

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

PAUL J. MANAFORT, JR.,

Defendant.

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

**GOVERNMENT RESPONSE**

The Special Counsel Robert S. Mueller, III, files this submission pursuant to the Court's Minute Order dated January 17, 2019, directing the parties to set out their positions on the necessity for the testimony of any witness. As noted in the Court's January 8, 2019, Minute Order, the defendant in his last submission "disputes all five alleged breaches." As a result, the Court required the government to submit its evidentiary basis for the five identified subject matter areas involved in its breach determination. The government made the requisite evidentiary filing, submitting to the Court a sworn declaration with exhibits. Doc. 474. The question of whether live testimony will be necessary to resolve any factual issue will depend on the defendant's upcoming submission. The defense has not submitted any evidence to date. If it does not, the Court can resolve the factual issues based on the evidence submitted, drawing inferences regarding intent from that evidence, with the benefit of the parties' arguments at the conference scheduled for January 25<sup>th</sup>. If there are material factual disputes, however, witness testimony will assist in the resolution of those issues. Finally, the government is of course prepared to proceed with witness testimony if the Court believes it will assist in resolution of the matter.

Respectfully submitted,

ROBERT S. MUELLER, III  
Special Counsel

Dated: January 18, 2019

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