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April 23, 2019

By Hand Delivery

The Honorable William P. Barr
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

In re: Giorgi Rtskhiladze/The Mueller Investigation and Report

Dear Mr. Attorney General:

Attached herein, please accept a slightly modified version of the letter sent to you yesterday regarding my client Giorgi Rtskhiladze. Accordingly, please discard the prior letter dated, April 22, 2019, and use the letter attached for future reference.

Many thanks for your time and attention to this matter.

Sincerely, I am,



A. Scott Bolden
Reed Smith LLP

Enclosure

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Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
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In re: Giorgi Rtskhiladze/The Mueller Investigation and Report

Dear Mr. Attorney General:

This firm represents Giorgi Rtskhiladze ("Mr. Rtskhiladze") in connection with the above-referenced matter. Please direct all further communications regarding his case to the undersigned.

In this regard, I write to address certain glaring inaccuracies and misrepresentations concerning Mr. Rtskhiladze set forth in the Report on the Investigation into Russian Interference in the 2016 Presidential Election, submitted by Special Counsel Robert S. Mueller, III pursuant to 28 C.F.R. § 600.8(c) (hereinafter, "Mueller Report") on March 22, 2019. I refer specifically to the wholly misleading and salacious account of communications between Messrs. Michael Cohen and Rtskhiladze about alleged "compromising" tapes of President Donald J. Trump when he was a private citizen, described in footnote 112 on pages 27 and 28 of the Volume II of the Mueller Report (hereinafter, "Footnote 112").

On behalf of Mr. Rtskhiladze, we strongly demand that a full and immediate retraction of these falsehoods should be issued forthwith to restore his good name. In the alternative, we would strongly urge your office to include this letter and exhibits contained herein, to the Mueller file and/or any appendixes to the Mueller Report.

Accordingly, we submit the following objections to Footnote 112:

I. Allegation

Mr. Rtskhiladze is a "Russian businessman."

Rebuttal

Mr. Rtskhiladze was born in the former Soviet Republic of Georgia. Since 1991, Georgia an independent country, is an important U.S. ally in the region and has had a strained relationship with Russia due to the latter's military invasion in 2008 and unlawful occupation of 20% of Georgian territory. The mere suggestion that Mr. Rtskhiladze is cavorting with Russian associates belittles his personal identity and integrity, tarnishes his reputation and impedes his ability to do business in his native country.

Moreover, Mr. Rtskhiladze has been an upstanding American citizen since 2017 and a permanent resident for 23 years. He fully cooperated with the Mueller probe—meeting with prosecutors on two separate occasions and appearing before the Special Prosecutor’s grand jury. He dedicated considerable time and financial resources ensuring that his testimony was complete and truthful. Casting him as a “Russian businessman” implies that he participated in a conspiracy to collude or interfere with the 2016 U.S. presidential elections—which is patently false. The transcript of grand jury testimony will clearly show that my client made it abundantly clear and went to great lengths to clearly explain his Georgian and American allegiances when the prosecuting attorney attempted to paint him as “Russian businessman”. The fact that after Mr. Rtskhiladze’s extensive clarifying testimony the Special Counsel nevertheless decided to describe my client as same in the final Report released to the public is just incredulous.

II. Allegation

“On October 30, 2016, Michael Cohen received a text from Russian businessman Giorgi Rtskhiladze that said, ‘Stopped flow of tapes from Russia but not sure if there’s anything else. Just so you know....’”

Rebuttal

Mr. Rtskhiladze is a successful businessman who takes pride in his heritage by supporting the economic stability and prosperity of his native country of Georgia and invests a great deal of time and resources in strengthening the US - Georgian relationships. It is in this context that he met Mr. Cohen in 2011, when the Trump Organization expressed interest in building a residential Trump Towers in Batumi, Georgia. This relationship continued in 2015, when the failed Trump Towers Moscow development was first proposed.

After negotiating these transactions, Messrs. Cohen and Rtskhiladze developed a rapport. The excerpts of texts cited in Footnote 112 conveys the friendly banter between business colleagues. In stark black and white, the isolated texts are suggestive of nefarious undertakings and, as such, defame Mr. Rtskhiladze’s character. Viewing the texts in their entirety against the backdrop of Messrs. Cohen and Rtskhiladze’s cordial relationship places them in their proper context.

Also, “Stopping the flow” gives the impression that you are referencing the alleged salacious content of the alleged acts viewed on the tapes. To the contrary, this was colloquialism by Mr. Rtskhiladze indicating that there was nothing to the rumors of the tapes, and that he did not believe there were any tapes, nor had he seen what was on the tapes, even if they existed. Although this may have been a poor choice of words, he was trying to convey the same to Mr. Cohen.

Furthermore, the word “some” has been intentionally removed from the Footnote; the original text message reads “some tapes” and the word “some” is crucial as it establishes the fact that Mr. Rtskhiladze had no knowledge of the tapes’ content. The footnote also omits the dialogue that follows, which is key to understanding Mr. Rtskhiladze’s intentions. See Attachment 1.

Rtskhiladze: Stopped flow of **some** tapes from Russia but not sure if there's anything else. Just so u know.

Cohen: Tapes of what?

Rtskhiladze: Not sure of the content but person in Moscow was bragging [that he] had tapes from Russia trip. Will try to dial you tomorrow but wanted to be aware. I'm sure it's not a big deal but there are lots of stupid people.

Cohen: You have no idea.

Rtskhiladze: I do trust me.¹

Both the Federal Bureau of Investigations and attorneys that authored the Mueller Report are in possession of the entire series of texts between Messrs. Cohen and Rtskhiladze, but they spliced the dialogue to produce the ugly insinuations and allegations of Footnote 112 to attract publicity—all the while impugning Mr. Rtskhiladze's character. They are also aware of what "Stop the flow..." meant coming from my client to Mr. Cohen, but have failed to explain this in the subject Report. This must be corrected immediately before any further reprehensible damage to my client's character and reputation can occur.

III. Allegation

"Rtskhiladze said 'tapes' referred to compromising tapes of Trump rumored to be held by persons associated with the Russian real estate conglomerate Crocus Group, which had helped host the 2013 Miss Universe Pageant in Russia."

Rebuttal

The texts that were excised from the Mueller Report clearly indicate that Mr. Rtskhiladze does not have direct knowledge of what was said at the party in Moscow, which he did not attend. Mr. Rtskhiladze also does not know and cannot identify who allegedly made the statements about the tapes. Furthermore, Mr. Rtskhiladze has never seen the tapes and cannot opine on whether they actually exist. All of the above was communicated to Mueller's investigative team on multiple occasions by Mr. Rtskhiladze.

In a similar vein, Mr. Rtskhiladze has not had contact or dealings with the Crocus Group in 14 years, although he considers Crocus a reputable and successful business group. It is inaccurately stated that Mr. Rtskhiladze had a licensing deal with the Crocus Group.

¹ See attached Exhibit A.

IV. Allegation

“Rtskhiladze said he was told the tapes were fake, but he did not communicate that to Cohen.”

Rebuttal

The suggestion that Mr. Rtskhiladze tried to curry favor with Mr. Cohen, the Trump Organization and possibly President Trump himself by allegedly texting that he had “stopped the flow of tapes from Russia”—knowing all the while that the tapes did not exist—is an outrageous and sensational distortion of the communications between Messrs. Cohen and Rtskhiladze.

Footnote 112 of the Mueller Report would have the world believe that Mr. Rtskhiladze is at best a caricature of an idle gossip or, worse, an opportunist with deep ties to the Russian business community² and privy to untoward conduct by President Trump that Mr. Rtskhiladze and others intended to use to embarrass then Candidate Trump, derail his campaign and/or manipulate him after assuming the elected office. There is not a scintilla of evidence to support these inferences and to suggest otherwise is defamatory.

Despite having committed no wrongdoing, Mr. Rtskhiladze has been forced to defend himself against whispers and innuendo smearing him as a traitor and a liar on the global stage. Indeed, since the Mueller Report has been published, these false claims and interpretations have spread on social media inspiring further attacks on Mr. Rtskhiladze and his family. If one were to calculate each falsehood and each attack based on clicks and comments, his damages would be in the millions.

To be sure, Mr. Rtskhiladze, his family and his associates have suffered irreparable harm to their personal and professional reputations. They may never be exonerated in the court of public opinion, and the current inflammatory mischaracterizations in Footnote 112, if they remain part of the Mueller Report, will seal their fate. Mr. Rtskhiladze is entitled to have his good name cleared. In addition, the integrity of the Mueller Report itself mandates that these important changes be made and published by your Office.

Lastly, it is unfathomable how you personally, as Attorney General who specifically stated ahead of time that one of the main reasons for redacting certain information in the Mueller Report as follows could ever have allowed my client’s name to have appeared in the Report released to the public in the first place. It would seem that this stated reasoning was designed to protect this exact situation from occurring, and by not redacting my client’s name, you erred in a most egregious manner:

“4. Material that the Justice Department believes would unfairly infringe on the privacy and damage the reputations of “peripheral third parties.”

² See Mueller Rep., Vol. I at 70 & nn. 311, 315 & 317.

The Honorable William P. Barr
April 23, 2019
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We close by again demanding a full and immediate retraction of these gross misstatements and that you include this letter and exhibits contained herein, to the file and/or any appendices to the Mueller Report.

Thank you in advance for your anticipated cooperation in this matter,

Sincerely, I am,

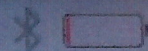


A. Scott Bolden
Reed Smith LLP

ATTACHMENT 1

No Service

7:36 PM



New iMessage

Cancel

To: Michael Cohen M, |



Stopped flow of some tapes from Russia but not sure if there's anything else. Just so u know...

Tapes of what?

Not sure of the content but person in Moscow was bragging had tapes from Russia trip.

Will try to dial you tomorrow but wanted to be aware

I'm sure it's not a big deal but there are lots of stupid people



iMessage



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EXHIBIT A

No Service

7:36 PM



New iMessage

Cancel

To: Michael Cohen M,



tapes or what?

Not sure of the content but
person in Moscow was bragging
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Will try to dial you tomorrow but
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there are lots of stupid people

You have no idea

I do trust me.



iMessage



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