

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

PAUL J. MANAFORT, JR.,

Defendant.

UNDER SEAL

Crim. No. 17-201-1 (ABJ)

DECLARATION IN SUPPORT OF GOVERNMENT'S OPPOSITION TO THE
MOTION OF DEFENDANT PAUL J. MANAFORT, JR.'S MOTION TO MODIFY
CONDITIONS OF RELEASE

I, Brock W. Domin, hereby state as follows:

1. I am a Special Agent with Federal Bureau of Investigation ("FBI") working directly with the Special Counsel's Office. I have been a Special Agent with the FBI since 2015. I have training and experience related to national security investigations, as well as federal financial crimes.

2. I submit this declaration in support of the government's opposition to defendant Manafort's motion to modify his conditions of release.

3. This declaration is based upon my personal knowledge, my review of documents and other evidence, my conversations with other law enforcement personnel, and my training and experience. Because this declaration is being submitted for a limited purpose, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents are reported herein, they are reported in substance and in pertinent part.

4. Exhibit A is an email from defendant Paul J. Manafort to Konstantin Kilimnik, a long-time colleague of his, who is a Russian national who worked for Manafort while based in Ukraine and Moscow. Attached to the Manafort email in Exhibit A is a draft "op ed" for Oleg

Voloshyn, who is identified as a former spokesperson of the Ministry of Foreign Affairs of Ukraine. The document has red tracked changes, of which “paul manafort” is listed as the electronic “author.” The Manafort email states that it is for the “Kyiv Post,” which is a newspaper in Ukraine. According to its web site: “All articles will be published on the Kyiv Post Website, which has more than 1 million page views monthly with 75% of readers coming from US, Canada, EU.” <http://promotion.kyivpost.com/iday/>. The audience is described as follows:

- “• Business owners and executives (52%); diplomats; government officials; experts and middle management; academia/researchers; students/young professionals.
- Among our readers are such organizations and companies as: NATO, IMF, World Bank, EBRD, OSCE, US State Department, EU Commision, Harvard University, Chicago University, Ciklum, Soft Serve, Porsche Leasing, Winner, Australian department of foreign affairs and many others.” (typos in original.)

Indeed, the defendants are well aware of the reach of the Kyiv Post. For instance, a document disclosed by the Washington D.C.-based lobbying firms identified as “Company A” and “Company B” in the Indictment is a July 5, 2012, email from one of the firm’s employees regarding a quote from an article in the Kyiv Post. The employee emailed defendant Gates whether a quote “reprinted in the Kyiv Post [was] accurate,” because “[i]f Congressional offices Google this guy and see this quote, it obviously doesn’t help the cause.”

5. Exhibit B is an email response from Kilimnik to Manafort, dated November 30, 2017.

6. Both Exhibits A and B were obtained through court-ordered process.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 4, 2017.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'B. Domin', written over a horizontal line.

Brock W. Domin
Special Agent, Federal Bureau of Investigation

EXHIBIT A

From: Paul Manafort <pm Manafort@dmpint.com>
Sent: Wednesday, November 29, 2017 9:14 PM
To: Konstantin Kilimnik
Subject: <no subject>
Attachments: VOLOSHIN OPED = DR 2.docx

I have attached a framework for the op ed in the Kyiv Post for Oleg. It keeps his approach but takes out pieces that would not be good to mention. You will notice that I left several areas where you need to insert points.

I am available to talk either tonight or in the morning

Ty
P

European integration unknown soldier

Oleg Voloshyn, former spokesperson of the Ministry of Foreign Affairs of Ukraine

EU – Ukraine Association Agreement might have never appeared but for a person now falsely accused of lobbying Russian interests

The night of March 4, 2010 turned out to be a nervous one for the staff of Ukrainian embassy in Moscow where I used to be a press-attaché.

The first visit to Russia of newly elected president Viktor Yanukovich was on the brink of cancellation. The Kremlin wouldn't grant the already scheduled visit an official status. Russian state media also cancelled earlier agreed interviews with members of Yanukovich team. The explanation was rather simple although possibly unusual for contemporary observers who had a mistaken and dug-in simplified perception of the fourth Ukrainian president: Russian leadership was just annoyed at Yanukovich's sudden decision to pay his first visit after inauguration to Brussels before heading to Moscow.

Even Yushchenko in 2005 did the opposite. I And there was one person the Russiansy basically blamed for thisat "treason of special relationship with brother nation": the political then consultant to Viktor Yanukovich, American electoral-strategist Paul Manafort. Manafort persuaded Yanukovich that going first to Brussels would demonstrate to all that as President, Yanukovich intended to bring the changes required to allow Ukraine to apply for formal membership in the European Union. do all that was necessary to

Manafort brought to the Ukrainian political consultancy business a very important rule: An effective leader needs to be consistent as a President with his promises as a candidate. In his Presidential campaign VY made it clear that it was important for Ukraine to maintain its historical and cultural relationship with Russia. However, Yanukovich had also promised to implement the changes that would said while at the same time to begin the modernization of Ukraine that would be necessary for Ukraine to become a part of the EU. The Brussels trip sent this signal loudly and clearly to all – including Russia.

Also, during these early months, VY implemented other important policy changes that signaled he was serious about moving Ukraine into the western orbit:

HERE NEED TO ADD a couple of major reforms that VY brought to country in order to position Ukraine to apply for membership. Reforms that changed a Soviet based legal economic framework to a western one. (increase of NATO exercises/ Nuclear deal/ never spare on polls and social surveys and always base your electoral strategy on real a state of minds in the society, not the wishful one. It was that attentive attitude to polls data that unequivocally showed that European integration was the one and unique big idea that unified Ukrainian from almost all regions of our very diversified and even polarized country. As a

strategist who ensured the unexpected victory of Yanukovich in 2010 presidential race Manafort couldn't but suggest his client to stick to European integration agenda to get an easier ride to re-election in 2015.

With an eye towards 2015, VY managed to protect the cultural and language concerns of Eastern UIt was that factor that made initially mostly pro-Russian team of the president work extensively on rapprochement with the EU. Those who deny that version would rather struggle to explain why otherwise the "allegedly sympathetic to Moscow" Yanukovich's government had the Association Agreement initialized already in March of 2012. What shocked so many in Moscow was the pace with which Ukrainian negotiators mkraine while managing the major changes required for Ukraine anaged to come to terms with the European bureaucrats debating the particular terms of Deep and Comprehensive Free Trade Area (DCFTA) with the EU. No other nation had accomplished this same task over such a brief period of time. -Yanukovich's government had the Association Agreement initialed by March of 2012. This pace shocked Moscow.

This sense of commitment to the goal is That was actually the reason why Russia had to nervously overreacted in the summer 2013 and imposed the trade blockade up to August with trade blockade of Ukraine. to demonstrate its resolution to keep our country out of European clout.

Following the European And on that track created arose multiple challenges that we could never had been solved by a Ukraine Government except for the hardly be solved but for consistent promotion lobbying of what had to be done the idea by Paul Manafort.

HERE LIST SOME OF THE CHANGES TO LAWS THAT WERE MADE – CIVIL CODE/ELECTORAL CODE ETC.

Even at the end of the process Manafort was engaged in helping the Europeans and the Ukrainians negotiate the final terms. who had an ear of the president on a more regular basis than even some of his ministers. By the way it was American consultant who most actively promoted the idea to amnesty Yuriy Lutsenko to unblock the signing of the agreement. Since Yanukovich wouldn't release Yulia Timoshenko with Lutsenko also in custody there would have been no arguments on the table to persuade German chancellor Angela Merkel to make a step towards Kyiv. Many remember embarrassing Yanukovich's U-turn at Vilnius summit when he made a last minute decision to postpone the signing of the AA. Few tend to recall the events that made Vilnius signing an option in the first place.

Just three months before the summit it was the EU, not Yanukovich, who hesitated whether to sign the document or not. And Manafort contributed a lot to change the of mood in Brussels and major European capitals while at the same time keeping Ukraine focused on finalizing the details of the DCFTA and Association Agreement. He was doing this while Russia was imposing the trade embargo and threatening even more drastic punishment. -

With all that said I can only wonder why some American media dare falsely claim that Paul Manafort lobbied Russian interests in Ukraine and torpedoed AA signing. Without his input Ukraine would not have had the command focus on reforms that were required to be a nation candidate to the ~~could~~ EU.

~~have long been in Russian clout as many of Yanukovich's voters frankly expected when they cast ballots in his favor in 2010.~~ All listed here facts can be easily verified. If only one pursues the truth. Not tends to twist the reality in line with his or her conviction that the dubious goal of undermining Trump's presidency justifies most dishonest means.

EXHIBIT B

From: Константин Килимник <kk22314@gmail.com>
Sent: Thursday, November 30, 2017 3:40 AM
To: Paul Manafort
Subject: Re: <no subject>

Thanks for quick turnaround - got it. Will do my part on this one.

K

От: Paul Manafort <pmanafort@dmpint.com>
Дата: Thursday, November 30, 2017 at 5:14 AM
Кому: Константин Килимник <kk22314@gmail.com>
Тема: <no subject>

I have attached a framework for the op ed in the Kyiv Post for Oleg. It keeps his approach but takes out pieces that would not be good to mention. You will notice that I left several areas where you need to insert points.

I am available to talk either tonight or in the morning

Ty

P

CERTIFICATE OF SERVICE

Undersigned counsel hereby certifies that a copy of the foregoing Motion for Leave to File Documents Under Seal, including attachments, was transmitted electronically to counsel for defendant Manafort on December 4, 2017.

/s/ Andrew Weissmann
Andrew Weissmann*
U.S. Department of Justice
Special Counsel's Office
950 Pennsylvania Avenue NW
Washington, DC 20530
Telephone: (202) 616-0800

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ORDER

Upon consideration of the government's unopposed motion for leave to file under seal documents in support of its opposition to defendant Manafort's motion to modify conditions of release, and good cause having been shown, it is hereby

ORDERED that the government's motion for leave to file under seal is GRANTED.

Date: December ____, 2017

Hon. Amy Berman Jackson
United States District Judge