

Attachment 6

From: [Batdorf Michael T](#)
To: [Waldon Darrell J](#); [Shapley Gary A Jr](#)
Subject: RE: Sportsman Meeting Update
Date: Tuesday, October 11, 2022 10:27:34 AM
Attachments: [image004.png](#)
[image001.png](#)

Thank you both for the updates and continued communications.



From: Waldon Darrell J [REDACTED]
Sent: Tuesday, October 11, 2022 7:27 AM
To: Shapley Gary A Jr [REDACTED]; Batdorf Michael T [REDACTED]
Subject: RE: Sportsman Meeting Update

Good morning, all –

Thanks, Gary. You covered it all. I am taking care of referral to TIGTA.

Mike – let me know if you have any questions.
Darrell

Darrell J. Waldon
Special Agent in Charge
Washington, D.C. Field Office
(C) [REDACTED]

From: Shapley Gary A Jr [REDACTED]
Sent: Friday, October 07, 2022 6:09 PM
To: Batdorf Michael T [REDACTED]
Cc: Waldon Darrell J [REDACTED]
Subject: Sportsman Meeting Update

Mike,

Darrell asked me to shoot an update from today's meeting. Darrell – feel free to comment if I miss something.

1. Discussion about the agent leak – requested the sphere stay as small as possible
 - a. DOJ IG will be notified

- b. FBI – HQ is notified and they refer it to their Counter Intelligence squad in a field office for investigation
 - c. IRS-CI – **We need to make a referral to TIGTA** – What do you need from me on this action item?
- 2. Weiss stated that he is not the deciding person on whether charges are filed**
- a. I believe this to be a huge problem – inconsistent with DOJ public position and Merrick Garland testimony
 - b. Process for decision:
 - i. Needs DOJ Tax approval first – stated that DOJ Tax will give “discretion” (We explained what that means and why that is problematic)
 - ii. No venue in Delaware has been known since at least June 2021
 - iii. Went to D.C. USAO in early summer to request to charge there – Biden appointed USA said they could not charge in his district
 - 1. USA Weiss requested Special counsel authority when it was sent to D.C and Main DOJ denied his request and told him to follow the process
 - iv. Mid-September they sent the case to the central district of California – coinciding with the confirmation of the new Biden appointed USA – decision is still pending
 - v. If CA does not support charging USA Weiss has no authority to charge in CA –
 - 1. He would have to request permission to bring charges in CA from the Deputy Attorney General/Attorney General (unclear on which he said)
 - vi. With DOJ Tax only giving “discretion” they are not bound to bring the charges in CA and **this case could end up without any charges**
 - 3. They are not going to charge 2014/2015 tax years
 - a. I stated, for the record, that I did not concur with that decision and put on the record that IRS will have a lot of risk associated with this decision because there is still a large amount of unreported income in that year from Burisma that we have no mechanism to recover
 - b. Their reason not to charge it does not overcome the scheme and affirmative acts – in my opinion
 - 4. FBI SAC asked the room if anyone thought the case had been politicized – we can discuss this is your preference
 - 5. No major investigative actions remain
 - 6. Both us and the FBI brought up some general issues to include:
 - a. Communication issues
 - b. Update issues
 - c. **These issues were surprisingly contentious**

Always available to discuss. Have a great weekend!

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