The name, address, telephone number and email of the Assistant Special Counsel, who requests this subpoena, are:

Andrew J. DeFilippis
Assistant Special Counsel
U.S. Department of Justice
145 N Street, NE
Room 3E.803
Washington, DC 20530

USAO #2020R01428

Email: andrew.defilippis@usdoj.gov; Phone: (646) 530-0087

BILL TO: UNITED STATES ATTORNEY'S OFFICE - DISTRICT OF COLUMBIA
 FINANCE SECTION, 555 4TH ST., N.W., WASHINGTON, D.C. 20530
 202-252-1700

DCN (FINANCE use only) If blank please call 202-252-1700	C1
	LP

ADVICE OF OBLIGATION / RECEIVING REPORT

1. ASSISTANT SPECIAL COUNSEL Andrew J. DeFilippis	2. SUPPORT PERSON	3. REQUESTING DIV CRIMINAL DIVISION	4. TELEPHONE CONTACT 646-530-0087	5. USAO NUMBER 2020R01428	6. GJ DATE
7. CASE NAME	8. CASE NUMBER	9. ACCOUNT TYPE DIR <input type="radio"/> OCOETF <input type="radio"/> HCF <input type="radio"/> AF <input type="radio"/> ACE <input type="radio"/>			10. GJ NUMBER
11. ESTIMATED DELIVERY DATE July 22, 2021	12. EST. COST (If Over \$3,000, MUST be submitted in PROCUREMENT SECT.) \$75.00	13. VENDOR NAME Georgia Institute of Technology/Georgia Tech Research Institute/Georgia Tech Research Corporations		14. VENDOR TAX I.D.	

15. TYPE OF OBLIGATION

<input type="radio"/> TRANSCRIPT (Grand Jury) (2509)	<input type="radio"/> CONSULTANT (25LC)
<input type="radio"/> TRANSCRIPT (Court) (2510)	<input checked="" type="radio"/> LEGAL RESEARCH (2534)
<input type="radio"/> TRANSCRIPT (Deposition) (2508)	<input type="radio"/> LITIGATION GRAPHICS (2557)
<input type="radio"/> FILING (Copy Abstract of Title, Filing Document Required) (2501)	<input type="radio"/> OTHER (Specify below) (2598)
<input type="radio"/> STENOGRAPHY & INTERPRETER SERVICES (2502)	<input type="radio"/> CERTIFIED CONVICTION (2504)

16. TYPE OF TRANSCRIPT REQUESTED <input type="radio"/> REGULAR <input type="radio"/> INTERMEDIATE <input type="radio"/> DAILY (Approval Required)	<input type="radio"/> SPECIAL (Hourly - Approval Required) <input type="radio"/> EXPEDITE (Approval Required) <input type="radio"/> EXPRESS (Approval Required) (3 Days)	17. TRANSCRIPT TYPE <input type="radio"/> COPY <input type="radio"/> ORIGINAL <input type="radio"/> TAPE	18. TRANSCRIPT FORMAT <input type="radio"/> FULL PAGE <input type="radio"/> CONDENSED <input type="radio"/> ELECTRONIC
------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------

19. REQUESTED ITEM

20. SIGNATURE OF REQUESTOR	21. DATE	22. APPROVED BY (Must have OBD-234 on File)	23. DATE
Typed/Printed Name of Requestor		Typed/Printed Name of Approving Official	
24. FUNDS CERTIFICATION	25. DATE		

26. INVOICE

Number And Date Of Order	Date of Delivery or Service	Articles or Service(s)	Quantity	Unit Price		Amount
				Cost	Per	

Payee Signature: _____ Date: _____ *No payments should be made unless expenses are itemized.

27. CERTIFICATION
 I certify that these goods and/or services were received on _____ (date) and accepted on _____ (date). Oral purchase was authorized and no confirming order has been issued."

_____ SIGNATURE _____ DATE

Printed or Typed Name and Title: _____

DECLARATION OF CUSTODIAN OF RECORDS

Pursuant to 28 U.S.C. §1746, I, the undersigned, hereby declare:

My name is _____.
(name of declarant)

I am a United States citizen and I am over eighteen years of age. I am the custodian of records of the business named below, or I am otherwise qualified as a result of my position with the business named below to make this declaration. I have knowledge of the record keeping system used by this business; this includes how records are created and maintained.

I am in receipt of a United States District Court Subpoena dated July 14, 2021, signed by Assistant Special Counsel Andrew J. DeFilippis, requesting specified records of the business named below.

Attached hereto are _____ pages of records regarding _____
(Brief description of type of documents being subpoenaed) responsive to the subpoena. I understand how these responsive documents were created. Pursuant to Rules 902(11) and 803(6) of the Federal Rules of Evidence, I hereby certify that the records attached hereto:

- (1) were made at or near the time of the occurrence of the matters set forth in the records, by, or from information transmitted by, a person with knowledge of those matters;
- (2) were kept in the course of regularly conducted business activity, in that the records were created and preserved pursuant to established procedures, and were relied upon by an employee or this business; and
- (3) were made as part of the regularly conducted business activity as a regular practice, in that the records were created and preserved as part of routine reflections of the normal operations of this business.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____.
(date)

(signature of declarant)

(name and title of declarant)

(name of business)

(business address)

(business address)

Definitions of terms used above:

As defined in Fed.R.Evid. 803(6), "record" includes a memorandum, report, record, or data compilation, in any form, of acts, events, conditions, opinions, or diagnoses. The term "business" as used in Fed.R.Evid. 803(6) and the above declaration includes business, institution, association, profession, occupation, and calling of every kind, whether or not conducted for profit.

ATTACHMENT

(Grand Jury Subpoena to Georgia Institute of Technology/Georgia Tech Research Institute/Georgia Tech Research Corporations dated July 14, 2021)

(A) For the period from January 1, 2016 to the present, provide all documents, records, communications, and information that (i) are maintained on or within any Georgia Institute of Technology/Georgia Research Institute/Georgia Tech Research Corporation systems, facilities, or properties, (ii) are accessible by or within the possession, custody, control, of David Dagon AND (iii) concern, involve, relate to, or reflect:

(1) allegations (including supporting data) of a purported secret communications channel between the Trump Organization, Spectrum Health, and the Russian Bank Alfa Bank;

(2) allegations (including supporting data) of the purported presence or use of Russian-made Yotaphones by or in the vicinity of Donald Trump or individuals affiliated with Donald Trump;

(B) For the period January 1, 2016 to the present, all documents, records, and information reflecting to work, communications, or activities (including work, communications, or activities conducted under or pursuant to contracts with the Defense Advanced Research Projects Agency, *i.e.*, DARPA) conducted at or by the Georgia Institute of Technology, Georgia Tech Research Institute, and/or Georgia Tech Research Corporations relating to or involving the subject matters set forth in Items (A)(1) and (A)(2) above. (NOTE: The deadline for production of records pursuant to Item (B) only is August 2, 2021)

****For any privileged records/communications falling within the subject matters set forth in this subpoena, please provide a privilege log by the return date. The privilege log should contain, for each record or communication, the date, time, sender(s), recipient(s), and copied parties of the record/communication; a description of the general subject matter(s) of the record/communication; and the particular privilege being invoked.****

You are requested not to disclose the existence of this subpoena or the fact of your compliance with it to anyone. Any such disclosure on your part could impede the investigation being conducted and thereby interfere with the enforcement of the law. **If you do intend to disclose to anyone of the existence of this subpoena or your compliance, please notify the government in the first instance.**

INSTRUCTIONS FOR PRODUCTION OF RECORDS

I. General:

- a. Records existing as **Electronically Stored Information (ESI)** shall be produced in **non-proprietary electronic form** and shall include text data and image data held:
 - i. In your record retention systems; and/or
 - ii. By your technology, data, or other service provider(s).

- b. Records that do not exist as ESI may be produced in paper or other original format and may be converted to image or text data and provided as ESI, unless originals are required.

II. Text Data

- a. Text data relating to transactions shall be produced within a data file:
 - i. Using a delimited ASCII text data format; or
 - ii. Using software that can export to a commonly readable, non-proprietary file format without loss of data.
- b. Text data files relating to transactions shall include field descriptions (e.g., account number, date/time, description, payee/payor, check number, item identifier, and amount).

III. Image Data

- a. Image data shall be produced in graphic data files in a commonly readable, non-proprietary format with the highest image quality maintained.
- b. Image data of items associated with transactions (e.g., checks and deposit slips) shall be:
 - i. Produced in individual graphic data files with any associated endorsements; and
 - ii. Linked to corresponding text data by a unique identifier.

IV. Encryption/Authentication

- a. ESI may be transmitted in an encrypted container (*e.g. flash drive, CD/DVD*). Decryption keys and/or passwords shall be produced separately at the time the data are produced. *Please do not encrypt individual file contents if the container is encrypted.*
- b. Authentication, such as hash coding, may be set by agreement.
- c. Affidavits or certificates of authenticity may be included as part of the electronic production.

From: Mark Rasch <[REDACTED]>
Sent: Wednesday, July 21, 2021 6:23 PM
To: Elizabeth Young
Cc: Jody R Westby; christian.fuller@legal.gatech.edu; Mark Rasch
Subject: Re: DARPA

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Beth

Just so you understand, the cover letter ALWAYS contains strongly worded warnings not to disclose the contents of a subpoena. That's because Rule 6(e) F. R. Crim. P. expressly says that "no obligation of secrecy may be imposed on a [grand jury] witness". It's common to make the request, but the law says the opposite. Just FYI.

Mark Rasch

From my cell

> On Jul 21, 2021, at 4:41 PM, Elizabeth Young <EYoung@law.ga.gov> wrote:

>

> Jody and Mark,

>

> Attached please find a copy of the Special Counsel's most recent subpoena to Georgia Tech. Please note that the cover letter contains a strongly worded request not to disclose the subpoena (or Tech's compliance therewith), but I expressly confirmed with Special Counsel on our call today that this was not intended to prohibit Tech from sharing the subpoena with you and your client.

>

> We have been given some instructions of where to begin looking for responsive documents and will begin by working with Dr. Antonakakis and other Tech employees to find responsive documents. I presume that as we go along we may end up needing your client's help finding the location of certain documents, and I'll reach out to you when/if that happens.

>

>

> Beth Young

> Assistant Attorney General

> Office of the Attorney General Chris Carr Government Services &

> Employment

> (404) 458-3425

> eyoung@law.ga.gov

> Georgia Department of Law

> 40 Capitol Square SW

> Atlanta, Georgia 30334

>

>

>

>
> -----Original Message-----
> From: Jody R Westby <westby@globalcyberlegal.com>
> Sent: Wednesday, July 21, 2021 10:39 AM
> To: Elizabeth Young <EYoung@LAW.GA.GOV>
> Cc: christian.fuller@legal.gatech.edu; Mark Rasch
> <rasch@globalcyberlegal.com>; Mark Rasch <[REDACTED]>
> Subject: Re: DARPA
>
> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
>
>
> Dear Elizabeth,
> Thank you for your note. Georgia Tech needs to work out its production with the Special Counsel and if they need assistance, let us know. We are happy to assist, if necessary. We are available for a call between noon and 2:30 p.m. (have hard stop at 2:30 or after 4:00 p.m.)
> Thank you,
> Jody
>
> Jody R Westby, Esq.
> Managing Principal
> Global Cyber Legal LLC
> +1.202.255.2700
> westby@globalcyberlegal.com
> www.globalcyberlegal.com
>
>
>
> On Jul 21, 2021, at 8:00 AM, Elizabeth Young <EYoung@LAW.GA.GOV> wrote:
>
> Ms. Wesby,
>
> It seems I may have inadvertently created a misunderstanding in my correspondence with Special Counsel's office, especially by my references to "employees" that may have appeared to include your client. Georgia Tech had received a request to authorize the release of documents, and at the time I thought that request had come jointly from your client and Dr. Antonakasis. I'm now aware that this was incorrect and apologize for the confusion. I have only been involved in this matter for a few days and while I'm doing my best to get acclimated, there has been a lot to process in a very short time.
>
> I did not mean to suggest that Georgia Tech was directing your client to produce anything directly to the Special Counsel's office or to take on any obligations that rightfully belong to Georgia Tech. And it is certainly not Georgia Tech's intent to place your client in an untenable position. To the extent that my imprecise language may have suggested otherwise, please accept my apologies.
>
> Would you be available for a quick call sometime today so that I can get better acquainted and discuss how to manage any issues that might need your client's logistical assistance in terms of things such as locating where responsive documents/files might be stored on Georgia Tech computers or servers? I'd be happy to give you a call at your convenience.
>
> Best regards,
> Beth Young

>
> <image001.jpg>
> <image002.png>
> <image003.png>
> Elizabeth (Beth) Young
> Assistant Attorney General
> Office of the Attorney General Chris Carr Government Services &
> Employment
> (404) 458-3425
> eyoung@law.ga.gov
> Georgia Department of Law
> 40 Capitol Square SW
> Atlanta, Georgia 30334

>
>
>
> From: Jody R Westby <westby@globalcyberlegal.com>
> Sent: Tuesday, July 20, 2021 7:01 PM
> To: christian.fuller@legal.gatech.edu
> Cc: Elizabeth Young <EYoung@LAW.GA.GOV>
> Subject: Fwd: DARPA

>
> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

>
> Christian,
> My apologies, my email auto-filled the name on the note below to a friend who works at Aon. I have contacted him and asked him to ignore and delete the note and confirm. Please see note below that was meant for you.
> Kind regards,
> Jody

>
> Jody R Westby, Esq.
> Managing Principal
> Global Cyber Legal LLC
> +1.202.255.2700
> westby@globalcyberlegal.com
> www.globalcyberlegal.com

>
> Begin forwarded message:

>
> From: Jody R Westby <westby@globalcyberlegal.com>
> Subject: DARPA
> Date: July 20, 2021 at 6:22:14 PM EDT
> To: Christian Hoffman <christian.hoffman@aon.com>
> Cc: eyoung@law.ga.gov, Mark Rasch <rasch@globalcyberlegal.com>, Mark
> Rasch <[REDACTED]>

>
> Dear Christian,
> Thank you for your call today and forwarding the communications below. Please be advised that, despite your authorization, Mr. Dagon will not provide to the Special Counsel or "release any unclassified, DARPA-related records that are considered Georgia Tech's property, pursuant to the DOJ investigative subpoena." Global Cyber Legal and Mr.

Dagon will not be responsible for Georgia Tech's response to these criminal grand jury subpoenas; Georgia Tech is solely responsible for responding to these subpoenas.

>
> We have never seen the first subpoena Georgia Tech produced or your production; nor have we seen this second subpoena. Although Georgia Tech agreed to an informal joint defense agreement, after we produced our subpoena and relevant documents, Georgia Tech pulled back from that and refused to share any information, including providing a copy of the relevant DARPA contract (Kate provided the wrong one earlier but refused to provide the Enhanced Attribution contract). We are also not privy to your discussions with the Special Counsel office. I am sure you can understand that this puts us in an untenable position. If you need any assistance from Mr. Dagon, please let us know.

> Kind regards,

> Jody

>

> Jody R Westby, Esq.

> Managing Principal

> Global Cyber Legal LLC

> +1.202.255.2700

> westby@globalcyberlegal.com

> www.globalcyberlegal.com

>

>

>

> ----- Forwarded message -----

> From: Fuller, Christian <christian.fuller@legal.gatech.edu>

> Date: Tue, Jul 20, 2021 at 3:18 PM

> Subject: RE: DARPA

> To: [REDACTED]

> Cc: Elizabeth Young <EYoung@law.ga.gov>

>

>

> Jody—

>

> DARPA's general counsel forwarded this response to Georgia Tech (see below). Based on the response, Georgia Tech can give authorization for David to release any unclassified, DARPA-related records that are considered Georgia Tech's property, pursuant to the DOJ investigative subpoena. My understanding is that David does not have any classified documents; however, if there are any classified documents, follow up with Mr. Darin Smith (as instructed below) before any exchange with DOJ.

>

> If there are any questions or concerns, please feel free to reach out.

>

> Thanks,

>

>

> Christian Fuller

> Senior Counsel, Employment & Litigation Georgia Institute of

> Technology

> Phone: 404-403-8204

> christian.fuller@legal.gatech.edu

>

>

> From: Lopes, Crane <Crane.Lopes@darpa.mil>

> Sent: Tuesday, July 20, 2021 2:16 PM

> To: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>;

> Elizabeth Young <EYoung@LAW.GA.GOV>
> Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch, Kate
> <kate.wasch@legal.gatech.edu>; Nie, Ling-Ling
> <linglingnie@gatech.edu>; Keilty, Michael (USANYE)
> <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT)
> <Neeraj.Patel@usdoj.gov>; Scarpelli, Anthony (USADC)
> <Anthony.Scarpelli@usdoj.gov>; Eckenrode, John (JMD)
> <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI)
> <wbaldenberg@fbi.gov>; Maddock, Adam M. (CyD) (FBI)
> <ammaddock@fbi.gov>; James, Ryan Joseph (INSD) (FBI)
> <rjames@fbi.gov>; Bennett, Wes <wes.bennett@darpa.mil>; Smith, Darin
> <Darin.Smith@darpa.mil>
> Subject: RE: DARPA
>
> Ms. Young:
>
> Thank you for your diligence in protecting DARPA-related records and other documents from unauthorized use or disclosure.
>
> I have discussed this matter with Wes Bennett, the Director of the DARPA Contracts Management Office. Mr. Bennett is info-copied on this message. We request that you cooperate with the Department of Justice (DoJ) by immediately providing them with all DARPA-related unclassified documents and records in your possession and that are requested by their subpoena.
>
> If DoJ has requested DARPA-related classified documents and records in your possession, release should be coordinated with Mr. Darin Smith, DARPA Security & Intelligence Directorate. Mr. Smith is info-copied on this message.
>
> Please contact me if I can assist you.
>
> Crane Lopes, Ph.D.
> General Counsel
> DARPA
> Off | 571.218.4887 📞
> Mob | 571.239.5084
>
> <image004.jpg>Creating BREAKTHROUGH TECHNOLOGIES For National Security
>
>
>
>
>
>
>
> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
> Sent: Tuesday, July 20, 2021 10:51 AM
> To: Elizabeth Young <EYoung@LAW.GA.GOV>
> Cc: 'Fuller, Christian' <christian.fuller@legal.gatech.edu>; Wasch, Kate <kate.wasch@legal.gatech.edu>; Ling-Ling Nie <linglingnie@gatech.edu>; Lopes, Crane <Crane.Lopes@darpa.mil>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Eckenrode, John (JMD)

> <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI)
> <wbaldenberg@fbi.gov>; Maddock, Adam M. (CyD) (FBI)
> <ammaddock@fbi.gov>; James, Ryan Joseph (INSD) (FBI) <rjjames@fbi.gov>
> Subject: DARPA
>
> Ms. Young,
>
> Thank you very much for our call earlier today. On that call, you requested that we provide assurance that the Defense Advanced Research Projects Agency (DARPA) has no objection to Georgia Tech's providing documents and other records in response to our federal grand jury subpoena that relate to a contract between Georgia Tech and DARPA. I am copying Crane Lopes, General Counsel of DARPA. Mr. Lopes and DARPA have been fully cooperative with and supportive of our investigative efforts. On a phone call that occurred a few minutes ago, Mr. Lopes has assured me again that DARPA has no objections to Georgia Tech's provision of any records or information (both classified and unclassified) to our team and to the grand jury.
>
> As noted, federal law requires you to provide such records regardless of any potentially applicable contractual restrictions.
>
> Please let me know if you have any questions. We would appreciate if you could also please confirm that you consent to the two Georgia Tech employees we discussed providing responsive records that they have identified. Thank you.
>
> Andrew J. DeFilippis
> Assistant Special Counsel
> U.S. Department of Justice
> (646) 530-0087
> <image005.jpg>
>
> <Georgia-Tech-Subpoena-July-14-2021 (002).pdf>

Jotonna Tulloch

From: EYoung@LAW.GA.GOV
Sent: Thursday, July 29, 2021 5:17 PM
To: westby@globalcyberlegal.com
Cc: [REDACTED] rasch@globalcyberlegal.com
Subject: RE: List of documents relevant to subpoena

Hi Jody,

Just got off the phone with Andrew DeFilippis. He's very interested in the Rhamnousia chat logs. He said that you'd told him that David had copies of chat log documents and that you'd given those to us, but that we had instructed Mr. Dagon not to give them to the DOJ directly.

My understanding from our emails was that we would have to get Manos to find these documents (and we're reaching out to him via his counsel to see what can be done in that regard). Seems to me that Andrew has either misunderstood or misstated things.

However, just in case the misunderstanding is somehow on my end, I thought I'd check with you on whether Mr. Dagon does actually already have copies of Rhamnousia chat log documents. If he does, could you give us a copy so that we can review them to see if they're responsive to GT's subpoena?

Thanks,
Beth



Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr
Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Tuesday, July 27, 2021 2:39 PM
To: Elizabeth Young <EYoung@LAW.GA.GOV>
Cc: Mark Rasch <[REDACTED]>; Mark Rasch <rasch@globalcyberlegal.com>
Subject: Re: List of documents relevant to subpoena

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi, Beth! Thanks for your call a minute ago. I just wanted to confirm in writing our agreement that David can produce the runs that he has made on the GT system regarding the findings in the white papers to the Special Counsel. We will make a copy for you and keep one ourselves. David will not produce any GT documents. As agreed earlier, we will leave the GT production up to you and GT. Thanks again for reaching out.

Cheers,
Jody

Jody R Westby, Esq.
Managing Principal
Global Cyber Legal LLC
+1.202.255.2700
westby@globalcyberlegal.com
www.globalcyberlegal.com

On Jul 26, 2021, at 11:29 AM, Jody R Westby <westby@globalcyberlegal.com> wrote:

Good morning, Beth,
David is enroute to DC for his meeting with the Special Counsel and testimony with the Grand Jury. He won't return to Atlanta until Friday. He can't suggest anyone to do this discovery and production. Manos was Principal Investigator for the project, so he would be the best person. He would know if anyone else is qualified to search. Sorry!

David has been doing some runs on the GT system to validate the findings in the white papers that were given to the government. The Special Counsel wants him to bring the runs with him so he can go over them with the Special Counsel's technical person. We will make a complete image of whatever he brings to give to you. We will also keep a copy for ourselves. Please advise if you have any issues with this.

Also, please advise whether Georgia Tech is willing to enter into a joint defense agreement with us so we can share information.

Cheers,
Jody

Jody R Westby, Esq.
Managing Principal
Global Cyber Legal LLC
+1.202.255.2700
westby@globalcyberlegal.com
www.globalcyberlegal.com

On Jul 26, 2021, at 10:15 AM, Elizabeth Young <EYoung@LAW.GA.GOV> wrote:

Thanks for letting us know. Could David go ahead and search these sources for responsive documents directly? Or if not, could he suggest someone from their team other than Manos that he thinks has the access and capability to run these searches? Manos has already been asked to go above and beyond already and I'm reluctant to dump another request on him if we don't have to.

<image001.jpg>
<image002.png>
<image003.png>
Beth Young

Assistant Attorney General
Office of the Attorney General Chris Carr
Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Saturday, July 24, 2021 11:48 PM
To: Elizabeth Young <EYoung@LAW.GA.GOV>
Cc: Mark Rasch [REDACTED]; Mark Rasch <rasch@globalcyberlegal.com>
Subject: Re: List of documents relevant to subpoena

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Beth,
Here is additional information from David that may be helpful in putting together GT's response to the subpoenas:

Chiron Data

There is a host in the Enhanced Attribution lab called `chiron.astrolavos.gatech.edu` with a directory called:

```
/data/whois_parsed
```

This holds approximately 13TB of whois data obtained from a vendor, mostly in `json.gz` (compressed text) form. Uncompressed, the data might be around 130TB. Note: Not all this data would be relevant of course. However, it is very likely that many relevant domains are included in this data. One would have to write a program to search through this data.

There is an additional directory:

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holding approximately 6TB of what appears to be the original (raw) whois data from a vendor.

Searches could be run for at least:

- All Trump owned domains
- Alfa Bank
- Spectrum Health
- Domo.com

Data Transfer Files

The files documenting when GT received data from Neustar for the Enhanced Attribution contract.

I hope this is helpful. Please let me know if you have questions.

Kind regards,

Jody

Jody R Westby, Esq.

Managing Principal

Global Cyber Legal LLC

+1.202.255.2700

westby@globalcyberlegal.com

www.globalcyberlegal.com

On Jul 23, 2021, at 3:30 PM, Jody R Westby <westby@globalcyberlegal.com> wrote:

Beth,

At our direction, David made a list of documents/data sources that he thought would be responsive to the subpoena. They are:

DARPA whitepapers

Whitepaper on DNC attack attribution

Analysis of attacks of EOP (Executive Office of the President) networks

Whitepaper for DOJ on APT-29 related hackers, crypto coin transactions, and analysis that includes Yota-related domains

"Mueller List" - list of domains and indicators related to APT-28

BLU Phones directory of files

Rhamnusia chat logs

We may have further information after we are able to speak to our client, but not sure when that will be at this point. Hope this is helpful to you.

Kind regards,

Jody

Jody R Westby, Esq.

Managing Principal

Global Cyber Legal LLC

+1.202.255.2700

westby@globalcyberlegal.com

www.globalcyberlegal.com

From: EYoung@LAW.GA.GOV
Sent: Monday, July 26, 2021 10:16 AM
To: westby@globalcyberlegal.com
Cc: [REDACTED] rasch@globalcyberlegal.com
Subject: RE: List of documents relevant to subpoena

Thanks for letting us know. Could David go ahead and search these sources for responsive documents directly? Or if not, could he suggest someone from their team other than Manos that he thinks has the access and capability to run these searches? Manos has already been asked to go above and beyond already and I'm reluctant to dump another request on him if we don't have to.



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To: Elizabeth Young <EYoung@LAW.GA.GOV>
Cc: Mark Rasch <[REDACTED]>; Mark Rasch <rasch@globalcyberlegal.com>
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Kind regards,

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Analysis of attacks of EOP (Executive Office of the President) networks

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Rhamnusia chat logs

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Kind regards,

Jody

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Global Cyber Legal LLC
+1.202.255.2700
westby@globalcyberlegal.com
www.globalcyberlegal.com

From: EYoung@LAW.GA.GOV
Sent: Thursday, July 29, 2021 6:15 PM
To: westby@globalcyberlegal.com
Cc: [REDACTED] rasch@globalcyberlegal.com
Subject: RE: List of documents relevant to subpoena

Thanks for clearing that up - that makes a lot more sense. Let me know what Mr. Dagon says about getting them to us - happy to work with whatever is easiest for your client. Our office uses a file transfer system called Kiteworks and if it is helpful I could send a link to a folder he could drop them into so long as the size isn't more than a couple of gigabytes. If larger than that, I'll have to rely on your client's expertise...we are definitely not equipped for terabytes, let alone petabytes.

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

-----Original Message-----

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Thursday, July 29, 2021 6:00 PM
To: Elizabeth Young <EYoung@LAW.GA.GOV>
Cc: Mark Rasch [REDACTED]; Mark Rasch <rasch@globalcyberlegal.com>
Subject: Re: List of documents relevant to subpoena

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi, Beth,

Yes, this got a little garbled in the translation. David has a copy of the Rhamnusia chat logs. When they came up in our meetings with Special Counsel, of course, they asked if David had them. When they found out he did, then, of course, they asked if we would give them to them. We told them we consider these GA Tech records and, pursuant to our agreement, we told the Special Counsel that we could not produce them unless it was authorized by GA Tech. We told Kate there were chat logs several months ago, but no one ever asked us for them. I will speak to David about the most efficient way to get them to you and come back to you asap. I know you want to be responsive. Thanks for your note.

Cheers,
Jody

Jody R Westby, Esq.
Managing Principal
Global Cyber Legal LLC

+1.202.255.2700
westby@globalcyberlegal.com
www.globalcyberlegal.com

On Jul 29, 2021, at 5:16 PM, Elizabeth Young <EYoung@LAW.GA.GOV> wrote:

Hi Jody,

Just got off the phone with Andrew DeFilippis. He's very interested in the Rhamnousia chat logs. He said that you'd told him that David had copies of chat log documents and that you'd given those to us, but that we had instructed Mr. Dagon not to give them to the DOJ directly.

My understanding from our emails was that we would have to get Manos to find these documents (and we're reaching out to him via his counsel to see what can be done in that regard). Seems to me that Andrew has either misunderstood or misstated things.

However, just in case the misunderstanding is somehow on my end, I thought I'd check with you on whether Mr. Dagon does actually already have copies of Rhamnousia chat log documents. If he does, could you give us a copy so that we can review them to see if they're responsive to GT's subpoena?

Thanks,
Beth

<image001.jpg>

<image002.png>

<image003.png>

Beth Young

Assistant Attorney General

Office of the Attorney General Chris Carr Government Services & Employment

(404) 458-3425

eyoung@law.ga.gov

Georgia Department of Law

40 Capitol Square SW

Atlanta, Georgia 30334

From: Jody R Westby <westby@globalcyberlegal.com>

Sent: Tuesday, July 27, 2021 2:39 PM

To: Elizabeth Young <EYoung@LAW.GA.GOV>

Cc: Mark Rasch <[REDACTED]>; Mark Rasch <rasch@globalcyberlegal.com>

Subject: Re: List of documents relevant to subpoena

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi, Beth! Thanks for your call a minute ago. I just wanted to confirm in writing our agreement that David can produce the runs that he has made on the GT system regarding the findings in the white papers to the Special Counsel. We will make a copy for you and keep one ourselves. David will not produce any GT documents. As agreed earlier, we will leave the GT production up to you and GT. Thanks again for reaching out.

Cheers,
Jody

Jody R Westby, Esq.
Managing Principal
Global Cyber Legal LLC
+1.202.255.2700
westby@globalcyberlegal.com
www.globalcyberlegal.com

On Jul 26, 2021, at 11:29 AM, Jody R Westby <westby@globalcyberlegal.com> wrote:

Good morning, Beth,
David is enroute to DC for his meeting with the Special Counsel and testimony with the Grand Jury. He won't return to Atlanta until Friday. He can't suggest anyone to do this discovery and production. Manos was Principal Investigator for the project, so he would be the best person. He would know if anyone else is qualified to search. Sorry!

David has been doing some runs on the GT system to validate the findings in the white papers that were given to the government. The Special Counsel wants him to bring the runs with him so he can go over them with the Special Counsel's technical person. We will make a complete image of whatever he brings to give to you. We will also keep a copy for ourselves. Please advise if you have any issues with this.

Also, please advise whether Georgia Tech is willing to enter into a joint defense agreement with us so we can share information.

Cheers,
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<image001.jpg>
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Beth Young
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Office of the Attorney General Chris Carr Government Services & Employment

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From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Saturday, July 24, 2021 11:48 PM
To: Elizabeth Young <EYoung@LAW.GA.GOV>
Cc: Mark Rasch <[REDACTED]>; Mark Rasch <rasch@globalcyberlegal.com>
Subject: Re: List of documents relevant to subpoena

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I hope this is helpful. Please let me know if you have questions.

Kind regards,
Jody

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On Jul 23, 2021, at 3:30 PM, Jody R Westby <westby@globalcyberlegal.com> wrote:

Beth,

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Rhamnusia chat logs

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Kind regards,

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+1.202.255.2700
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www.globalcyberlegal.com

From: Elizabeth Young <eyoung@law.ga.gov>
Sent: Monday, August 2, 2021 1:08 PM
To: 'DeFilippis, Andrew (USANYS)'
Cc: Kate Wasch; Jody R Westby; Mark D. Rasch; Eckenrode, John (JMD); Scarpelli, Anthony (USADC); Keilty, Michael (USANYE); Patel, Neeraj (USACT); Fuhrman, Tim (JMD); Aldenberg, William B. (NH) (FBI); Maddock, Adam M. (CyD) (FBI)
Subject: RE: Rhannusia Logs

We've reviewed the chat logs and there are only a few comments that would be responsive to the subpoena. We can produce those portions of the log.

I am checking to see whether we can agree to produce the full log without requiring a subpoena and will have an answer for you this afternoon. If we agree to that, will that be sufficient complete Tech's obligations under the subpoena (unless Michael Farrell identifies any additional documents in Tech's custody or control that have not been previously produced and are responsive to the subpoena)?

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

-----Original Message-----

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Monday, August 2, 2021 8:23 AM
To: Elizabeth Young <EYoung@LAW.GA.GOV>
Cc: Kate Wasch <kate.wasch@legal.gatech.edu>; Jody R Westby <westby@globalcyberlegal.com>; Mark D. Rasch <rasch@globalcyberlegal.com>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Maddock, Adam M. (CyD) (FBI) <ammaddock@fbi.gov>
Subject: Re: Rhannusia Logs

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Beth,

Will you be able to produce to us today the Rhannusia chats that Mr. Dagon identified? We request that you produce them in their entirety, as we believe based on representations from Mr. Dagon and his counsel that entire set of logs is

pertinent to our investigation. If necessary we can provide you with a subpoena for the full set of logs. Let us know. Thanks.

> On Jul 30, 2021, at 10:02 AM, Elizabeth Young <EYoung@law.ga.gov> wrote:

>
> I reached out to Ms. Westby after our call yesterday and she confirmed that Mr. Dagon has copies of these chat logs and will be forwarding them to us so that we can review and produce them.

>
> Beth Young
> Assistant Attorney General
> Office of the Attorney General Chris Carr Government Services &
> Employment
> (404) 458-3425
> eyoung@law.ga.gov
> Georgia Department of Law
> 40 Capitol Square SW
> Atlanta, Georgia 30334

>
>
>
> -----Original Message-----

> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
> Sent: Friday, July 30, 2021 7:43 AM
> To: Elizabeth Young <EYoung@LAW.GA.GOV>; Kate Wasch
> <kate.wasch@legal.gatech.edu>; Jody R Westby
> <westby@globalcyberlegal.com>; Mark D. Rasch
> <rasch@globalcyberlegal.com>
> Cc: Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Scarpelli,
> Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Keilty, Michael
> (USANYE) <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT)
> <Neeraj.Patel@usdoj.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;
> Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Maddock, Adam
> M. (CyD) (FBI) <ammaddock@fbi.gov>
> Subject: Rhannusia Logs

>
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>
>
> All,

>
> As we have discussed with each of you, Mr. Dagon has identified "Rhannusia" chat communications that we understand are responsive to our subpoena and relevant to our investigation. We would like to obtain these communications promptly and would also like to minimize the burdens on all involved.

>
> Beth, can you please confirm in response to this email that Georgia Tech authorizes and requests that Mr. Dagon provide those logs to the government as an employee of Georgia Tech? If you would like us to issue a subpoena for them specifically and will accept service, we can do so today.

>

> Jody/Mark, can you please let us know when Mr. Dagon can provide the logs to us or, alternatively, to Georgia Tech for production to us?

>

> We are hopeful that we can find a solution to this issue in the near term and avoid unnecessary legal process or disruptions.

>

> Thank you very much.

From: EYoung@LAW.GA.GOV
Sent: Friday, July 30, 2021 10:03 AM
To: Andrew.DeFilippis@usdoj.gov; kate.wasch@legal.gatech.edu;
westby@globalcyberlegal.com; rasch@globalcyberlegal.com
Cc: John.Eckenrode@usdoj.gov; Anthony.Scarpelli@usdoj.gov; Michael.Keilty@usdoj.gov;
Neeraj.Patel@usdoj.gov; Tim.Fuhrman@usdoj.gov; wbaldenberg@fbi.gov;
ammaddock@fbi.gov
Subject: RE: Rhannusia Logs

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Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr Government Services & Employment
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Georgia Department of Law
40 Capitol Square SW
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Cc: Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Maddock, Adam M. (CyD) (FBI) <ammaddock@fbi.gov>
Subject: Rhannusia Logs

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We are hopeful that we can find a solution to this issue in the near term and avoid unnecessary legal process or disruptions.

Thank you very much.

From: McLaughlin, Steven W <sm140@gatech.edu>
Sent: Friday, September 24, 2021 2:06 PM
To: Meeks, Blair; Cabrera, Angel; Neville, Frank E; Abdallah, Chaouki T; Fox, Kelly; Kopkowski, Renee
Cc: Elizabeth Young; Fuller, Christian; Wasch, Kate; Lunon, Darryl; Nie, Ling-Ling
Subject: Re: Media statement for NYT

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Has Manos seen this?

Steve McLaughlin
Provost and Executive Vice President for Academic Affairs



From: "Meeks, Blair" <wmEEKS7@gatech.edu>
Date: Friday, September 24, 2021 at 1:53 PM
To: "Cabrera, Angel" <angel.cabrera@gatech.edu>, "Neville, Frank E" <frank.neville@gatech.edu>, "Abdallah, Chaouki T" <ctabdallah@gatech.edu>, "McLaughlin, Steven W" <swm@gatech.edu>, "Fox, Kelly" <kelly.fox@gatech.edu>, "Kopkowski, Renee" <renee.kopkowski@gatech.edu>
Cc: Elizabeth Young <EYoung@LAW.GA.GOV>, "Fuller, Christian" <christian.fuller@legal.gatech.edu>, "Wasch, Kate" <kate.wasch@legal.gatech.edu>, "Lunon, Darryl" <dl91@gatech.edu>, "Nie, Ling-Ling" <linglingnie@gatech.edu>
Subject: Media statement for NYT

Hi team,
Here is a reviewed draft of the statement we'd like to provide the NYT.
Please call me with any suggested changes - available by mobile [REDACTED] when you need to reach out.
Thank you!
Blair

A federal agency selected Georgia Tech and its researchers to work on some highly sensitive, extremely sophisticated computer systems research because of the school's and its researchers' world class reputations in this field and their high degree of integrity. The research was very much about securing the United States of America, its systems of governance and its people. All of the work conducted by Georgia Tech researchers was done in a strictly non-partisan way. These researchers focus on data, and everything they did in this case was a result of delving for the truth in the interests of national security.

It is important to point out that there is no suggestion in the indictment of any wrongdoing by anyone associated with Georgia Tech. Everyone connected with Georgia Tech has been cooperative with all aspects of the investigation into this matter.

W. Blair Meeks

Assistant Vice President External Communications

Office: 404-894-9793; Mobile: [REDACTED]

www.gatech.edu



From: William Aldenberg <wbaldenberg@fbi.gov>
Sent: Friday, July 23, 2021 9:31 AM
To: Elizabeth Young; Andrew.DeFilippis@usdoj.gov
Cc: Fuller, Christian; Wasch, Kate; John.Eckenrode@usdoj.gov; Tim.Fuhrman@usdoj.gov; Michael.Keilty@usdoj.gov; Anthony.Scarpelli@usdoj.gov; Neeraj.Patel@usdoj.gov
Subject: Re: Call Tomorrow (Special Counsel Investigation)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I'm available

From: DeFilippis, Andrew (USANYS)
Sent: Friday, July 23, 2021 9:07:36 AM
To: Elizabeth Young
Cc: Fuller, Christian ; Wasch, Kate ; Eckenrode, John (JMD) ; Aldenberg, William B. (NH) (FBI) ; Fuhrman, Tim (JMD) ; Keilty, Michael (USANYE) ; Scarpelli, Anthony (USADC) ; Patel, Neeraj (USACT)
Subject: [EXTERNAL EMAIL] - Re: Call Tomorrow (Special Counsel Investigation)
Can we say 4:30? Thank you.

> On Jul 23, 2021, at 8:59 AM, Elizabeth Young wrote:

>

> I'm booked up this morning but available after lunch - how about 2:30? If that doesn't work let me know what does.

>

>

> Beth Young
> Assistant Attorney General
> Office of the Attorney General Chris Carr
> Government Services & Employment
> (404) 458-3425
> eyoung@law.ga.gov
> Georgia Department of Law
> 40 Capitol Square SW
> Atlanta, Georgia 30334

>

>

>

> -----Original Message-----

> From: DeFilippis, Andrew (USANYS)
> Sent: Thursday, July 22, 2021 10:17 PM
> To: Elizabeth Young
> Cc: Fuller, Christian ; Wasch, Kate ; Eckenrode, John (JMD) ; Aldenberg, William B. (NH) (FBI) ; Fuhrman, Tim (JMD) ; Keilty, Michael (USANYE) ; Scarpelli, Anthony (USADC) ; Patel, Neeraj (USACT)
> Subject: Re: Call Tomorrow (Special Counsel Investigation)

>

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>

>

> Beth,
> We hope all is well. Can you let us know some times tomorrow when you would be available for an update call?
>
> Thank you.
>
>
>
>> On Jul 21, 2021, at 8:07 AM, Elizabeth Young wrote:
>> I'm available for a call at 3:30 today. Please let me know what number you'd like me to call.
>> Elizabeth (Beth) Young
>> Assistant Attorney General
>> Office of the Attorney General Chris Carr Government Services &
>> Employment
>> (404) 458-3425
>> eyoung@law.ga.gov
>> Georgia Department of Law
>> 40 Capitol Square SW
>> Atlanta, Georgia 30334
>> -----Original Message-----
>> From: DeFilippis, Andrew (USANYS)
>> Sent: Wednesday, July 21, 2021 7:05 AM
>> To: Jody R Westby
>> Cc: Elizabeth Young ; Mark Rasch
>> ; Fuller, Christian
>> ; Wasch, Kate
>> ; Eckenrode, John (JMD)
>> ; Aldenberg, William B. (NH) (FBI)
>> ; Fuhrman, Tim (JMD) ;
>> Keilty, Michael (USANYE) ; Scarpelli,
>> Anthony (USADC) ; Patel, Neeraj (USACT)
>>
>> Subject: RE: Call Tomorrow (Special Counsel Investigation)
>> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
>> Jody, It is unfortunate that you are not willing to join a call with Georgia Tech's counsel for purposes of efficiency and to avoid delaying compliance with federal subpoenas. Regardless, can we please speak at 11:30 AM with you and Mark? Beth, would you then be available for a separate call with our team at either 2:30 PM or 3:30 PM?
>> -----Original Message-----
>> From: Jody R Westby
>> Sent: Tuesday, July 20, 2021 11:23 PM
>> To: DeFilippis, Andrew (USANYS)
>> Cc: Elizabeth Young ; Mark Rasch
>> ; Fuller, Christian
>> ; Wasch, Kate
>> ; Eckenrode, John (JMD)
>> ; Aldenberg, William B. (NH) (FBI)
>> ; Fuhrman, Tim (JMD) ;
>> Keilty, Michael (USANYE) ; Scarpelli, Anthony
>> (USADC) ; Patel, Neeraj (USACT)
>>
>> Subject: Re: Call Tomorrow (Special Counsel Investigation)
>> Dear Andrew:
>> We appreciate that you need the documents / data subject to the subpoenas to Georgia Tech. However, we are not a party to those subpoenas and have no knowledge of them. We are not the custodian of records for

Georgia Tech, and our client is not the Principal Investigator on the DARPA contract or a professor of the College of Electrical Engineering. We have indicated that we do not believe that Mr. Dagon has any responsive Georgia Tech documents / data in his personal capacity. While our client may be helpful in pointing Georgia Tech to documents or data relevant to their subpoenas (if we are informed of their contents), responsibility for compliance lies with Georgia Tech. We respectfully request that the Special Counsel's team work with each party that it is seeking evidence from and not ask us to get in the middle. Georgia Tech needs to determine how it wants to respond to the subpoenas; we are more than happy to provide any assistance that would be useful to them.

>> We hope you understand that we are trying to be cooperative. We would be happy to have a call with you and your team separately if that would be helpful.

>> Best regards,

>> Jody

>> Jody R Westby, Esq.

>> Managing Principal

>> Global Cyber Legal LLC

>> +1.202.255.2700

>> westby@globalcyberlegal.com

>> <https://protect2.fireeye.com/v1/url?k=7211baee-2d8a821e-72169e0b-ac1f6>

>> b0176b0-2941286214a1b996&q=1&e=3db575fb-ac73-4426-bd1f-7b6d618c069d&u=

>> http%3A%2F%2Fwww.globalcyberlegal.com%2F

>> On Jul 20, 2021, at 10:24 PM, DeFilippis, Andrew (USANYS) wrote:

>> Good Evening Counsel for Georgia Tech and Counsel for David Dagon,

>> We hope all is well. Can you please let us know when you are available for a joint call tomorrow -- preferably at either 11:30 AM, 2:20 PM or 3:30 PM? We would like to discuss your clients' compliance with recently issued federal grand jury subpoenas. It is important that we have this call to ensure timely and comprehensive compliance with the subpoenas. Thanks very much.

>> The Special Counsel Team

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Thursday, October 14, 2021 4:49 PM
To: Fuller, Christian; Elizabeth Young
Subject: Fwd: Subpoenas to David Dagon
Attachments: 10.14.21 Letter.pdf; attachment.html

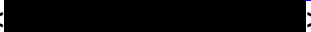
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FYI. Read this first and our reply next, which I am also forwarding.

Jody R. Westby, Esq.
Managing Principal
Global Cyber Legal LLC
Washington, DC 20007
202 255-2700
westby@globalcyberlegal.com
www.globalcyberlegal.com

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Thank you.

Begin forwarded message:

From: "Krawiec, Margaret E" <Margaret.Krawiec@skadden.com>
Subject: RE: Subpoenas to David Dagon
Date: October 14, 2021 at 1:51:34 PM EDT
To: "Jody R Westby" <westby@globalcyberlegal.com>
Cc: "twanderson@nelsonmullins.com" <twanderson@nelsonmullins.com>, "Jonathan.etra@nelsonmullins.com" <Jonathan.etra@nelsonmullins.com>, "McIntosh, Michael A" <Michael.McIntosh@skadden.com>, "Mark D. Rasch" <rasch@globalcyberlegal.com>, "Mark Rasch" <>

Jody –

Please see attached response to your October 13, 2021 letter.

Thank you,

Margaret

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Wednesday, October 13, 2021 2:28 PM
To: Krawiec, Margaret E (WAS) <Margaret.Krawiec@skadden.com>
Cc: twanderson@nelsonmullins.com; Jonathan.etra@nelsonmullins.com; McIntosh, Michael A (WAS) <Michael.McIntosh@skadden.com>; Mark D. Rasch <rasch@globalcyberlegal.com>; Mark Rasch <[REDACTED]>
Subject: Re: [Ext] Subpoenas to David Dagon

Dear Margaret and Counsel,
Please see attached letter in response to your October 12 letter.
Kind regards,
Jody

Jody R. Westby, Esq.
Managing Principal
Global Cyber Legal LLC
Washington, DC 20007
202 255-2700
westby@globalcyberlegal.com
www.globalcyberlegal.com

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Thank you.

On Oct 12, 2021, at 10:59 PM, Krawiec, Margaret E <Margaret.Krawiec@skadden.com> wrote:

Counsel -

Please see the attached correspondence responding to your October 5th letter.

Thank you,

Margaret

-----Original Message-----

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Tuesday, October 5, 2021 10:51 AM
To: twanderson@nelsonmullins.com; Jonathan.etra@nelsonmullins.com; Krawiec, Margaret E (WAS) <Margaret.Krawiec@skadden.com>; McIntosh, Michael A (WAS) <Michael.McIntosh@skadden.com>
Cc: Mark D. Rasch <rasch@globalcyberlegal.com>; Mark Rasch <[REDACTED]>
Subject: [Ext] Subpoenas to David Dagon

Dear Counsel:
Mark Rasch and I represent David Dagon, to whom you have issued subpoenas for deposition and documents. Please see the attached letter in response.
Kind regards,
Jody Westby

Jody R. Westby, Esq.
Managing Principal
Global Cyber Legal LLC
Washington, DC 20007
202 255-2700
westby@globalcyberlegal.com

www.globalcyberlegal.com

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Further information about the firm, a list of the Partners and their professional qualifications will be provided upon request.

=====
<10.12.21 Letter.pdf>

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Further information about the firm, a list of the Partners and their professional qualifications will be provided upon request.
=====

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

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SEOUL
SHANGHAI
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TORONTO

October 14, 2021

VIA EMAIL

Jody R. Westby
Mark D. Rasch
Global Cyber Legal LLC
4501 Foxhall Crescents NW
Washington, DC 20007

RE: *AO Alfa-Bank v. Doe*, Civil Action No. 50-2020-CA-006304-XXXX-MB
Subpoenas to David Dagon

Dear Ms. Westby and Mr. Rasch:

We write in response to your October 13, 2021 letter addressing the subpoenas for documents and deposition testimony served on David Dagon in the above-referenced action.

I. Subpoena for Deposition Testimony

We are disappointed that Mr. Dagon has chosen knowingly to violate Georgia law by refusing to appear for his deposition as noticed on October 19, 2021. Your letter concedes that Georgia authority does not permit Mr. Dagon to rely on a blanket assertion of the privilege against self-incrimination, and instead requires him to invoke that privilege on a question-by-question basis during a deposition. Your letter also does not dispute that Georgia law requires Mr. Dagon to attend his deposition as scheduled unless he actually *obtains* judicial relief in advance, which he has not done. Yet Mr. Dagon still refuses to appear for his deposition. We intend to seek an order compelling Mr. Dagon to attend his deposition, as Georgia law compels him to do, and reserve our right to seek sanctions for your and Mr. Dagon's blatant and willful disregard of Georgia law.

We also regret that your letter deploys over-the-top rhetoric and ad hominem attacks in an attempt to distract from the fundamental legal flaws that undermine your position. Our request that Mr. Dagon appear for his deposition, even if he intends to assert his privilege against self-incrimination, is not “harassing and vexatious.” We simply are adhering to Georgia law, which requires a witness planning to invoke that privilege to assert it on a question-by-question basis. Nor is Alfa Bank’s deposition subpoena “mere harassment and an attempt to intimidate cybersecurity researchers and avail [ourselves] of free expert testimony.” You do not (and cannot) dispute that Mr. Dagon has information highly relevant to Alfa Bank’s underlying litigation and ability to identify the unknown John Doe defendants. Indeed, Mr. Dagon’s inclusion throughout the recent indictment against Michael Sussmann makes this plain, as does evidence that we have uncovered through discovery in this litigation. We served subpoenas on Mr. Dagon to obtain that critical information—nothing more and nothing less.

II. Subpoena for Documents

For the reasons outlined in our October 12 letter, we disagree that Mr. Dagon’s privilege against self-incrimination excuses him from producing all documents responsive to Alfa Bank’s document subpoena. Your letter conspicuously ignores that the privilege applies only to document requests that require Mr. Dagon to “create evidence by means of a testimonial act.” *Dempsey v. Kaminski Jewelry, Inc.*, 278 Ga. App. 814, 816–17 (2006). Because Alfa Bank’s subpoena requests only pre-existing documents in Mr. Dagon’s possession, custody, or control, Mr. Dagon may not rely on his privilege against self-incrimination to justify his wholesale noncompliance. Mr. Dagon may not invoke his constitutional privilege to block the production of responsive documents for the additional reason that the existence of those documents is a “foregone conclusion,” as we explained in our October 12 letter.

Nevertheless, as we noted in our October 12 letter, we would like to work cooperatively with Mr. Dagon to address his concerns about the document subpoena and to obtain responsive documents without judicial intervention. To that end, below is a non-exhaustive list of specific documents that Mr. Dagon must produce because their “existence and location . . . are a foregone conclusion.” *Fisher v. United States*, 425 U.S. 391, 411 (1976). We note that it appears that you might have disclosed many of these documents to journalists at *The New York Times*, which fatally undermines Mr. Dagon’s position that his privilege against self-incrimination protects him from producing these and similar documents.

- “[F]indings” that April Lorenzen shared with Mr. Dagon during the summer of 2016 regarding “a server called mail.trump.email.com [that] appeared to be communicating almost exclusively with servers at Alfa Bank and Spectrum Health,” as well as subsequent discussions that Mr. Dagon and Ms. Lorenzen “both” had with Rodney Joffe regarding the same.¹

¹ Charlie Savage and Adam Goldman, “Trump Server Mystery Produces Fresh Conflict,” *NY Times* (Sept. 30, 2021).

(cont'd)

- A July 29, 2016 email sent by Mr. Dagon to Manos Antonakakis containing the “Russian Bank Data compiled by [Ms. Lorenzen].”²
- An August 20, 2016 email sent by Ms. Lorenzen to Mr. Dagon, Mr. Joffe, and Mr. Antonakakis stating, among other things, that “it would be possible to ‘fill out a sales form on two websites, faking the other company’s email address in each form,’ and thereby cause them ‘to appear to communicate with each other in DNS.’”³
- An August 20, 2016 email sent by Mr. Joffe to Mr. Dagon, Ms. Lorenzen, and Mr. Antonakakis stating, among other things, that “[b]eing able to provide evidence of *anything* that shows an attempt to behave badly in relation to this, the VIPs would be happy.”⁴
- An August 21, 2016 email sent by Mr. Joffe to Mr. Dagon, Ms. Lorenzen, and Mr. Antonakakis expressing, among other things, Mr. Joffe’s “own belief that the ‘trump-email.com’ domain (referring to the subject of the allegations that SUSSMANN conveyed to the FBI) was not a secret communications channel with Russian Bank-1, but ‘a red herring.’”⁵
- An August 22, 2016 email sent by Mr. Antonakakis to Mr. Dagon, Mr. Joffe, and Ms. Lorenzen expressing, among other things, “continued doubt regarding the [Alfa Bank] allegations that SUSSMANN would later convey to the FBI, and raising concerns about the researchers’ bias against Trump.”⁶
- A white paper entitled “White Paper #1 Auditable V3” that Mr. Joffe sent to Mr. Dagon on September 15, 2016.⁷
- A September 15, 2016 email from Mr. Joffe to Mr. Dagon and Mr. Antonakakis soliciting “their views as to whether the paper’s allegations would be ‘plausible’ to ‘security experts,’ even if the allegations were not demonstrably true.”⁸
- A September 15, 2016 email from Mr. Dagon to Mr. Joffe stating, among other things, “that questions remained, but . . . that [Mr. Sussmann’s white paper] should be shared with government officials.”⁹
- Documents that Mr. Sussmann provided to the FBI on September 19, 2016—including a white paper drafted by Fusion GPS “concerning purported ties between [Alfa Bank’s] parent company and the Russian government,” Mr. Sussmann’s white paper (“White Paper

² Indictment, *United States v. Sussmann*, No. 1:21-cr-00582-CRC (D.D.C. Sept. 19, 2021) ¶ 23(f) [hereinafter “Sussmann Indictment”].

³ *Id.* at ¶ 23(h).

⁴ *Id.* at ¶ 23(i).

⁵ *Id.* at ¶ 23(j).

⁶ *Id.* at ¶ 23(k).

⁷ *Id.* at ¶ 24(e).

⁸ *Id.*

⁹ *Id.* at ¶ 24(h); Savage & Goldman, *supra* n.1.

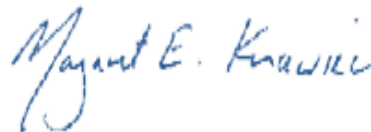
(cont'd)

#1 Auditable V3”), and data related to the Alfa Bank server allegations—all of which Mr. Sussmann sent to Mr. Dagon on September 17, 2016.¹⁰

- Communications between Mr. Dagon and Mr. Sussmann on or around September 17, 2016, including those related to Mr. Sussmann’s request that Mr. Dagon speak with the media about the Alfa Bank server allegations.¹¹
- Communications between Mr. Dagon and the media regarding the Alfa Bank server allegations, which occurred in the weeks following September 17, 2016.¹²
- A white paper drafted by Mr. Dagon, which was dated September 19, 2016 and entitled “White Paper Comments: Time Series Analysis of Recursive Queries,” and all drafts.¹³
- Communications, “additional information,” and “data” regarding the Alfa Bank server allegations, including “other purported data allegedly involving Trump-related computer networks and Russia,” that was gathered and reviewed by Mr. Dagon, Mr. Joffe, and Ms. Lorenzen during late 2016 and early 2017.¹⁴
- Communications with Daniel J. Jones regarding the Alfa Bank server allegations and underlying data, including Wickr messages exchanged in 2017 and 2018 in which Mr. Dagon used the moniker “tinadoug”.¹⁵

Without waiver of our objections to Mr. Dagon’s refusal to produce all other documents responsive to Alfa Bank’s subpoena, we ask that you promptly produce the documents described above.

Sincerely,



Margaret E. Krawiec

¹⁰ Sussmann Indictment ¶ 26(b).

¹¹ *Id.* at ¶ 26(a).

¹² *Id.*

¹³ *Id.* at ¶ 27(f)(ii).

¹⁴ *Id.* at ¶ 39.

¹⁵ Tr. of Dep. of Daniel J. Jones at 270–74, 358 (Aug. 18, 2021); *id.*, Ex. 19.

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Thursday, October 14, 2021 4:50 PM
To: Fuller, Christian; Elizabeth Young
Cc: Mark D. Rasch; Mark Rasch
Subject: Fwd: Subpoenas to David Dagon
Attachments: DAGON - Letter to Skadden re subpoenas 10-14-21.pdf; attachment.html

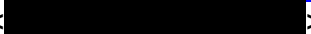
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Read this after you read Margaret's letter of 10-14.

Jody R. Westby, Esq.
Managing Principal
Global Cyber Legal LLC
Washington, DC 20007
202 255-2700
westby@globalcyberlegal.com
www.globalcyberlegal.com

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Thank you.

Begin forwarded message:

From: Jody R Westby <westby@globalcyberlegal.com>
Subject: Re: Subpoenas to David Dagon
Date: October 14, 2021 at 4:11:03 PM EDT
To: "Krawiec, Margaret E" <Margaret.Krawiec@skadden.com>
Cc: "twanderson@nelsonmullins.com" <twanderson@nelsonmullins.com>, "Jonathan.etra@nelsonmullins.com" <Jonathan.etra@nelsonmullins.com>, "McIntosh, Michael A" <Michael.McIntosh@skadden.com>, "Mark D. Rasch" <rasch@globalcyberlegal.com>, Mark Rasch <>

Margaret,
Please see attached letter in response. Also please note our offer for a call later today or in the morning.
Thank you,
Jody

Jody R. Westby, Esq.
Managing Principal
Global Cyber Legal LLC

Washington, DC 20007

202 255-2700

westby@globalcyberlegal.com

www.globalcyberlegal.com

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Thank you.

October 14, 2021

Margaret E. Krawiec
Skadden, Arps, Slate, Meagher & Flom, LLP
1440 New York Avenue, NW
Washington, D.C. 20005
Margaret.krawiec@skadden.com

Dear Ms. Krawiec:

First of all, we know our obligations under Georgia law with respect to third party subpoenas issued without leave of the Florida court.

A motion compelling Mr. Dagon, a third party, to appear for a deposition during COVID simply for him to assert his testimonial privilege is unnecessary and abusive. If you insist on such an appearance, we reserve the right to file a motion to quash the subpoenas and seek a protective order, together with appropriate sanctions and attorneys' fees. As we continue to ask, if you can provide questions that you believe Mr. Dagon could answer without implicating his privilege, please let us know and we will entertain them. You have not provided any such question. Absent that, there is no conceivable purpose for the deposition.

A few observations. First, we believe that you are misinterpreting the U.S. Supreme Court's holding in *United States v. Hubbell*, 530 U.S. 27, 37 (2000), and its progeny with respect to the distinction between production of the contents of pre-existing documents and the act of producing such documents. This is understandable, as many Courts have also confused the issue.

The contents of pre-existing documents – with the possible exception of the contents of documents like diaries or other intimate information (See, *Fisher v. United States*, 425 U.S. 391, 427 (1976)), are generally not protected because the creation of those documents is not compelled.

As the *Dempsey* Court noted, however, where a party seeks to compel another party to engage in an ACT which itself is testimonial, the privilege is applicable. By requiring Mr. Dagon to produce records (if they exist) your subpoena explicitly requires Mr. Dagon to “create evidence by means of a testimonial act.” *Dempsey v. Kaminski Jewelry, Inc.*, 278 Ga. App. 814, 816–17 (2006). It is the equivalent of requiring Mr. Dagon to testify that he possesses a responsive document, that the document is authentic, that the document exists, and that he implicitly had knowledge of the contents of these documents – all things that he cannot be compelled to testify to. In short, as the U.S. Supreme Court noted:

... we have also made it clear that the act of producing documents in response to a subpoena may have a compelled testimonial aspect. We have held that "the act of production" itself may implicitly communicate "statements of fact." By "producing documents in compliance with a subpoena, the witness would admit that the papers existed, were in his possession or control, and were authentic." Moreover, as was true in this case, when the custodian of documents responds to a subpoena, he may be compelled to take the witness stand and answer questions designed to determine whether he has produced everything demanded by the subpoena. answers to those questions, as well as the act of production itself, may certainly communicate information about the existence, custody, and authenticity of the documents. Whether the constitutional privilege protects the answers to such questions, or protects the act of production itself, is a question that is distinct from the question whether the unprotected contents of the documents themselves are incriminating.

United States v. Hubbell, 530 U.S. 27, 37 (2000)(footnotes and citations omitted).

This is no less the case here, and *Dempsey* is no different. Mr. Dagon's act of producing any record in response to the third party subpoena would admit all of the things that the *Hubbell* and *Dempsey* Courts have stated need not be admitted. We decline to do so.

Additionally, you are essentially arguing that the fact that you read about some documents in *The New York Times* implies not only that such documents exist and are genuine, but also that they must, by peradventure, have been provided by Mr. Dagon to *The New York Times*, and therefore that the existence, authenticity, and Mr. Dagon's possession, custody or control over such documents is a "foregone conclusion" or alternatively, a waiver of the Fifth Amendment.

This is simply not supported either by the law or by the facts. First, factually, there is no evidence that Mr. Dagon has ever spoken with *The New York Times*, or indeed that he provided any documents to that journalist or any other. Indeed, if Mr. Dagon did provide any documents to the journalist, this would NOT, as a matter of law constitute a waiver of any act of production privilege. Moreover, Georgia's comprehensive journalist shield law protects a journalist from being compelled to describe his or her sources, As the Georgia Supreme Court noted:

Unlike some states, the Georgia statute does not limit the privilege solely to confidential sources, but protects against the disclosure of any information obtained or prepared. The reporter's privilege belongs to the person engaged in the gathering and dissemination of news, not the source, and waiver may occur when the news person publishes the confidential information or voluntarily testifies. Contrary to the state's contention, publication of part of the information gathered does not waive the privilege as to all of the information gathered on the same subject matter because it "would chill the free flow of information to the public.

In re Paul, 270 Ga. 680, 686, 513 S.E.2d 219, 223–24 (1999).

As for any statutory privilege, OCGA § 24-9-30 speaks directly to the issue. This statute establishes a qualified privilege for persons engaged in the gathering and dissemination of news. It provides that a reporter does not have to reveal his or her sources unless the privilege has been waived or it is shown that the information sought is material and relevant, cannot be reasonably obtained by other means, and is necessary to the proper presentation or preparation of the case of a party seeking the information, documents, or items. *Atlanta J.-Const. v. Jewell*, 251 Ga. App. 808, 811, 555 S.E.2d 175, 179-80 (2001).

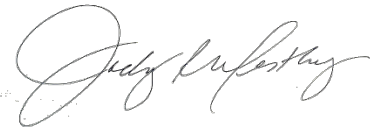
We find your assertion that Mr. Dagon would have waived the act of production privilege through the privileged communication to a journalist (assuming that such a thing happened -- and there is no evidence that it did) untenable. Indeed, it presents the possibility that, in order to establish that Mr. Dagon waived the act of production, you would compel *The New York Times* to disclose its sources, or that you would seek to compel Mr. Dagon to disclose whether or not he communicated with *The New York Times*. As to the latter, Mr. Dagon again declines to do so, and declines to testify.

We are happy to discuss what questions you would proffer with you by telephone. Are you free for a call sometime this afternoon or tomorrow morning?

Very truly yours,



Mark D. Rasch, Esq.
Admitted in NY MA MD



Jody R. Westby, Esq.
Admitted in DC, PA, CO

Jotonna Tulloch

From: Google Calendar <calendar-notification@google.com> on behalf of [REDACTED]
Sent: Wednesday, October 13, 2021 5:44 PM
To: eyoung@law.ga.gov; Mark D. Rasch; Mark Rasch; Jody R. Westby; Fuller, Christian
Subject: Invitation: Alfa Bank Litigation Call @ Fri Oct 15, 2021 3pm - 4pm (EDT) (eyoung@law.ga.gov)
Attachments: attachment.ics; invite.ics

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You have been invited to the following event.

Alfa Bank Litigation Call

When Fri Oct 15, 2021 3pm – 4pm Eastern Time - New York

Where <https://us02web.zoom.us/j/89938250980?pwd=bE52RGs0NVl3RUVwL2JCUmxBNThDZz09> ([map](#))

Calendar eyoung@law.ga.gov

Who

- jodywestby@gmail.com - organizer
- Mark D. Rasch
- Mark Rasch
- Jody R. Westby
- Elizabeth Young
- Fuller, Christian

[more details »](#)

Jody Rae Westby is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/89938250980?pwd=bE52RGs0NVl3RUVwL2JCUmxBNThDZz09>

Meeting ID: [REDACTED]

Passcode: [REDACTED]

One tap mobile

+ [REDACTED] *484900# US (New York)

+ [REDACTED] #,,,,*484900# US (Washington DC)

Dial by your location

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: [REDACTED]

Passcode: [REDACTED]

Find your local number:

<https://us02web.zoom.us/j/8bAkIOEL5s>

Going (eyoung@law.ga.gov)? [Yes](#) - [Maybe](#) - [No](#) [more options »](#)

Invitation from [Google Calendar](#)

You are receiving this courtesy email at the account eyoung@law.ga.gov because you are an attendee of this event.

To stop receiving future updates for this event, decline this event. Alternatively you can sign up for a Google account at <https://calendar.google.com/calendar/> and control your notification settings for your entire calendar.

Forwarding this invitation could allow any recipient to send a response to the organizer and be added to the guest list, or invite others regardless of their own invitation status, or to modify your RSVP. [Learn More.](#)

From: Google Calendar <calendar-notification@google.com> on behalf of [REDACTED]
Sent: Monday, September 27, 2021 4:21 PM
To: eyoung@law.ga.gov; Jody R Westby; rasch@globalcyberlegal.com; christian.fuller@legal.gatech.edu
Subject: Invitation: GT & Global Cyber Legal @ Tue Sep 28, 2021 3:30pm - 4pm (EDT) (eyoung@law.ga.gov)
Attachments: attachment.ics; invite.ics

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

You have been invited to the following event.

GT & Global Cyber Legal

When Tue Sep 28, 2021 3:30pm – 4pm Eastern Time - New York

Where <https://us02web.zoom.us/j/87063523919?pwd=YVpwQVdkY2Vlcm1KY0R3ZmJ2bURSUT09> ([map](#))

Calendar eyoung@law.ga.gov

Who

- jodywestby@gmail.com - organizer
- Jody R Westby
- rasch@globalcyberlegal.com
- Cc: Elizabeth Young
- christian.fuller@legal.gatech.edu

[more details »](#)

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Meeting ID: [REDACTED]

Passcode: [REDACTED]

One tap mobile

+ [REDACTED] #,.,., *196721# US (Chicago)

+ [REDACTED] #,,,,*196721# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: [REDACTED]

Passcode: [REDACTED]

Find your local number:

<https://us02web.zoom.us/j/kc9tqDpuER>

Going (eyoung@law.ga.gov)? [Yes](#) - [Maybe](#) - [No](#) [more options »](#)

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From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Friday, July 23, 2021 3:30 PM
To: Elizabeth Young
Cc: Mark Rasch; Mark Rasch
Subject: List of documents relevant to subpoena

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Beth,
At our direction, David made a list of documents/data sources that he thought would be responsive to the subpoena. They are:

DARPA whitepapers

- Whitepaper on DNC attack attribution

- Analysis of attacks of EOP (Executive Office of the President) networks

- Whitepaper for DOJ on APT-29 related hackers, crypto coin transactions, and analysis that includes Yota-related domains

- "Mueller List" - list of domains and indicators related to APT-28

BLU Phones directory of files

Rhamnusia chat logs

We may have further information after we are able to speak to our client, but not sure when that will be at this point.

Hope this is helpful to you.

Kind regards,

Jody

Jody R Westby, Esq.
Managing Principal
Global Cyber Legal LLC
+1.202.255.2700
westby@globalcyberlegal.com
www.globalcyberlegal.com

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Friday, September 24, 2021 10:16 AM
To: Fuller, Christian
Cc: Elizabeth Young; rasch@globalcyberlegal.com
Subject: Re: Alfa Bank Subpoenas & Grand Jury Fees

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Thanks, Christian! Yes, open Monday afternoon from 1:30 p.m. on and open all day Tuesday. We look forward to speaking with you. Have a good weekend, yourself!
Cheers,
Jody

On Sep 24, 2021, at 9:14 AM, Fuller, Christian <christian.fuller@legal.gatech.edu> wrote:

Good Morning Jody:

We have received your message and will review. Are you and Mark available early next week for us to discuss further?

Thanks, and hope you both have a good weekend.

Christian

Jody R. Westby, Esq.
Global Cyber Legal LLC
Washington, DC 20007
202 255-2700
westby@globalcyberlegal.com

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Thank you.

-----Original Message-----

From: Jody Westby <westby@globalcyberrisk.com>
Sent: Thursday, September 23, 2021 8:57 PM
To: Wasch, Kate <kate.wasch@legal.gatech.edu>; Fuller, Christian <christian.fuller@legal.gatech.edu>
Cc: Nie, Ling-Ling <linglingnie@gatech.edu>; Mark D. Rasch <rasch@globalcyberlegal.com>; Mark Rasch <[REDACTED]>
Subject: Alfa Bank Subpoenas & Grand Jury Fees

Dear Kate and Christian:

I assume you know that David Dagon was given full statutory immunity by the Special Counsel in its investigation. He has been cooperating and working with the Special Counsel's team and testified before the Grand Jury on three days. Therefore, we would like to resume conversations about payment of our fees. Christian had indicated a willingness on GT's side, so now that things are more certain it seems like a good time to revisit this issue.

Second, David has received a subpoena for testimony and documents from the Alfa Bank attorneys in the civil matter that they filed in FL. They also have filed in PA, but so far the subpoenas are coming out of the FL suit. We attach copies of these documents which were filed through a Georgia Court and have been served on Mr. Dagon yesterday. The response time for the documents is Oct 14 and the testimony is Oct 19. In the case of Indiana University Professor L. Jean Camp, outside counsel retained by the University for the purposes of quashing a similar subpoena was successful in quashing the subpoena on jurisdictional grounds. See, Alfa-Bank v. Doe, 2021 Ind. App. LEXIS 162, 171 N.E.3d 1018, aff'd 2021 Ind. App. LEXIS 193 (June 11, 2021).

Please let us know when you are available for a conversation.

Kind regards,
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Christian,
Thanks. Tomorrow at 3:30 p.m. is good. I will send a Zoom link.
Cheers,
Jody

Jody R. Westby, Esq.
Managing Principal
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Washington, DC 20007
202 255-2700
westby@globalcyberlegal.com
www.globalcyberlegal.com

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Thank you.

On Sep 27, 2021, at 3:27 PM, Fuller, Christian <christian.fuller@legal.gatech.edu> wrote:

Hi Jody:

Let's talk tomorrow afternoon if you are available. Can we aim for 30 minutes any time between 3:30pm and 5pm? I hopefully should have most of any morning 'fires' put out by then.

Hope you enjoyed your weekend.

Christian

-----Original Message-----

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Friday, September 24, 2021 10:16 AM
To: Fuller, Christian <christian.fuller@legal.gatech.edu>
Cc: Elizabeth Young <EYoung@LAW.GA.GOV>; rasch@globalcyberlegal.com
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Please let us know when you are available for a conversation.

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Jody

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Thank you.

From: Elizabeth Young <eyoung@law.ga.gov>
Sent: Wednesday, July 21, 2021 10:43 AM
To: 'Jody R Westby'
Subject: RE: Call Tomorrow (Special Counsel Investigation)

Hi Jody,

Just letting you know that I was still copied on this email so that you can take me off of any future correspondence you might not want to include me in. I'll delete and disregard. Look forward to speaking with you soon.

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

-----Original Message-----

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Wednesday, July 21, 2021 10:31 AM
To: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Cc: Elizabeth Young <EYoung@LAW.GA.GOV>; Mark Rasch <rasch@globalcyberlegal.com>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>
Subject: Re: Call Tomorrow (Special Counsel Investigation)

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Andrew,

I have removed Georgia Tech from this email. Please do not characterize our response as uncooperative; it is not. You are asking us to inappropriately get involved in Georgia Tech's production. It is unfortunate that the Special Counsel Team was not pursuing the documents they requested from Georgia Tech since the initial subpoena last fall. Please work out their production with them. As noted below, we are happy to assist them as necessary. As you may recall, I am teaching a course from 11 a.m. to noon and am in the Uniform Law Commission meeting from 2:30 to 4:00 p.m. Can we talk after 4 p.m., just us and your team? Would be happy to.

Thank you.

Kind regards,

Jody

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On Jul 21, 2021, at 7:04 AM, DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov> wrote:

Jody, It is unfortunate that you are not willing to join a call with Georgia Tech's counsel for purposes of efficiency and to avoid delaying compliance with federal subpoenas. Regardless, can we please speak at 11:30 AM with you and Mark? Beth, would you then be available for a separate call with our team at either 2:30 PM or 3:30 PM?

-----Original Message-----

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Tuesday, July 20, 2021 11:23 PM
To: DeFilippis, Andrew (USANYS) <ADeFilippis@usa.doj.gov>
Cc: Elizabeth Young <EYoung@LAW.GA.GOV>; Mark Rasch <rasch@globalcyberlegal.com>; Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch, Kate <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>; Keilty, Michael (USANYE) <MKeilty@usa.doj.gov>; Scarpelli, Anthony (USADC) <AScarpelli@usa.doj.gov>; Patel, Neeraj (USACT) <npatel2@usa.doj.gov>
Subject: Re: Call Tomorrow (Special Counsel Investigation)

Dear Andrew:

We appreciate that you need the documents / data subject to the subpoenas to Georgia Tech. However, we are not a party to those subpoenas and have no knowledge of them. We are not the custodian of records for Georgia Tech, and our client is not the Principal Investigator on the DARPA contract or a professor of the College of Electrical Engineering. We have indicated that we do not believe that Mr. Dagon has any responsive Georgia Tech documents / data in his personal capacity. While our client may be helpful in pointing Georgia Tech to documents or data relevant to their subpoenas (if we are informed of their contents), responsibility for compliance lies with Georgia Tech. We respectfully request that the Special Counsel's team work with each party that it is seeking evidence from and not ask us to get in the middle. Georgia Tech needs to determine how it wants to respond to the subpoenas; we are more than happy to provide any assistance that would be useful to them.

We hope you understand that we are trying to be cooperative. We would be happy to have a call with you and your team separately if that would be helpful.

Best regards,
Jody

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On Jul 20, 2021, at 10:24 PM, DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov> wrote:

Good Evening Counsel for Georgia Tech and Counsel for David Dagon,

We hope all is well. Can you please let us know when you are available for a joint call tomorrow -- preferably at either 11:30 AM, 2:20 PM or 3:30 PM? We would like to discuss your clients' compliance with recently issued federal grand jury subpoenas. It is important that we have this call to ensure timely and comprehensive compliance with the subpoenas. Thanks very much.

The Special Counsel Team

From: Jody R Westby <westby@globalcyberlegal.com>
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From: Elizabeth Young <eyoung@law.ga.gov>
Sent: Wednesday, July 21, 2021 8:07 AM
To: 'DeFilippis, Andrew (USANYS)'; Jody R Westby
Cc: Mark Rasch; Fuller, Christian; Wasch, Kate; Eckenrode, John (JMD); Aldenberg, William B. (NH) (FBI); Fuhrman, Tim (JMD); Keilty, Michael (USANYE); Scarpelli, Anthony (USADC); Patel, Neeraj (USACT)
Subject: RE: Call Tomorrow (Special Counsel Investigation)

I'm available for a call at 3:30 today. Please let me know what number you'd like me to call.

Elizabeth (Beth) Young
Assistant Attorney General
Office of the Attorney General Chris Carr Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

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From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Wednesday, July 21, 2021 7:05 AM
To: Jody R Westby <westby@globalcyberlegal.com>
Cc: Elizabeth Young <EYoung@LAW.GA.GOV>; Mark Rasch <rasch@globalcyberlegal.com>; Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch, Kate <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>
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Subject: Re: Call Tomorrow (Special Counsel Investigation)

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We appreciate that you need the documents / data subject to the subpoenas to Georgia Tech. However, we are not a party to those subpoenas and have no knowledge of them. We are not the custodian of records for Georgia Tech, and our client is not the Principal Investigator on the DARPA contract or a professor of the College of Electrical Engineering. We have indicated that we do not believe that Mr. Dagon has any responsive Georgia Tech documents / data in his personal capacity. While our client may be helpful in pointing Georgia Tech to documents or data relevant to their subpoenas (if we are informed of their contents), responsibility for compliance lies with Georgia Tech. We respectfully request that the Special Counsel's team work with each party that it is seeking evidence from and not ask us to get in the middle. Georgia Tech needs to determine how it wants to respond to the subpoenas; we are more than happy to provide any assistance that would be useful to them.

We hope you understand that we are trying to be cooperative. We would be happy to have a call with you and your team separately if that would be helpful.

Best regards,
Jody

Jody R Westby, Esq.
Managing Principal
Global Cyber Legal LLC
+1.202.255.2700
westby@globalcyberlegal.com
<https://protect2.fireeye.com/v1/url?k=7211baee-2d8a821e-72169e0b-ac1f6b0176b0-2941286214a1b996&q=1&e=3db575fb-ac73-4426-bd1f-7b6d618c069d&u=http%3A%2F%2Fwww.globalcyberlegal.com%2F>

On Jul 20, 2021, at 10:24 PM, DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov> wrote:

Good Evening Counsel for Georgia Tech and Counsel for David Dagon,

We hope all is well. Can you please let us know when you are available for a joint call tomorrow -- preferably at either 11:30 AM, 2:20 PM or 3:30 PM? We would like to discuss your clients' compliance with recently issued federal grand jury subpoenas. It is important that we have this call to ensure timely and comprehensive compliance with the subpoenas. Thanks very much.

The Special Counsel Team

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Tuesday, July 20, 2021 11:23 PM
To: DeFilippis, Andrew (USANYS)
Cc: Elizabeth Young; Mark Rasch; Fuller, Christian; Wasch, Kate; Eckenrode, John (JMD); Aldenberg, William B. (NH) (FBI); Fuhrman, Tim (JMD); Keilty, Michael (USANYE); Scarpelli, Anthony (USADC); Patel, Neeraj (USACT)
Subject: Re: Call Tomorrow (Special Counsel Investigation)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Andrew:

We appreciate that you need the documents / data subject to the subpoenas to Georgia Tech. However, we are not a party to those subpoenas and have no knowledge of them. We are not the custodian of records for Georgia Tech, and our client is not the Principal Investigator on the DARPA contract or a professor of the College of Electrical Engineering. We have indicated that we do not believe that Mr. Dagon has any responsive Georgia Tech documents / data in his personal capacity. While our client may be helpful in pointing Georgia Tech to documents or data relevant to their subpoenas (if we are informed of their contents), responsibility for compliance lies with Georgia Tech. We respectfully request that the Special Counsel's team work with each party that it is seeking evidence from and not ask us to get in the middle. Georgia Tech needs to determine how it wants to respond to the subpoenas; we are more than happy to provide any assistance that would be useful to them.

We hope you understand that we are trying to be cooperative. We would be happy to have a call with you and your team separately if that would be helpful.

Best regards,
Jody

Jody R Westby, Esq.
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+1.202.255.2700
westby@globalcyberlegal.com
www.globalcyberlegal.com

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We hope all is well. Can you please let us know when you are available for a joint call tomorrow -- preferably at either 11:30 AM, 2:20 PM or 3:30 PM? We would like to discuss your clients' compliance with recently issued federal grand jury subpoenas. It is important that we have this call to ensure timely and comprehensive compliance with the subpoenas. Thanks very much.

The Special Counsel Team

From: Elizabeth Young <eyoung@law.ga.gov>
Sent: Wednesday, July 21, 2021 11:02 AM
To: 'Jody R Westby'
Subject: RE: Call Tomorrow (Special Counsel Investigation)

I understand; thanks.

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

-----Original Message-----

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Wednesday, July 21, 2021 10:58 AM
To: Elizabeth Young <EYoung@LAW.GA.GOV>
Subject: Re: Call Tomorrow (Special Counsel Investigation)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi, Elizabeth. That is fine. I just wanted them to communicate directly with you all on this production.

Jody R Westby, Esq.
Managing Principal
Global Cyber Legal LLC
+1.202.255.2700
westby@globalcyberlegal.com
www.globalcyberlegal.com

On Jul 21, 2021, at 10:42 AM, Elizabeth Young <EYoung@LAW.GA.GOV> wrote:

Hi Jody,

Just letting you know that I was still copied on this email so that you can take me off of any future correspondence you might not want to include me in. I'll delete and disregard. Look forward to speaking with you soon.

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

-----Original Message-----

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Wednesday, July 21, 2021 10:31 AM
To: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Cc: Elizabeth Young <EYoung@LAW.GA.GOV>; Mark Rasch <rasch@globalcyberlegal.com>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>
Subject: Re: Call Tomorrow (Special Counsel Investigation)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Andrew,

I have removed Georgia Tech from this email. Please do not characterize our response as uncooperative; it is not. You are asking us to inappropriately get involved in Georgia Tech's production. It is unfortunate that the Special Counsel Team was not pursuing the documents they requested from Georgia Tech since the initial subpoena last fall. Please work out their production with them. As noted below, we are happy to assist them as necessary. As you may recall, I am teaching a course from 11 a.m. to noon and am in the Uniform Law Commission meeting from 2:30 to 4:00 p.m. Can we talk after 4 p.m., just us and your team? Would be happy to.

Thank you.

Kind regards,

Jody

Jody R Westby, Esq.
Managing Principal
Global Cyber Legal LLC
+1.202.255.2700
westby@globalcyberlegal.com
www.globalcyberlegal.com

On Jul 21, 2021, at 7:04 AM, DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov> wrote:

Jody, It is unfortunate that you are not willing to join a call with Georgia Tech's counsel for purposes of efficiency and to avoid delaying compliance with federal subpoenas. Regardless, can we please speak at 11:30 AM with you and Mark? Beth, would you then be available for a separate call with our team at either 2:30 PM or 3:30 PM?

-----Original Message-----

From: Jody R Westby <westby@globalcyberlegal.com>

Sent: Tuesday, July 20, 2021 11:23 PM

To: DeFilippis, Andrew (USANYS) <ADeFilippis@usa.doj.gov>

Cc: Elizabeth Young <EYoung@LAW.GA.GOV>; Mark Rasch <rasch@globalcyberlegal.com>; Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch, Kate <kate.wasch@legal.gatech.edu>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>; Keilty, Michael (USANYE) <MKeilty@usa.doj.gov>; Scarpelli, Anthony (USADC) <AScarpelli@usa.doj.gov>; Patel, Neeraj (USACT) <npatel2@usa.doj.gov>

Subject: Re: Call Tomorrow (Special Counsel Investigation)

Dear Andrew:

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Jody

Jody R Westby, Esq.

Managing Principal

Global Cyber Legal LLC

+1.202.255.2700

westby@globalcyberlegal.com

<https://protect2.fireeye.com/v1/url?k=7211baee-2d8a821e-72169e0b-ac1f6b0176b0-2941286214a1b996&q=1&e=3db575fb-ac73-4426-bd1f-7b6d618c069d&u=http%3A%2F%2Fwww.globalcyberlegal.com%2F>

On Jul 20, 2021, at 10:24 PM, DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov> wrote:

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The Special Counsel Team

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Thursday, October 7, 2021 4:58 PM
To: Fuller, Christian
Cc: Elizabeth Young
Subject: Re: Dagon Representation
Attachments: DAGON - ALFA Letter of Assertion of Fifth.pdf; attachment.txt

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi, Christian! I thought we agreed on the call that we would represent him. Attached is the letter we sent. My apologies, I should have sent you the copy immediately. No word back yet. We have also lined up local counsel and have the pro hac vice application. I am also preparing the accounting of fees to send you and will have that to you tomorrow.

Thank you.

Cheers,
Jody

Jody R. Westby, Esq.
Managing Principal
Global Cyber Legal LLC
Washington, DC 20007
202 255-2700
westby@globalcyberlegal.com
www.globalcyberlegal.com

NOTICE: This message (including any attachments) may constitute an attorney-client communication and may contain information that is PRIVILEGED or CONFIDENTIAL and/or ATTORNEY WORK PRODUCT. If you are not an intended recipient, you are hereby notified that any dissemination of this message is strictly prohibited. If you have received this message in error, please do not read, copy or forward this message. Please permanently delete all copies and any attachments and notify the sender immediately by sending an e-mail to westby@globalcyberlegal.com.

Thank you.

GLOBAL CYBER LEGAL LLC

4501 Foxhall Crescents NW
Washington, DC 20007

Phone: + 1.202.255.2700

Fax: +1.202.337-0063

October 5, 2021

Terrance Anderson, Jr.
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Boca Raton, FL 33431
twanderson@nelsonmullins.com

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Margaret E. Krawiec
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Skadden, Arps, Slate, Meagher & Flom, LLP
1440 New York Avenue, NW
Washington, D.C. 20005
Margaret.krawiec@skadden.com
Michael.mcintosh@skadden.com

Re: Subpoena to David Dagon

Dear Counsel:

We represent David Dagon in connection with your subpoena duces tecum and deposition demand in *AO Alfa Bank v. Doe*, pending in the 15th Judicial Circuit of Florida; Civil Action No. 50-2020-CA-006304-XXXX-MB.

Please be advised that, in light of the actions of the Durham Office of Special Counsel (OSC) and associated grand jury in *United States v. Sussmann*, Dkt. No. 1:21-cr-00582-CRC-1 (D.D.C., September 16, 2021), and the substantial overlap between the issues presented in that case and those in the John Doe civil action, it is Mr. Dagon's intention to assert his rights under both the Fifth Amendment to the U.S. Constitution, as well as Art. I, Sec. I, Par. XVI of the Georgia Constitution OCGA § 24-9-27(a) to refuse to answer each and every question you might pose to him in connection with this matter.

Based on the congruence between the allegations in your Complaint and those in the Indictment, there is a substantial likelihood that Mr. Dagon's truthful answer to any questions posed would implicate his Constitutional and statutory rights.: Similarly, with respect to your subpoena duces tecum issued to Mr. Dagon, he asserts his "act of production" privilege to refuse to produce the described documents where the questions of ownership, existence, possession, custody, control or knowledge of such documents are not a foregone conclusion. *See, e.g., United States v. Hubbell*, 530 U.S. 27, 35-36 (2000); *Dempsey v. Kaminski Jewelry, Inc.*, 278 Ga. App. 814, 817, 630 S.E.2d 77, 81, 2006 Ga. App. LEXIS 367, *8-9, 2006 Fulton County D. Rep. 1068.

The assertion of the applicable privilege is in addition to our position that the subpoena both for the deposition and for documents is unreasonable and oppressive; that the testimony, documents, or objects sought are irrelevant, immaterial, or cumulative; that the subpoena is unnecessary to Alfa Bank's preparation and presentation of its position in the underlying matter, that basic fairness dictates that the subpoena should not be enforced, and that the subpoena is designed to improperly unmask speakers whose activities are protected by the First Amendment right to anonymous political speech. This is also in addition to claims we may make with respect to the jurisdiction of the court, the manner of issuance and service of the subpoena, and other issues which we may raise.

In light of these representations, please let us know if you intend to insist that Mr. Dagon appear, during a pandemic, to assert his Constitutional rights, or whether, pursuant to O.C.G.A. § 9-11-37 (2) and (4)(A) we will be required to seek a protective order as provided by O.C.G.A. § 9-11-26 (c) on the ground that, inter alia, insisting that Mr. Dagon present himself to assert his bona fide privilege serves no legitimate or lawful purpose, and only serves to promote annoyance, embarrassment, oppression, or undue burden or expense. In the event that we are required to seek such a protective order, it is our intention to seek our reasonable expenses and attorney's fees in connection with the motion as provided by O.C.G.A. § 9-11-37 (4)(A).

Mr. Dagon will not produce, and will not appear unless we hear from you.

Yours truly,



Mark D. Rasch, Esq.
Admitted in NY MA MD



Jody R. Westby, Esq.
Admitted in DC, PA, CO

cc: Kate Wasch, Esq., Georgia Institute of Technology
David Dagon

From: Elizabeth Young <eyoung@law.ga.gov>
Sent: Wednesday, July 21, 2021 11:00 AM
To: 'Jody R. Westby'
Subject: RE: DARPA

Works for me. Thanks.

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

-----Original Message-----

From: Jody R. Westby <westby@globalcyberlegal.com>
Sent: Wednesday, July 21, 2021 10:57 AM
To: Elizabeth Young <EYoung@LAW.GA.GOV>
Subject: Re: DARPA

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

That is fine. Thank you. I can send you a zoom link.

Sent from my iPhone
Jody Westby, 202.255.2700

On Jul 21, 2021, at 10:52 AM, Elizabeth Young <EYoung@law.ga.gov> wrote:

Thanks; I'll plan to give you a call around 1:00. Look forward to talking with you.

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW

Atlanta, Georgia 30334

-----Original Message-----

From: Jody R Westby <westby@globalcyberlegal.com>

Sent: Wednesday, July 21, 2021 10:39 AM

To: Elizabeth Young <EYoung@LAW.GA.GOV>

Cc: christian.fuller@legal.gatech.edu; Mark Rasch <rasch@globalcyberlegal.com>; Mark Rasch <[REDACTED]>

Subject: Re: DARPA

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Elizabeth,

Thank you for your note. Georgia Tech needs to work out its production with the Special Counsel and if they need assistance, let us know. We are happy to assist, if necessary. We are available for a call between noon and 2:30 p.m. (have hard stop at 2:30 or after 4:00 p.m.)

Thank you,
Jody

Jody R Westby, Esq.
Managing Principal
Global Cyber Legal LLC
+1.202.255.2700
westby@globalcyberlegal.com
www.globalcyberlegal.com

On Jul 21, 2021, at 8:00 AM, Elizabeth Young <EYoung@LAW.GA.GOV> wrote:

Ms. Wesby,

It seems I may have inadvertently created a misunderstanding in my correspondence with Special Counsel's office, especially by my references to "employees" that may have appeared to include your client. Georgia Tech had received a request to authorize the release of documents, and at the time I thought that request had come jointly from your client and Dr. Antonakasis. I'm now aware that this was incorrect and apologize for the confusion. I have only been involved in this matter for a few days and while I'm doing my best to get acclimated, there has been a lot to process in a very short time.

I did not mean to suggest that Georgia Tech was directing your client to produce anything directly to the Special Counsel's office or to take on any obligations that rightfully belong to Georgia Tech. And it is certainly not Georgia Tech's intent to place your client in an untenable position. To the extent that my imprecise language may have suggested otherwise, please accept my apologies.

Would you be available for a quick call sometime today so that I can get better acquainted and discuss how to manage any issues that might need your client's logistical assistance in terms of things such as locating where responsive documents/files might be stored on Georgia Tech computers or servers? I'd be happy to give you a call at your convenience.

Best regards,
Beth Young

<image001.jpg>

<image002.png>

<image003.png>

Elizabeth (Beth) Young

Assistant Attorney General

Office of the Attorney General Chris Carr Government Services & Employment

(404) 458-3425

eyoung@law.ga.gov

Georgia Department of Law

40 Capitol Square SW

Atlanta, Georgia 30334

From: Jody R Westby <westby@globalcyberlegal.com>

Sent: Tuesday, July 20, 2021 7:01 PM

To: christian.fuller@legal.gatech.edu

Cc: Elizabeth Young <EYoung@LAW.GA.GOV>

Subject: Fwd: DARPA

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Christian,

My apologies, my email auto-filled the name on the note below to a friend who works at Aon. I have contacted him and asked him to ignore and delete the note and confirm. Please see note below that was meant for you.

Kind regards,

Jody

Jody R Westby, Esq.

Managing Principal

Global Cyber Legal LLC

+1.202.255.2700

westby@globalcyberlegal.com

www.globalcyberlegal.com

Begin forwarded message:

From: Jody R Westby <westby@globalcyberlegal.com>

Subject: DARPA

Date: July 20, 2021 at 6:22:14 PM EDT

To: Christian Hoffman <christian.hoffman@aon.com>

Cc: eyoung@law.ga.gov, Mark Rasch <rasch@globalcyberlegal.com>, Mark Rasch <[REDACTED]>

Dear Christian,

Thank you for your call today and forwarding the communications below. Please be advised that, despite your authorization, Mr. Dagon will not provide to the Special Counsel or "release any unclassified, DARPA-related records that are considered Georgia Tech's property, pursuant to the DOJ investigative subpoena." Global Cyber Legal and Mr.

Dagon will not be responsible for Georgia Tech's response to these criminal grand jury subpoenas; Georgia Tech is solely responsible for responding to these subpoenas.

We have never seen the first subpoena Georgia Tech produced or your production; nor have we seen this second subpoena. Although Georgia Tech agreed to an informal joint defense agreement, after we produced our subpoena and relevant documents, Georgia Tech pulled back from that and refused to share any information, including providing a copy of the relevant DARPA contract (Kate provided the wrong one earlier but refused to provide the Enhanced Attribution contract). We are also not privy to your discussions with the Special Counsel office. I am sure you can understand that this puts us in an untenable position. If you need any assistance from Mr. Dagon, please let us know. Kind regards,
Jody

Jody R Westby, Esq.
Managing Principal
Global Cyber Legal LLC
+1.202.255.2700
westby@globalcyberlegal.com
www.globalcyberlegal.com

----- Forwarded message -----

From: Fuller, Christian <christian.fuller@legal.gatech.edu>
Date: Tue, Jul 20, 2021 at 3:18 PM
Subject: RE: DARPA
To: [REDACTED] >
Cc: Elizabeth Young <EYoung@law.ga.gov>

Jody—

DARPA's general counsel forwarded this response to Georgia Tech (see below). Based on the response, Georgia Tech can give authorization for David to release any unclassified, DARPA-related records that are considered Georgia Tech's property, pursuant to the DOJ investigative subpoena. My understanding is that David does not have any classified documents; however, if there are any classified documents, follow up with Mr. Darin Smith (as instructed below) before any exchange with DOJ.

If there are any questions or concerns, please feel free to reach out.

Thanks,

Christian Fuller
Senior Counsel, Employment & Litigation
Georgia Institute of Technology
Phone: 404-403-8204
christian.fuller@legal.gatech.edu

From: Lopes, Crane <Crane.Lopes@darpa.mil>
Sent: Tuesday, July 20, 2021 2:16 PM
To: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>; Elizabeth Young <EYoung@LAW.GA.GOV>

Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch, Kate <kate.wasch@legal.gatech.edu>; Nie, Ling-Ling <linglingnie@gatech.edu>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Maddock, Adam M. (CyD) (FBI) <ammaddock@fbi.gov>; James, Ryan Joseph (INSD) (FBI) <rjjames@fbi.gov>; Bennett, Wes <wes.bennett@darpa.mil>; Smith, Darin <Darin.Smith@darpa.mil>
Subject: RE: DARPA

Ms. Young:


Thank you for your diligence in protecting DARPA-related records and other documents from unauthorized use or disclosure.

I have discussed this matter with Wes Bennett, the Director of the DARPA Contracts Management Office. Mr. Bennett is info-copied on this message. We request that you cooperate with the Department of Justice (DoJ) by immediately providing them with all DARPA-related unclassified documents and records in your possession and that are requested by their subpoena.

If DoJ has requested DARPA-related classified documents and records in your possession, release should be coordinated with Mr. Darin Smith, DARPA Security & Intelligence Directorate. Mr. Smith is info-copied on this message.

Please contact me if I can assist you.

Crane Lopes, Ph.D.
General Counsel
DARPA

Off | 571.218.4887 
Mob | 571.239.5084

<image004.jpg>Creating BREAKTHROUGH TECHNOLOGIES For National Security

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Tuesday, July 20, 2021 10:51 AM
To: Elizabeth Young <EYoung@LAW.GA.GOV>
Cc: 'Fuller, Christian' <christian.fuller@legal.gatech.edu>; Wasch, Kate <kate.wasch@legal.gatech.edu>; Ling-Ling Nie (linglingnie@gatech.edu) <linglingnie@gatech.edu>; Lopes, Crane <Crane.Lopes@darpa.mil>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Maddock, Adam M. (CyD) (FBI) <ammaddock@fbi.gov>; James, Ryan Joseph (INSD) (FBI) <rjjames@fbi.gov>
Subject: DARPA

Ms. Young,

Thank you very much for our call earlier today. On that call, you requested that we provide assurance that the Defense Advanced Research Projects Agency (DARPA) has no objection to Georgia Tech's providing documents and other records in response to our federal grand jury subpoena that relate to a contract between Georgia Tech and DARPA. I am copying

Crane Lopes, General Counsel of DARPA. Mr. Lopes and DARPA have been fully cooperative with and supportive of our investigative efforts. On a phone call that occurred a few minutes ago, Mr. Lopes has assured me again that DARPA has no objections to Georgia Tech's provision of any records or information (both classified and unclassified) to our team and to the grand jury.

As noted, federal law requires you to provide such records regardless of any potentially applicable contractual restrictions.

Please let me know if you have any questions. We would appreciate if you could also please confirm that you consent to the two Georgia Tech employees we discussed providing responsive records that they have identified. Thank you.

Andrew J. DeFilippis
Assistant Special Counsel
U.S. Department of Justice
(646) 530-0087
<image005.jpg>

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Wednesday, July 21, 2021 10:39 AM
To: Elizabeth Young
Cc: christian.fuller@legal.gatech.edu; Mark Rasch; Mark Rasch
Subject: Re: DARPA

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Elizabeth,

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Thank you,
Jody

Jody R Westby, Esq.
Managing Principal
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+1.202.255.2700
westby@globalcyberlegal.com
www.globalcyberlegal.com

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Best regards,

Beth Young

<image001.jpg>

<image002.png>

<image003.png>

Elizabeth (Beth) Young

Assistant Attorney General

Office of the Attorney General Chris Carr Government Services & Employment

(404) 458-3425

eyoung@law.ga.gov

Georgia Department of Law

40 Capitol Square SW

Atlanta, Georgia 30334

From: Jody R Westby <westby@globalcyberlegal.com>

Sent: Tuesday, July 20, 2021 7:01 PM

To: christian.fuller@legal.gatech.edu

Cc: Elizabeth Young <EYoung@LAW.GA.GOV>

Subject: Fwd: DARPA

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Christian,

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Kind regards,

Jody

Jody R Westby, Esq.

Managing Principal

Global Cyber Legal LLC

+1.202.255.2700

westby@globalcyberlegal.com

www.globalcyberlegal.com

Begin forwarded message:

From: Jody R Westby <westby@globalcyberlegal.com>

Subject: DARPA

Date: July 20, 2021 at 6:22:14 PM EDT

To: Christian Hoffman <christian.hoffman@aon.com>

Cc: eyoung@law.ga.gov, Mark Rasch <rasch@globalcyberlegal.com>, Mark Rasch [REDACTED].com>

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Jody R Westby, Esq.
Managing Principal
Global Cyber Legal LLC
+1.202.255.2700
westby@globalcyberlegal.com
www.globalcyberlegal.com

----- Forwarded message -----

From: Fuller, Christian <christian.fuller@legal.gatech.edu>
Date: Tue, Jul 20, 2021 at 3:18 PM
Subject: RE: DARPA
To: [REDACTED] >
Cc: Elizabeth Young <EYoung@law.ga.gov>

Jody—

DARPA's general counsel forwarded this response to Georgia Tech (see below). Based on the response, Georgia Tech can give authorization for David to release any unclassified, DARPA-related records that are considered Georgia Tech's property, pursuant to the DOJ investigative subpoena. My understanding is that David does not have any classified documents; however, if there are any classified documents, follow up with Mr. Darin Smith (as instructed below) before any exchange with DOJ.

If there are any questions or concerns, please feel free to reach out.

Thanks,

Christian Fuller
Senior Counsel, Employment & Litigation
Georgia Institute of Technology
Phone: 404-403-8204
christian.fuller@legal.gatech.edu

From: Lopes, Crane <Crane.Lopes@darpa.mil>
Sent: Tuesday, July 20, 2021 2:16 PM
To: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>; Elizabeth Young <EYoung@LAW.GA.GOV>
Cc: Fuller, Christian <christian.fuller@legal.gatech.edu>; Wasch, Kate <kate.wasch@legal.gatech.edu>; Nie, Ling-Ling <linglingnie@gatech.edu>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT)

<Neeraj.Patel@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Maddock, Adam M. (CyD) (FBI) <ammaddock@fbi.gov>; James, Ryan Joseph (INSD) (FBI) <rjjames@fbi.gov>; Bennett, Wes <wes.bennett@darpa.mil>; Smith, Darin <Darin.Smith@darpa.mil>
Subject: RE: DARPA

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I have discussed this matter with Wes Bennett, the Director of the DARPA Contracts Management Office. Mr. Bennett is info-copied on this message. We request that you cooperate with the Department of Justice (DoJ) by immediately providing them with all DARPA-related unclassified documents and records in your possession and that are requested by their subpoena.

If DoJ has requested DARPA-related classified documents and records in your possession, release should be coordinated with Mr. Darin Smith, DARPA Security & Intelligence Directorate. Mr. Smith is info-copied on this message.

Please contact me if I can assist you.

Crane Lopes, Ph.D.
General Counsel
DARPA
Off | 571.218.4887 📞
Mob | 571.239.5084

<image004.jpg>Creating BREAKTHROUGH TECHNOLOGIES For National Security

From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>
Sent: Tuesday, July 20, 2021 10:51 AM
To: Elizabeth Young <EYoung@LAW.GA.GOV>
Cc: 'Fuller, Christian' <christian.fuller@legal.gatech.edu>; Wasch, Kate <kate.wasch@legal.gatech.edu>; Ling-Ling Nie (linglingnie@gatech.edu) <linglingnie@gatech.edu>; Lopes, Crane <Crane.Lopes@darpa.mil>; Keilty, Michael (USANYE) <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT) <Neeraj.Patel@usdoj.gov>; Scarpelli, Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Maddock, Adam M. (CyD) (FBI) <ammaddock@fbi.gov>; James, Ryan Joseph (INSD) (FBI) <rjjames@fbi.gov>
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Ms. Young,

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Andrew J. DeFilippis
Assistant Special Counsel
U.S. Department of Justice
(646) 530-0087
<image005.jpg>

From: MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@LAW.GA.GOV on behalf of Elizabeth Young <EYoung@LAW.GA.GOV>
Sent: Wednesday, July 21, 2021 8:00 AM
To: 'Jody R Westby'; christian.fuller@legal.gatech.edu
Subject: RE: DARPA
Attachments: RE: DARPA

Sender: EYoung@LAW.GA.GOV
Subject: RE: DARPA
Message-Id: <f09255fc7f7144d98cfc87ecf1f74e58@LAW.GA.GOV>
To: westby@globalcyberlegal.com
To: christian.fuller@legal.gatech.edu

From: Elizabeth Young <EYoung@LAW.GA.GOV>
Sent: Wednesday, July 21, 2021 8:00 AM
To: 'Jody R Westby'; christian.fuller@legal.gatech.edu
Subject: RE: DARPA

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Kind regards,

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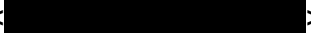
Begin forwarded message:

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Subject: DARPA

Date: July 20, 2021 at 6:22:14 PM EDT

To: Christian Hoffman <christian.hoffman@aon.com>

Cc: eyoung@law.ga.gov, Mark Rasch <rasch@globalcyberlegal.com>, Mark Rasch < >

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Subject: RE: DARPA

To: [REDACTED] >

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Georgia Institute of Technology

Phone: 404-403-8204

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(INSD) (FBI) <rjames@fbi.gov>; Bennett, Wes <wes.bennett@darpa.mil>; Smith, Darin <Darin.Smith@darpa.mil>

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General Counsel

DARPA

Off | 571.218.4887 

Mob | 571.239.5084



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For National Security

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U.S. Department of Justice
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Date: July 20, 2021 at 6:22:14 PM EDT

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Cc: eyoung@law.ga.gov, Mark Rasch <rasch@globalcyberlegal.com>, Mark Rasch

[REDACTED]

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Managing Principal

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Date: Tue, Jul 20, 2021 at 3:18 PM

Subject: RE: DARPA

To: [REDACTED] >

Cc: Elizabeth Young <EYoung@law.ga.gov>

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Senior Counsel, Employment & Litigation

Georgia Institute of Technology

Phone: 404-403-8204

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General Counsel

DARPA

Off | 571.218.4887 

Mob | 571.239.5084



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For National Security

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Andrew J. DeFilippis

Assistant Special Counsel
U.S. Department of Justice
(646) 530-0087



From: Elizabeth Young <eyoung@law.ga.gov>
Sent: Friday, July 23, 2021 2:01 PM
To: 'Jody R Westby'
Cc: Mark Rasch
Subject: RE: GT subpoena question

Thanks for getting back to me so quickly. I figured there was a chance you/your client might be unconcerned about handing them over - or might have even already done so directly for all I know. Simply trying to find quickest and easiest ways to handle things at this point.

Will let you know if anything else comes up that I need to ask you about.

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr Government Services & Employment
(404) 458-3425
mailto:eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

-----Original Message-----

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Friday, July 23, 2021 1:49 PM
To: Elizabeth Young <EYoung@LAW.GA.GOV>
Cc: Mark Rasch <rasch@globalcyberlegal.com>
Subject: Re: GT subpoena question

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Hi, Elizabeth! You cannot produce those white papers. Those were shared under a joint defense/common interest agreement and came from other counsel. We shared with Ga Tech when we were in a joint defense agreement with them, until Kate decided Ga Tech could not participate anymore, supposedly on advice from the Georgia AG office. We expect all of our communications with Ga Tech counsel's office will be protected from disclosure, since the subpoena does not ask for documents related to David Dagon's counsel. If you have any other questions, don't hesitate to ping me any time. I know you are crunching to get him this stuff.

Thanks so much,
Jody

Jody R Westby, Esq.
Managing Principal

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westby@globalcyberlegal.com
www.globalcyberlegal.com

On Jul 23, 2021, at 1:27 PM, Elizabeth Young <EYoung@LAW.GA.GOV> wrote:

Hi Jody and Mark,

Special counsel asked GT to search specifically for any “white papers” related to the topics of their investigation. In September 2020 you emailed three white papers to Kate Walsh (see screenshot of email attached). These do seem like they are at least arguably responsive to the subpoena to GT, though it’s possible they might fall outside the scope of the subpoena depending on where they came from, what systems/servers they were stored on, etc.

In the absence of any objection, I thought perhaps we should provide them to the Special Counsel as it’s at least within the area of the inquiry, even if they might technically fall outside the scope of the subpoena somehow. If this causes a concern for any reason let me know so we can discuss. (I’m not contemplating including your email or the draft letter in the production, only the white papers).

Also, there’s a confidentiality stamp on those that I think were put on by your office, so if we do produce them I wanted to see if you wanted to get that taken off first.

Let me know your thoughts on this as soon as you can. I have a call scheduled with Andrew at 4:30 and it would be great to hear before then if your schedule permits, though I understand if that’s not possible.

Thank you,
Beth Young

<image001.jpg>

<image002.png>

<image003.png>

Beth Young

Assistant Attorney General

Office of the Attorney General Chris Carr Government Services & Employment

(404) 458-3425

eyoung@law.ga.gov

Georgia Department of Law

40 Capitol Square SW

Atlanta, Georgia 30334

<Screenshot 2021-07-22 152848.png>

From: Jody R. Westby <westby@globalcyberlegal.com>
Sent: Friday, July 23, 2021 2:58 PM
To: Elizabeth Young
Subject: Re: GT subpoena question

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ha ha. Yes, I know....very long week! Thank you very much!

Sent from my iPhone
Jody Westby, 202.255.2700

On Jul 23, 2021, at 2:33 PM, Elizabeth Young <EYoung@law.ga.gov> wrote:

Well, it's been a long week and I'm running on fumes...maybe should have just said I had no idea what you'd think about the suggestion, but did want to ask first before making any assumptions.

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

-----Original Message-----

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Friday, July 23, 2021 2:22 PM
To: Elizabeth Young <EYoung@LAW.GA.GOV>
Cc: Mark Rasch <rasch@globalcyberlegal.com>
Subject: Re: GT subpoena question

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Beth, I hope you meant "concerned" instead of "unconcerned" below. Thanks again for asking!

Jody R Westby, Esq.
Managing Principal
Global Cyber Legal LLC
+1.202.255.2700

westby@globalcyberlegal.com
www.globalcyberlegal.com

On Jul 23, 2021, at 2:01 PM, Elizabeth Young <EYoung@LAW.GA.GOV> wrote:

Thanks for getting back to me so quickly. I figured there was a chance you/your client might be unconcerned about handing them over - or might have even already done so directly for all I know. Simply trying to find quickest and easiest ways to handle things at this point.

Will let you know if anything else comes up that I need to ask you about.

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr Government Services & Employment
(404) 458-3425
mailto:eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

-----Original Message-----

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Friday, July 23, 2021 1:49 PM
To: Elizabeth Young <EYoung@LAW.GA.GOV>
Cc: Mark Rasch <rasch@globalcyberlegal.com>
Subject: Re: GT subpoena question

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Hi, Elizabeth! You cannot produce those white papers. Those were shared under a joint defense/common interest agreement and came from other counsel. We shared with Ga Tech when we were in a joint defense agreement with them, until Kate decided Ga Tech could not participate anymore, supposedly on advice from the Georgia AG office. We expect all of our communications with Ga Tech counsel's office will be protected from disclosure, since the subpoena does not ask for documents related to David Dagon's counsel. If you have any other questions, don't hesitate to ping me any time. I know you are crunching to get him this stuff.

Thanks so much,
Jody

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<Screenshot 2021-07-22 152848.png>

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Tuesday, July 27, 2021 2:39 PM
To: Elizabeth Young
Cc: Mark Rasch; Mark Rasch
Subject: Re: List of documents relevant to subpoena

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Hi, Beth! Thanks for your call a minute ago. I just wanted to confirm in writing our agreement that David can produce the runs that he has made on the GT system regarding the findings in the white papers to the Special Counsel. We will make a copy for you and keep one ourselves. David will not produce any GT documents. As agreed earlier, we will leave the GT production up to you and GT. Thanks again for reaching out.

Cheers,
Jody

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www.globalcyberlegal.com

On Jul 26, 2021, at 11:29 AM, Jody R Westby <westby@globalcyberlegal.com> wrote:

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David has been doing some runs on the GT system to validate the findings in the white papers that were given to the government. The Special Counsel wants him to bring the runs with him so he can go over them with the Special Counsel's technical person. We will make a complete image of whatever he brings to give to you. We will also keep a copy for ourselves. Please advise if you have any issues with this.

Also, please advise whether Georgia Tech is willing to enter into a joint defense agreement with us so we can share information.

Cheers,
Jody

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On Jul 26, 2021, at 10:15 AM, Elizabeth Young <EYoung@LAW.GA.GOV> wrote:

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Assistant Attorney General

Office of the Attorney General Chris Carr

Government Services & Employment

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eyoung@law.ga.gov

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40 Capitol Square SW

Atlanta, Georgia 30334

From: Jody R Westby <westby@globalcyberlegal.com>

Sent: Saturday, July 24, 2021 11:48 PM

To: Elizabeth Young <EYoung@LAW.GA.GOV>

Cc: Mark Rasch <[REDACTED]>; Mark Rasch <rasch@globalcyberlegal.com>

Subject: Re: List of documents relevant to subpoena

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Beth,

Here is additional information from David that may be helpful in putting together GT's response to the subpoenas:

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All Trump owned domains

Alfa Bank

Spectrum Health

Domo.com

Data Transfer Files

The files documenting when GT received data from Neustar for the Enhanced Attribution contract.

I hope this is helpful. Please let me know if you have questions.

Kind regards,

Jody

Jody R Westby, Esq.

Managing Principal

Global Cyber Legal LLC

+1.202.255.2700

westby@globalcyberlegal.com

www.globalcyberlegal.com

On Jul 23, 2021, at 3:30 PM, Jody R Westby <westby@globalcyberlegal.com> wrote:

Beth,

At our direction, David made a list of documents/data sources that he thought would be responsive to the subpoena. They are:

DARPA whitepapers

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Analysis of attacks of EOP (Executive Office of the President) networks

Whitepaper for DOJ on APT-29 related hackers, crypto coin transactions, and analysis that includes Yota-related domains

"Mueller List" - list of domains and indicators related to APT-28

BLU Phones directory of files

Rhamnusia chat logs

We may have further information after we are able to speak to our client, but not sure when that will be at this point. Hope this is helpful to you.

Kind regards,

Jody

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From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Tuesday, July 27, 2021 12:30 PM
To: Elizabeth Young
Cc: Mark Rasch; Mark Rasch
Subject: Re: List of documents relevant to subpoena

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Elizabeth,
Could you give me a quick call? 202-255-2700 Thanks, Jody

Jody R Westby, Esq.
Managing Principal
Global Cyber Legal LLC
+1.202.255.2700
westby@globalcyberlegal.com
www.globalcyberlegal.com

On Jul 26, 2021, at 11:29 AM, Jody R Westby <westby@globalcyberlegal.com> wrote:

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Also, please advise whether Georgia Tech is willing to enter into a joint defense agreement with us so we can share information.

Cheers,
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Beth Young

Assistant Attorney General

Office of the Attorney General Chris Carr Government Services & Employment

(404) 458-3425

eyoung@law.ga.gov

Georgia Department of Law

40 Capitol Square SW

Atlanta, Georgia 30334

From: Jody R Westby <westby@globalcyberlegal.com>

Sent: Saturday, July 24, 2021 11:48 PM

To: Elizabeth Young <EYoung@LAW.GA.GOV>

Cc: Mark Rasch <[REDACTED]> Mark Rasch <rasch@globalcyberlegal.com>

Subject: Re: List of documents relevant to subpoena

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Kind regards,

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Jody R Westby, Esq.

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Rhamnousia chat logs

We may have further information after we are able to speak to our client, but not sure when that will be at this point.

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Jody

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westby@globalcyberlegal.com
www.globalcyberlegal.com

On Jul 23, 2021, at 3:30 PM, Jody R Westby <westby@globalcyberlegal.com> wrote:

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Kind regards,

Jody

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Global Cyber Legal LLC
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westby@globalcyberlegal.com
www.globalcyberlegal.com

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Thursday, July 29, 2021 7:24 PM
To: Elizabeth Young
Cc: Mark Rasch; Mark Rasch
Subject: Re: List of documents relevant to subpoena

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi! It won't be terabytes, but I will talk to him and come back to you. Thanks!

Jody R Westby, Esq.
Managing Principal
Global Cyber Legal LLC
+1.202.255.2700
westby@globalcyberlegal.com
www.globalcyberlegal.com

On Jul 29, 2021, at 6:14 PM, Elizabeth Young <EYoung@LAW.GA.GOV> wrote:

Thanks for clearing that up - that makes a lot more sense. Let me know what Mr. Dagon says about getting them to us - happy to work with whatever is easiest for your client. Our office uses a file transfer system called Kiteworks and if it is helpful I could send a link to a folder he could drop them into so long as the size isn't more than a couple of gigabytes. If larger than that, I'll have to rely on your client's expertise...we are definitely not equipped for terabytes, let alone petabytes.

Beth Young
Assistant Attorney General
Office of the Attorney General Chris Carr Government Services & Employment
(404) 458-3425
eyoung@law.ga.gov
Georgia Department of Law
40 Capitol Square SW
Atlanta, Georgia 30334

-----Original Message-----

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Thursday, July 29, 2021 6:00 PM
To: Elizabeth Young <EYoung@LAW.GA.GOV>
Cc: Mark Rasch <[REDACTED]>; Mark Rasch <rasch@globalcyberlegal.com>
Subject: Re: List of documents relevant to subpoena

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Hi, Beth,

Yes, this got a little garbled in the translation. David has a copy of the Rhamnousia chat logs. When they came up in our meetings with Special Counsel, of course, they asked if David had them. When they found out he did, then, of course, they asked if we would give them to them. We told them we consider these GA Tech records and, pursuant to our agreement, we told the Special Counsel that we could not produce them unless it was authorized by GA Tech. We told Kate there were chat logs several months ago, but no one ever asked us for them. I will speak to David about the most efficient way to get them to you and come back to you asap. I know you want to be responsive. Thanks for your note.

Cheers,

Jody

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www.globalcyberlegal.com

On Jul 29, 2021, at 5:16 PM, Elizabeth Young <EYoung@LAW.GA.GOV> wrote:

Hi Jody,

Just got off the phone with Andrew DeFilippis. He's very interested in the Rhamnousia chat logs. He said that you'd told him that David had copies of chat log documents and that you'd given those to us, but that we had instructed Mr. Dagon not to give them to the DOJ directly.

My understanding from our emails was that we would have to get Manos to find these documents (and we're reaching out to him via his counsel to see what can be done in that regard). Seems to me that Andrew has either misunderstood or misstated things.

However, just in case the misunderstanding is somehow on my end, I thought I'd check with you on whether Mr. Dagon does actually already have copies of Rhamnousia chat log documents. If he does, could you give us a copy so that we can review them to see if they're responsive to GT's subpoena?

Thanks,
Beth

<image001.jpg>

<image002.png>

<image003.png>

Beth Young

Assistant Attorney General

Office of the Attorney General Chris Carr Government Services & Employment

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eyoung@law.ga.gov

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From: Jody R Westby <westby@globalcyberlegal.com>
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Cc: Mark Rasch <[REDACTED]>; Mark Rasch <rasch@globalcyberlegal.com>
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On Jul 26, 2021, at 10:15 AM, Elizabeth Young <EYoung@LAW.GA.GOV> wrote:

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From: Jody R Westby <westby@globalcyberlegal.com>

Sent: Saturday, July 24, 2021 11:48 PM

To: Elizabeth Young <EYoung@LAW.GA.GOV>

Cc: Mark Rasch <[REDACTED]>; Mark Rasch <rasch@globalcyberlegal.com>

Subject: Re: List of documents relevant to subpoena

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www.globalcyberlegal.com

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Friday, July 30, 2021 11:44 AM
To: DeFilippis, Andrew (USANYS)
Cc: Elizabeth Young; Kate Wasch; Mark D. Rasch; Eckenrode, John (JMD); Scarpelli, Anthony(USADC); Keilty, Michael (USANYE); Patel, Neeraj (USACT); Fuhrman, Tim (JMD); Aldenberg, William B. (NH)(FBI); Maddock, Adam M. (CyD) (FBI)
Subject: Re: Rhannusia Logs

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Working on getting these now. Will be back in touch. Understand the priority. Thanks!

Jody R Westby, Esq.
Managing Principal
Global Cyber Legal LLC
+1.202.255.2700
westby@globalcyberlegal.com
www.globalcyberlegal.com

On Jul 30, 2021, at 10:04 AM, DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov> wrote:

Excellent thanks very much.

> On Jul 30, 2021, at 10:02 AM, Elizabeth Young <EYoung@law.ga.gov> wrote:

>

> I reached out to Ms. Westby after our call yesterday and she confirmed that Mr. Dagon has copies of these chat logs and will be forwarding them to us so that we can review and produce them.

>

> Beth Young
> Assistant Attorney General
> Office of the Attorney General Chris Carr Government Services &
> Employment
> (404) 458-3425
> eyoung@law.ga.gov
> Georgia Department of Law
> 40 Capitol Square SW
> Atlanta, Georgia 30334

>

>

>

> -----Original Message-----

> From: DeFilippis, Andrew (USANYS) <Andrew.DeFilippis@usdoj.gov>

> Sent: Friday, July 30, 2021 7:43 AM

> To: Elizabeth Young <EYoung@LAW.GA.GOV>; Kate Wasch
> <kate.wasch@legal.gatech.edu>; Jody R Westby
> <westby@globalcyberlegal.com>; Mark D. Rasch
> <rasch@globalcyberlegal.com>
> Cc: Eckenrode, John (JMD) <John.Eckenrode@usdoj.gov>; Scarpelli,
> Anthony (USADC) <Anthony.Scarpelli@usdoj.gov>; Keilty, Michael
> (USANYE) <Michael.Keilty@usdoj.gov>; Patel, Neeraj (USACT)
> <Neeraj.Patel@usdoj.gov>; Fuhrman, Tim (JMD) <Tim.Fuhrman@usdoj.gov>;
> Aldenberg, William B. (NH) (FBI) <wbaldenberg@fbi.gov>; Maddock, Adam
> M. (CyD) (FBI) <ammaddock@fbi.gov>
> Subject: Rhannusia Logs
>
> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you
recognize the sender and know the content is safe.
>
>
> All,
>
> As we have discussed with each of you, Mr. Dagon has identified "Rhamnusia" chat communications that we
understand are responsive to our subpoena and relevant to our investigation. We would like to obtain these
communications promptly and would also like to minimize the burdens on all involved.
>
> Beth, can you please confirm in response to this email that Georgia Tech authorizes and requests that Mr. Dagon
provide those logs to the government as an employee of Georgia Tech? If you would like us to issue a subpoena for
them specifically and will accept service, we can do so today.
>
> Jody/Mark, can you please let us know when Mr. Dagon can provide the logs to us or, alternatively, to Georgia Tech for
production to us?
>
> We are hopeful that we can find a solution to this issue in the near term and avoid unnecessary legal process or
disruptions.
>
> Thank you very much.
>

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Wednesday, October 13, 2021 5:41 PM
To: Fuller, Christian; Elizabeth Young
Cc: Mark D. Rasch; Mark Rasch
Subject: Re: Teleconf Thurs or Friday?

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Great! 3 p.m. Friday. Will send an invite. Glad you looped in Beth. Thanks!

Jody R. Westby, Esq.
Managing Principal
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202 255-2700
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www.globalcyberlegal.com

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Thank you.

On Oct 13, 2021, at 5:31 PM, Fuller, Christian <christian.fuller@legal.gatech.edu> wrote:

Hi Jody,

Friday is better for me. Happy to jump on a call anytime after 3pm for how long.

Not sure if Beth may join us but I have looped her in just in case she wants to attend as well.

Christian

-----Original Message-----

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Wednesday, October 13, 2021 5:07 PM
To: Fuller, Christian <christian.fuller@legal.gatech.edu>
Cc: Mark D. Rasch <rasch@globalcyberlegal.com>; Mark Rasch <[REDACTED]>
Subject: Teleconf Thurs or Friday?

Christian,

I thought perhaps we should huddle tomorrow or Friday since the 19th is Tuesday (when David is supposed to have depo and docs produced). I am open after 10 a.m. tomorrow and all day Friday EXCEPT 2-3 pm.

Thanks,

Jody

Jody R. Westby, Esq.
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Thank you.

From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Friday, July 30, 2021 2:31 PM
To: Elizabeth Young
Cc: Mark D. Rasch; Mark Rasch
Subject: Rhamnousia Chat Logs

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Elizabeth,
Here are the Rhamnousia chat logs.
Kind regards,
Jody

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From: Jody R Westby <westby@globalcyberlegal.com>
Sent: Friday, July 30, 2021 6:05 PM
To: Elizabeth Young
Cc: Mark Rasch; Mark D. Rasch
Subject: Rhamnousia Chats Formatted

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi, Beth! David wrote a program to format the chats so they are easier to read and have the sender identified and date. We have not verified that every detail reformatted correctly, so if you decide to produce these, we suggest you send both versions. We hope this is helpful.

Cheers,
Jody

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