

## Backgrounder: Where Trump's FBI Investigation Of Kavanaugh Reportedly Refuses To Look

Following pressure from several senators, the Trump administration authorized the FBI to investigate allegations that Supreme Court nominee Brett Kavanaugh had committed sexual assault. From the start, the <u>investigation</u> was designated as a "limited background check of Judge Kavanaugh, not a full-fledged criminal investigation" with a deliberately <u>narrow reach</u>. Senators agreed that the investigation should last no more than one week, and Senate Republicans and the Trump White House drafted a limited list of four people the FBI should interview.

According to Senator Chris Coons, who was instrumental in negotiating the agreement that authorized the investigation, the Trump White House <u>said</u> the investigation would be done "by the book," but refused to provide additional detail defining that phrase or describing what specific scope or procedures would be put in place. Facing a public and political <u>backlash</u> over the limits of the investigation, President Trump eventually <u>announced</u> that he would allow agents "to interview whoever they deem appropriate, at their discretion," though the investigation's strict time limit would stay in place.

Such limitations dramatically restrict the efficacy of an investigation. As former United States Attorney and Deputy Assistant Attorney General Harry Litman pointed out, "The nucleus of agents' work in a background investigation is to pursue leads and widen the circle of witnesses. Thus, F.B.I. agents doing background investigations typically end with the all-important question: Is there anyone else I should talk to? They begin with the set of names the subject has supplied, but then, crucially, follow the evidence and witnesses where they lead."

Republicans also refused to give the FBI power to compel testimony from the witnesses it was allowed to interview. The Intercept reported, "The FBI agents probing whether Kavanaugh sexually assaulted Christine Blasey Ford when they were both in high school lack something that most serious government investigations require: subpoena power...Unlike agents tasked with investigating a crime, the FBI must rely on witnesses to cooperate voluntarily with its investigation. A possible witness approached by the FBI may simply slam the door in agents' faces with no repercussions. At any time, witnesses who choose to cooperate can refuse to answer a specific question, and they won't have to provide any explanation for their refusal... The only way to compel someone to speak as part of this inquiry would be for the Senate to subpoena witnesses. The Republican majority appears unwilling to exercise that power."

Though many Republicans defended their stonewalling by arguing that Kavanaugh's previous judicial background checks made a thorough investigation unnecessary, those checks had also been limited in scope, and unlikely to yield information about his sexual assaults. According to the <a href="Intercept">Intercept</a>: "FBI background checks for judicial nominees are similar to those conducted for security clearances, but judicial background checks focus more on professional conduct and relationships, rather than a nominee's personal life. As a result, Kavanaugh's judicial background checks would have been even less



likely to unearth allegations about him as a high school and college student than the ones he underwent as an executive branch employee."

As a result of these limitations, many people with knowledge pertinent to the investigation, and who have volunteered to cooperate with the FBI, have gone ignored. People involved criticized the FBI for not following all available leads; after Deborah Ramirez spoke with the FBI, and her lawyers <u>said</u> they had not heard that the FBI had reached out to any of the 20 people Ramirez provided as additional sources for information about her accusations against Kavanaugh. Kavanaugh's freshman year roommate at Yale, Jamie Roche, <u>said</u> on Monday evening, "I was never contacted by the FBI for any of their background checks. I assume college behavior was not a topic of interest. They did not find Debbie's story because they were not looking for it."

This memo outlines the witnesses and corroborating evidence that have been publicly reported as of the morning of October 3, 2018. The vast majority of this information has reportedly been ignored by the Trump administration's FBI investigation.

#### People Who Were Interviewed By The FBI

**Deborah Ramirez, who accused Kavanaugh of putting his penis in her face at a college party.** Ramirez was the second woman to accuse Kavanaugh of sexual assault or misconduct. [New York Times, 10/2/18; Washington Post, 9/29/18; Twitter, 9/29/18; Washington Post, 9/29/18; CBS News, 10/3/18]

Mark Judge, whom Dr. Blasey Ford reported was in the room while Kavanaugh attempted to rape her. Judge attended Georgetown Prep with Kavanaugh, is mentioned on his calendar, and is included in Julie Swetnick's allegations as well. [New York Times, 10/2/18; Washington Post, 9/28/18; New York Times, 9/26/18; CBS News, 10/3/18]

Timothy Gaudette, a Georgetown Prep classmate of Kavanaugh's who hosted a group at his house to drink on July 1st, 1982. Kavanaugh's self-released calendar from 1982 said "go to Timmy's for skis with Judge, Tom, P.J., Bernie and Squi" on July 1st, 1982. The Washington Post's Matt Zapotodky reported on Twitter that Gaudette had been interviewed by the FBI. Gaudette is is now Colorado Outreach Manager to Small Business Majority. [New York Times, 10/2/18; Washington Post, 9/28/18; Twitter, 10/2/18; CBS News, 10/3/18]

P.J. Smyth, a Georgetown Prep classmate of Kavanaugh's whom Dr. Blasey Ford recalled attending the party where Kavanaugh assaulted her. Kavanaugh also included Smyth on his calendar entry for an event at Timothy Gaudette's house on July 1st, 1982. [New York Times, 10/2/18; Washington Post, 9/29/18; Office of Senator Dianne Feinstein, 10/1/18; Washington Post, 9/28/18; Twitter, 10/1/18]

**Leland Keyser, a high school friend whom Dr. Blasey Ford recalled attending the party where Kavanaugh assaulted her.** Keyser has said she does not remember the party but believes Dr. Blasey Ford. [New York Times, 10/2/18; Washington Post, 9/29/18; CBS News, 10/3/18]



Christopher Garrett, who attended Georgetown Prep with Kavanaugh, dated Dr. Blasey Ford in high school, and introduced the two of them. Dr. Blasey Ford testified that she went out with Garrett in high school. Kavanaugh mentioned Garrett on his calendar entry about a party with a group of guys, referring to him as "Squi" or "Squee."He was a member of the "Keg City Club," a reference in Kavanaugh's yearbook which was discussed at length in the hearing on Dr. Blasey Ford's story. [New York Times, 10/2/18; Washington Post, 9/28/18; Medium, 9/30/18; CNN, 10/3/18; CBS News, 10/3/18]

# Other People With Knowledge Of Key Facts Who Have Not Been Interviewed By The FBI, Per Reporting

#### The Primary People Involved

Supreme Court nominee Brett Kavanaugh, who has been accused of sexual assault and misconduct by three women since his nomination to the Supreme Court. [New York Times, 10/2/18]

**Dr. Christine Blasey Ford, who said Kavanaugh attempted to rape her at a party in high school.** Dr. Blasey Ford testified about her traumatic experience with Kavanaugh and Mark Judge in front of the Senate Judiciary Committee and requested that the FBI investigate her story. [New York Times, 10/2/18] The Huffington Post, 10/2/18]

Julie Swetnick, who wrote a sworn affidavit describing Kavanaugh and Mark Judge's involvement at parties where women, including herself, were gang raped. Swetnick was the third woman to come forward with sexual assault allegations against Kavanaugh. She described witnessing Kavanaugh engage in behavior to disorient girls so they could be gang raped. [New York Times, 10/2/18; New York Times, 9/26/18]gm

#### People Who Have Offered Corroborating Stories

Russell Ford, Dr. Blasey Ford's husband, whom she previously told about Kavanaugh's sexual assault. Ford provided a sworn declaration that Dr. Blasey Ford named Kavanaugh as her attacker during a joint therapy session in 2012. [New York Times, 10/2/18; Office of Senator Dianne Feinstein, 10/1/18, via Politico]

**Dr. Blasy Ford's therapists.** Dr. Blasey Ford told her marriage therapist about her assault, and her husband provided sworn testimony that she named Kavanaugh as her attacker in a 2012 session. Dr. Blasey Ford also told a therapist about the attack during an individual session in 2013. [Office of Senator Dianne Feinstein, 10/1/18, via Politico; Washington Post, 9/16/18]

Jeremiah P. Hanafin, who conducted Dr. Blasey Ford's polygraph test about her experience with Kavanaugh. Hanafin is a former FBI special agent. [New York Times, 10/2/18; Office of Senator Dianne Feinstein, 10/1/18]



The two people whom Swetnick told about her experience. In her sworn declaration Swetnick mentioned telling at least two people. [Office of Senator Dianne Feinstein, 10/1/18]

**Elizabeth Rasor, who dated Mark Judge in college.** Rasor recalled that Judge told her about taking turns with other boys having sex with an inebriated woman. Rasor first told her story to the New Yorker and publicly offered to speak to the FBI about her knowledge. [Washington Post, 9/26/18; New York Times, 10/2/18]

The 1983 graduate of a Washington-area high school who signed a sworn statement that she knew of "many instances" during house parties "where Brett and Mark would drink excessively and be overly aggressive and verbally abusive toward girls. This included inappropriate physical contact with girls of a sexual nature" She stated that she, "witnessed firsthand Brett Kavanaugh, together with others 'spike' the 'punch' at house parties [she] attended with Quaaludes and/or grain alcohol...for the purpose of making girls more likely to engage in sexual acts and less likely to say 'No.'" She also stated that she is "aware of other inappropriate conduct by Brett Kavanaugh." Her statement was released on Twitter on the morning of October 3, 2018 by lawyer Michael Avenatti. [Twitter, 10/3/18]

Including Dr. Blasey Ford's three confidants:

Adela Gildo-Mazzon, a close friend whom Dr. Blasey Ford previously told about the assault. Gildo-Mazzon swore in a declaration under penalty of perjury that Dr. Blasey Ford told her in 2013 that she "she had been almost raped by someone who was now a federal judge." [New York Times, 10/2/18; Washington Post, 9/26/18; Office of Senator Dianne Feinstein, 10/1/18; Office of Senator Dianne Feinstein, 10/1/18, via Politico]

**Keith Koegler, a friend whom Dr. Blasey Ford told in 2016 about the assault**. Koegler, a Palo Alto attorney, swore in a declaration under penalty of perjury that Dr. Blasey Ford first told him about her assault experience in 2016 and that she confirmed her attacker was Brett Kavanaugh in late June 2018, in emails that Koegler still has. [New York Times, 10/2/18; Washington Post, 9/26/18; Office of Senator Dianne Feinstein, 10/1/18, via Politico]

Rebecca White and Dr. Blasey Ford told each other of their experiences with sexual assault in 2017. White swore in a declaration under penalty of perjury that Dr. Blasey Ford told her of her attack in 2017 and said that her attacker had become a federal judge. [New York Times, 10/2/18; Washington Post, 9/26/18; Office of Senator Dianne Feinstein, 10/1/18, via Politico]

And others involved in Dr. Blasey Ford's reporting of the allegation

The staffer for Congresswoman Anna Eshoo, whom Dr. Blasey Ford called before Kavanaugh's nomination. [Office of Senator Dianne Feinstein, 10/1/18, via Politico; USA Today, 9/26/18]

Emma Brown, The Washington Post reporter Dr. Blasey Ford spoke with before Kavanaugh's nomination. Dr. Blasy Ford talked to a Washington Post reporter through WhatsApp on July 6th and July 10th, 2018, after she left her allegation with the Washington Post tip line. [Office of Senator Dianne Feinstein, 10/1/18, via Politico; Washington Post, 9/27/18; Washington Post, accessed 10/2/18]



The High School Classmates And Friends Of Kavanaugh And Dr. Blasey Ford

Thomas Kane, a close friend of Kavanaugh's who attended Georgetown Prep and was mentioned on Kavanaugh's calendar as attending a small party on July 1st, 1982. Kane has mentioned that he knew Ford while at Georgetown Prep. Kavanaugh testified that Kane was present at the July 1st event mentioned on his calendar, which included several of the witnesses Dr. Blasey Ford named in her testimony. [New York Times, 10/2/18; Washington Post, 9/28/18; Office of Senator Dianne Feinstein, 10/1/18; Washington Post, 9/28/18]

Bernie McCarthy, a Georgetown Prep student mentioned on Kavanaugh's calendar as attending the July 1st event. [New York Times, 10/2/18; Washington Post; 9/28/18, Office of Senator Dianne Feinstein, 10/1/18]

Sean Hagan, who attended Georgetown Prep with Kavanaugh and wrote on Facebook questioning Kavanaugh's "integrity" and "honesty" after the hearing. Hagan also contradicted Kavanaugh's explanation of the "Renate Alumni" reference in the 1983 Georgetown Prep yearbook in an interview with the New York Times. Hagan described Kavanaugh and his friends' treatment of Renate Dolphin: "They were very disrespectful, at least verbally, with Renate... I can't express how disgusted I am with them, then and now." [New York Times, 10/2/18; GQ, 10/1/18; Office of Senator Dianne Feinstein, 10/1/18; The Washington Post, 9/25/18, The New York Times, 9/25/18]

Renate Dolphin, a female student who knew Kavanaugh during high school; Kavanaugh and his friends mocked Renate without her knowledge by referring to themselves as "Renate Alumni" in their Georgetown Prep yearbook. Dolphin said, "I learned about these yearbook pages only a few days ago... I don't know what 'Renate Alumnus' actually means. I can't begin to comprehend what goes through the minds of 17-year-old boys who write such things, but the insinuation is horrible, hurtful and simply untrue. I pray their daughters are never treated this way." Kavanaugh claimed he kissed Dolphin in high school, which she denied. [Washington Post, 9/25/18]

**65** women who reportedly knew Kavanaugh in high school submitted a letter to the Senate Judiciary Committee vouching for his character; some later withdrew their support. Renate Dolphin was one of the women who withdrew her support. Five women would not give a comment to Politico when asked about the letter following Dr. Blasey Ford's accusations and "dozens of others" did not respond to Politico's questioning or Politico could not reach them. [New York Times, 10/2/18; Politico, 9/17/18]

A woman who contacted Dr. Blasey Ford's lawyers saying she had witnessed Georgetown Prep students engage in sexual misconduct at parties. The woman did not want to reveal her name publicly due to the political repercussions. [Office of Senator Dianne Feinstein, 10/1/18]

**Don Urgo Jr., a close friend of Kavanaugh's from Georgetown Prep.** Urgo said Kavanaugh's group of friends was "literally almost like brothers" and that they shared a "particular esprit de corps, a zest for life, as a group." Urgo and Kavanaugh had reportedly been friends since elementary school, and remained



close later in life, attending Nationals games together. He was also mentioned as a member of the "Keg City Club" in Georgetown Prep's 1983 yearbook. [New York Times, 10/2/18; Medium, 9/30/18]

**DeLancey Davis, another close friend of Kavanaugh's from Georgetown Prep.** Davis was a football player at Georgetown Prep who frequently drove Kavanaugh to school. He was also reportedly a member of the "Keg City Club." [New York Times, 10/2/18; Medium, 9/30/18]

**Sean Feeley, a Georgetown Prep classmate and member of the "Keg City Club."** Feely is mentioned on Kavanaugh's 1982 calendar; on June 5th, Kavanaugh wrote "Sean Feely drives" to "Beach Week." [Medium, 9/30/18; Vox, 9/26/18]

Tobin Finizio, a Georgetown Prep classmate of Kavanaugh's who commented on the "crazy" culture of underage drinking. [New York Times, 10/2/18]

Richard Holtz, a friend of Kavanaugh and Judge's from Georgetown Prep. [New York Times, 10/2/18]

Philip Merkle, a Georgetown Prep classmate and member of the "Keg City Club." [Medium, 9/30/18]

Mike Bidwill, a Georgetown Prep classmate and member of the "Keg City Club." [Medium, 9/30/18]

Juan Carlos del Real, a Georgetown Prep classmate and member of the "Keg City Club." [Medium, 9/30/18]

The faculty adviser who oversaw the creation of Georgetown Prep's 1983 yearbook. He had reportedly been "wondering whether he will hear from the F.B.I." [New York Times, 10/2/18]

#### The Yale Classmates of Kavanaugh and Ramirez

**Dr. Elizabeth Swisher, who attended Yale with Kavanaugh and believed Kavanaugh lied about his drinking habits to the Senate Judiciary Committee.** Swisher recalled Kavanaugh's heavy drinking during college. [The Daily Beast, 9/26/18; New York Times, 10/2/18; Office of Senator Dianne Feinstein, 10/1/18]

Lynne Brookes, Deborah Ramirez's roommate and Kavanaugh's classmate at Yale, who also believed Kavanaugh lied about his drinking habits and college behavior. [New York Times, 10/2/18; Washington Post, 9/25/18; Office of Senator Dianne Feinstein, 10/1/18]

James Roche, Kavanaugh's freshman year roommate at Yale, who released a public statement describing Kavanaugh as "aggressive and belligerent" when drunk. Roche recalled Kavanaugh drinking heavily in college. Roche also described his friend Deborah Ramirez as "unusually honest." Roche said, "I cannot imagine her [Deborah] making this up. Based on my time with Brett, I believe that he and his social circle were capable of the actions that Debbie described." [ABC News 7, 9/24/18; New York Times, 10/2/18; Office of Senator Dianne Feinstein, 10/1/18]



Charles "Chad" Ludington, Kavanaugh's classmate at Yale, who stated his firm belief that Kavanaugh lied under oath. Ludington recalled Kavanaugh as a "belligerent and aggressive" drunk and said of Kavanaugh, "There were certainly many times when he could not remember what was going on." Ludington stated, "I can unequivocally say that in denying the possibility that he ever blacked out from drinking, and in downplaying the degree and frequency of his drinking, Brett has not told the truth." [New York Times, <u>10/2/18</u>; New York Times, <u>9/30/18</u>]

**Daniel Lavan, a Yale classmate, who recalled Kavanaugh as out-of-control drunk.** Lavan described seeing Kavanaugh "on multiple occasions stumbling drunk where he could not have rational control over his actions or clear recollection of them." [New York Times, 10/2/18]

**Kit Winter, Kavanaugh's other freshman year roommate, who also described Kavanaugh's heavy drinking.** Winter said Kavanaugh and his friends were ""loud, obnoxious frat boy-like drunks" and that "there was a lot of vomit in the bathroom... no one ever cleaned it up. It was disgusting. It wasn't incidental. It wasn't, 'Oh, this weekend someone puked in the bathroom.' People were constantly puking in the bathroom. Constantly." Winter had also described experiencing harassment and hostility within their shared room, and mentioned that, at the time, Yale was a sometimes hostile environment to gay men like him. [The Cut, 9/26/18]

Lori Adams, a friend of Winter's from Yale, who affirmed Winter's experience of living with a drunk roommate who often threw up in the bathroom. [The Cut, 9/26/18]

Richard Oh, a Yale classmate of Kavanaugh and Ramirez, who recalled hearing of a story similar to Martinez's. Oh told the New Yorker he heard a female student describe a similar incident of a male student exposing himself at a party soon after Ramirez's encounter with Kavanaugh. [New York Times, 10/2/18; Office of Senator Dianne Feinstein, 10/1/18]

Mark Krasberg, a Yale classmate of Kavanaugh and Ramirez, who had conversations with other Yale alumni about Kavanaugh's college behavior, including behavior toward Ramirez. Krasberg reported that Yale alumni began discussing Kavanaugh's behavior in college after his nomination to the Supreme Court. Krasberg received an email in September from a classmate who hinted at Ramirez's allegation and said it "would qualify as a sexual assault if it's true." [New Yorker, 9/23/18; New York Times, 10/2/18; Office of Senator Dianne Feinstein, 10/1/18]

Dan Murphy and two other Yale alumni who denied involvement in Kavanaugh's assault on Ramirez. Ramirez recalled that Murphy and several other men were involved in the incident. Murphy, one of the other men, and the wife of a third man provided a statement to the New Yorker denying knowledge of the incident. The woman who signed the letter claimed Ramirez's was her best friend in college, though they had not spoken for ten years. Murphy lived with Kavanaugh at Yale and also discussed Kavanaugh's drinking habits publicly since the hearing. [The New Yorker, 9/23/18; New York Times, 10/2/18; The Daily Mail, 10/1/18]

Louisa Garry, a Yale classmate who testified on behalf of Kavanaugh at his first hearing but withdrew her support following Ramirez's allegation. Garry initially signed a letter refuting Ramirez's



claim before the New Yorker article came out; following its publication, Garry withdrew her support from that letter, saying, "I never saw or heard anything like this. But I cannot dispute Ramirez's allegations, as I was not present." Garry did not "wish to dispute Ramirez's claim." Garry testified in support of Kavanaugh at his Senate Judiciary Hearing and starred in a Judicial Crisis Network ad promoting Kavanaugh's confirmation. [The Cut, 9/24/18; Testimony of Louisa Garry, 9/3/18, via Senate Judiciary Committee; Twitter.com, 9/18/18]

Dino Ewing, a Yale classmate who withdrew his statement denying Ramirez's allegations after her story became public. Ewing signed a letter refuting Ramirez's claim before the New Yorker article came out; following its publication, Ewing withdrew his support from that letter. He said, "I also was not present and therefore am not in a position to directly dispute Ramirez's account." Ewing did not "wish to dispute Ramirez's claim." [The Cut, 9/24/18]

Chris Dudley, another Yale classmate and friend of Kavanaugh's. [New York Times, 10/2/18]

Chris Munnelly, a younger Yale classmate of Kavanaugh's. [New York Times, 10/2/18]

Kerry Berchem, a Yale classmate of Kavanaugh and Ramirez, who tried to provide the FBI information on Kavanaugh's knowledge of Ramirez's allegation. Berchem texted with another friend of Kavanaugh's about Ramirez's allegation before the New Yorker reported on it and believes Kavanaugh "anticipated" the accusation as early as July 2018. [New York Times, 10/2/18; NBC News, 10/1/18]

Karen Yarasavage and David Genda, Yale classmates whom Kavanaugh to refute Ramirez's claim before it was public. Yarasavage texted Berchem that Kavanaugh made this request before the New Yorker published Ramirez's story. Genda was one of Kavanaugh's closest friends at Yale. Both Kavanaugh and Martinez were in Genda and Yarasavage's wedding party in 1997. [NBC News, 10/1/18; NBC News, 10/3/18]

Kathleen Charlton, a Yale classmate of Kavanaugh and Ramirez, who tried to provide the FBI information about Kavanaugh's previous knowledge of Ramirez's allegation. Charlton reported that Kavanaugh contacted Yale classmates about denying Ramirez's claim before the New Yorker reported on it, and that she had reached out to the FBI with this information but had not been interviewed. [New York Times, 10/2/18]

**Tracy Harmon, a close friend of Ramirez's at Yale**. Multiple sources have said the FBI should interview her, as she often attended social events with Ramirez. [NBC News, <u>10/3/18</u>]

**David White, a close friend at Kavanaugh's at Yale**. Sources believed White may have been the man who yelled about Kavanaugh exposing himself to Ramirez after the incident. [NBC News, 10/3/18]

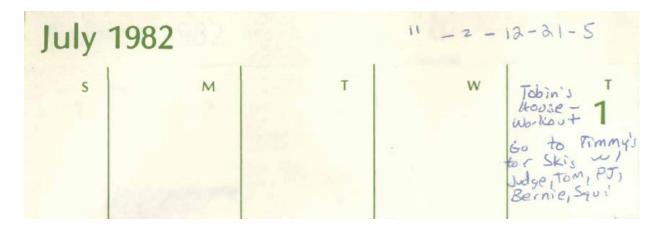
#### Other Key Evidence For Consideration

The Potomac Village Safeway's employment records. Dr. Blasey Ford recalled seeing Mark Judge working at Safeway six to eight weeks after he witnessed Kavanaugh attempting to rape her. When asked about the exact date of the assault, Dr. Blasey Ford said, "If I knew when Mark Judge worked at the



Potomac Safeway, I could be more helpful in that way." Judge himself has written about working at the Safeway. [Office of Senator Dianne Feinstein, <u>10/1/18</u>; Huffington Post, <u>9/27/18</u>; The New York Times, <u>10/1/18</u>; Office of Senator Dianne Feinstein, <u>10/1/18</u>, via Politico]

**Kavanaugh's 1982 calendar.** Kavanaugh released his personal calendar from May to August 1982. On July 1, 1982 Kavanaugh wrote: "Go to Timmy's for skis with Judge, Tom, P.J., Bernie and Squi." The Washington Post wrote that what happened that night "could be one of the key questions facing the FBI as it reopens its background investigation into the Supreme Court nominee." Dr. Blasey Ford reported that Kavanaugh, Mark Judge, P.J. Smyth, and at least one other boy whose name she did not remember were present at the party where Kavanaugh assaulted her. [Twitter, 9/28/18; Washington Post, 9/28/18; Office of Senator Dianne Feinstein, 10/1/18, via Politico; The New York Times, 10/1/18]

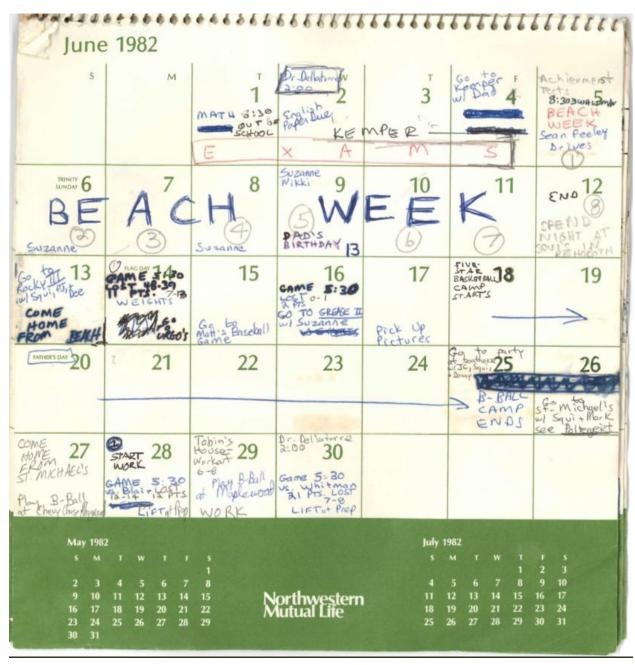


[Twitter, <u>9/27/18</u>; NBC News, <u>9/26/18</u>]



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[Twitter.com, <u>9/26/18</u>]

A New Haven police report On Kavanaugh's bar fight. "According to the New York Times, a police report alleges that Kavanaugh was involved in an altercation at a New Haven, Conn., bar in which he was accused of throwing ice on another patron. Charles Ludington, a friend of Kavanaugh's at Yale, described the incident to The Post, alleging that Kavanaugh threw a drink in a man's face, and that sparked a melee. The Times reported there was no indication charges were filed. Ludington said he had been in contact with the FBI about the incident." [The Washington Post, 10/1/18]



Kavanaugh's own past public discussion of his heavy drinking habits. The Washington Post wrote, "Years before his Supreme Court nomination, Kavanaugh acknowledged heavy drinking in a 2014 speech to the Yale Federalist Society. He recalled organizing a boozy trip for 30 of his Yale Law classmates to Boston for a baseball game and a night of barhopping, complete with "group chugs from a keg" and a return to campus by "falling out of the bus onto the steps of Yale Law School at about 4:45 a.m."...According to his scripted remarks, he said: "Fortunately for all of us, we had a motto. What happens on the bus stays on the bus." [Washington Post, 9/25/18]

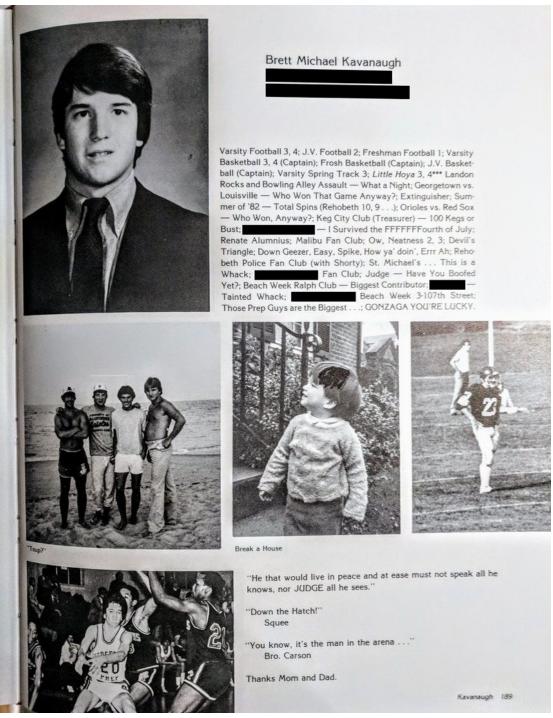
Mark Judge's books describing his high school experiences and the culture at Georgetown Prep. Judge wrote the books *God and Man at Georgetown Prep* and *Wasted: Tales of a GenX Drunk*. The Intercept outlined how Judge's books could help explain terms on Kavanaugh's yearbook page, such as the "100 keg club," and noted that the books provide "a large amount of information about the booze-drenched life of male students at Georgetown Prep and their sexist attitudes toward women." *Wasted* states that it was "based on actual experiences" with names and details changed for privacy concerns. [Twitter, 9/30/18; The Intercept, 9/24/18; The Intercept, 9/22/18; Twitter, 9/27/18, The Intercept, 9/17/18]

The 1983 Georgetown Prep yearbook's mentions of "Renate Alumnius." The New York Times reported that Kavanaugh's high school yearbook entry referred to him as a "Renate Alumnius" and that other entries in the yearbook also included that phrase, which referred to "unsubstantiated boasting about their conquests" involving a girl from another school. Kavanaugh claimed he kissed Dolphin in high school, which Renate denied. [Washington Post, 9/25/18, The New York Times, 9/25/18]

The 1983 Georgetown Prep yearbook's possible mentions of spiking drinks with drugs. The 1983 Georgetown Prep yearbook pages for Phil Merkle and Don Urgo both mention "Killer Qs and 151," likely a quaaludes-Bacardi 151 cocktail. Julie Swetnick mentioned Kavanaugh and other boys spiking girls' drinks in order to rape them. [Medium, 9/30/18, Politico, 9/26/18]

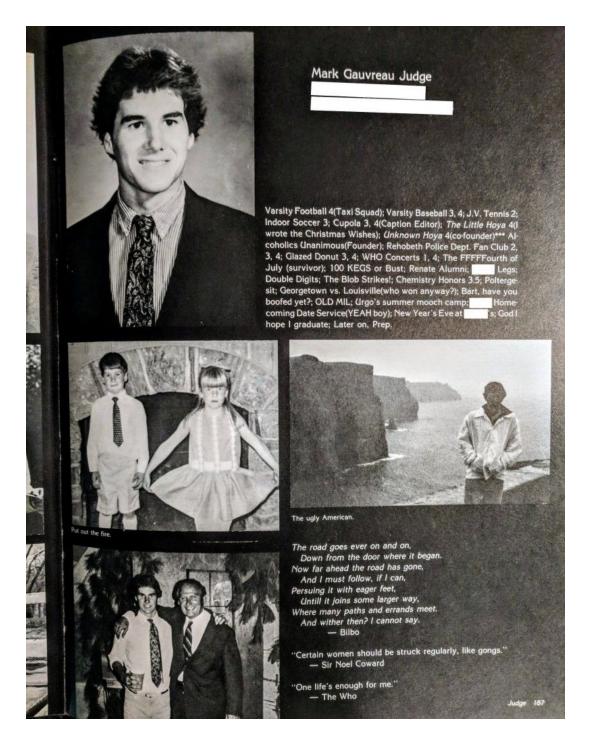
Kavanaugh and Mark Judge's Georgetown Prep yearbook pages. "On their respective senior pages in the 1983 Georgetown Prep yearbook, Kavanaugh and Judge make several references relevant to the accusations against Kavanaugh. They were on the football team together, and both reference "100 kegs," which Judge in *Wasted* described as the target for the senior class's drinking total. Other references are more cryptic. Each asks the other the same question — "Have you boofed yet?" — and each reference surviving "FFFFFFFourth of July" or "FFFFFourth of July" (a different number of Fs in each). And both refer on their pages to not knowing the final result of the same basketball game, in the context of apparently being too inebriated to recall; as Kavanaugh wrote on his page, "Georgetown vs. Louisville — Who Won That Game Anyway?" [The Intercept, 9/25/18; The New York Times, 10/2/18]





[The Intercept, <u>9/17/18</u>]



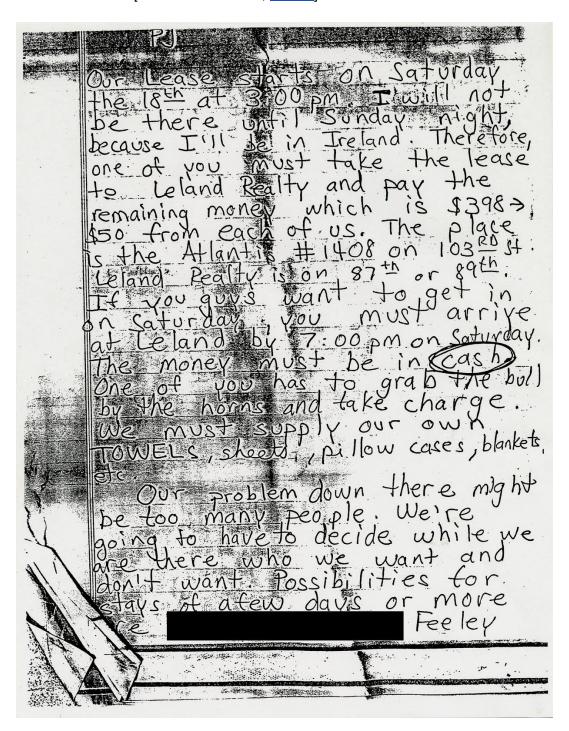


[The Intercept, 9/25/18]

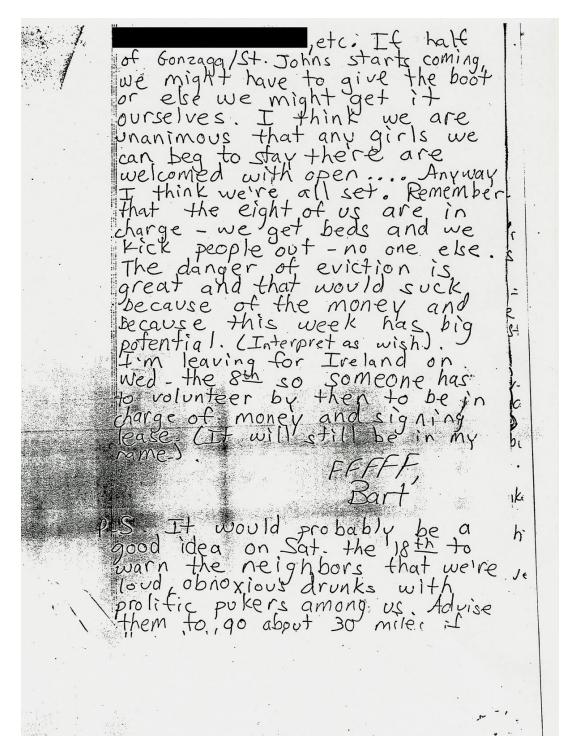
**Kavanaugh's Beach Week letter.** Kavanaugh wrote a letter to his friends in 1983 regarding the logistics of their Beach Week trip. He asked someone to "warn the neighbors that we're loud, obnoxious drunks



with prolific pukers among us. Advise them to go about 30 miles..." He also wrote, "I think we are unanimous that any girls we can beg to stay there are welcomed with open...." Kavanaugh's high school nickname was Bart. [The New York Times, 10/2/18]







[The New York Times, 10/2/18]

Misogynistic Georgetown Prep writings by Mark Judge and other students. Judge and two other Georgetown Prep students "wrote an underground student newspaper, The Unknown Hoya, which documented the scene" of heavy drinking and sexism at the school. They published a piece about Dr. Blasey Ford's school, Holton-Arms, calling it "home of the most worthless excuses for human females." [New York Times, 10/2/18]



#### The Truth About Holton

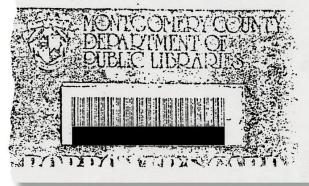
What is Holton Arms? Is it a training academy for The Rainbow Inn? Quite possibly, but let us investigate further. We do know that Holton is the home of the most worthless excuse for an underground newspaper. In fact, it is also the home of the most worthless excuses for human females.

females.

If you will care to look below, you will see all it takes to have a good time with any H.H. (Holton Hosebag). Just ask one of their leading ladies,

"Sure, "says ","A library card is all it takes."

Sorry, Holton, we may spank our monkeys, but we've seen what evil effects you have on the male population.



[New York Times, 10/2/18]



### Alongside The Sexual Assault Investigation, There Is Also Significant Evidence That Demonstrates A Pattern Of Lies And Other Dishonest Statements By Kavanaugh

**Kavanaugh lied under oath about when he knew about Deborah Ramirez's sexual assault allegation.** While under oath, Kavanaugh told the Senate Judiciary Committee that he first heard Deborah Ramirez's sexual assault allegation when a story was published in the New Yorker on September 23. Newly released text messages prove that Kavanaugh was pushing people to defend him and refute the Ramirez allegations before the story even broke. [NBC News, 10/1/18]

Kavanaugh has misled the public about his drinking habits and references made in his 1983 yearbook. The Intercept reported that Kavanaugh has "insinuated that he was of drinking age during the summer of 1982 because, back then, in Maryland, 18-year-olds could legally imbibe." Kavanaugh testified that drinking was "legal for seniors," but as the Intercept noted "it was decidedly illegal for him — a rising senior who wouldn't turn 18 until the following year." As Esquire pointed out, that Kavanaugh also may have misled about the meaning of terms like "boofing" and 'Devil's Triangle," and other things. Despite these glaring inconsistencies, The Washington Post reported that, "The FBI will not, for example, conduct an unfettered review of Kavanaugh's youthful drinking or examine statements Kavanaugh made about his alcohol consumption during a Senate Judiciary Committee hearing to see if those answers were accurate or misleading, the people familiar with the matter said." [The Washington Post, 10/1/18; The Intercept, 9/29/18; Esquire, 9/28/18]

Kavanaugh may have lied under oath about his knowledge of sexual misconduct by Judge Alex Kozinski, Kavanaugh's former mentor and friend. There was, allegedly, an email list called the "Easy Rider Gag List" where Kozinski sent sexual and explicit jokes. Kavanaugh was asked "Has Judge Kozinski ever made comments about sexual matters to you either in jest or otherwise? And Kavanaugh said "I do not remember any such comments." However, a former clerk says "having clerked in his chambers I do not know how it would be possible to forget something as pervasive as Kozinski's famously sexual sense of humor or his gag list." Cyrus Sanai, the California attorney who initially raised concerns about Judge Alex Kozinski's sexual misconduct contacted the Senate Judiciary Committee on July 24, 2018 claiming to have key information about Kavanaugh's relationship with Kozinski. He said that witnesses could refute Kavanaugh's claim that he was ignorant of Kozinski's misconduct. According to the Intercept, Sanai told the committee leadership that "there are persons who work for, or who have worked for, the federal judiciary who have important stories to tell about disgraced former Chief Judge Alex Kozinski, and his mentee, current United States Supreme Court nominee Brett Kavanaugh. I know that there are people who wish to speak out but fear retaliation because I have been contacted by more than a half-dozen such persons since Judge Kozinski resigned in disgrace." Sanai said that the Judiciary Committee should "subpoena all intra Court emails and messages between Kavanaugh and Kozinski and all emails to and from Kozinski with links to his website." The Intercept separately noted Kavanaugh's cozy relationship with Kosinski pointing to a Federalist Society panel discussion featuring both Kozinski and Kavanaugh, during which, Kavanaugh praised Kozinski's 1991 article, "Confessions of a Bad Apple." At the panel, Kozinski completed the sentence "being a judge means blank," by saying "Never having to



say you're sorry." [The Intercept, <u>9/17/18</u>; Congressional Records, <u>5/9/06</u>; Slate, <u>9/14/18</u>; The Intercept, <u>9/26/18</u>

Kavanaugh lied under oath to Sen. Kennedy in 2004 about his work on the Pryor nomination. During Kavanaugh's 2004 confirmation hearing, Sen. Ted Kennedy asked him about his work in the Bush White House on the judicial nomination of anti-abortion, anti-LGBTQ judge William Pryor. Kavanaugh responded, "I am familiar generally with Mr. Pryor, but that was not one that I worked on personally." Yet released emails show that statement to be unambiguously false—Kavanaugh was involved in selecting Pryor, interviewing him, and working to confirm him. [Washington Post, 9/6/18; Washington Post, 9/6/18]

Kavanaugh lied under oath to Sen. Leahy in 2006 about his work on warrantless wiretapping. During his 2006 confirmation hearing, Kavanaugh told Sen. Leahy that he was not involved in the President Bush's "warrantless wiretapping program" and did not know of its existence until the program was publicly reported by the New York Times in 2005. Yet the Times reported that in a now-public 2001 email Kavanaugh wrote to John Yoo, who was then a Justice Department lawyer, Kavanaugh asked about the Fourth Amendment implications of "random/constant surveillance of phone and email conversations of non-citizens who are in the United States when the purpose of the surveillance is to prevent terrorist/criminal violence." [The Atlantic, 8/17/18; New York Times, 9/5/18]

Kavanaugh lied under oath to Sen. Durbin in 2006 about his involvement in policies regarding the detention of combatants. During his 2006 confirmation hearing, Kavanaugh told Sen. Durbin, "I was not involved and am not involved in the questions about the rules governing detention of combatants." There are now at least three recorded examples of Kavanaugh participating in discussions of Bush administration detainee policy. [NBC News, 7/16/18; The Office of Senator Dick Durbin, 9/11/18]

Kavanaugh lied under oath to multiple senators in multiple hearings about receiving and using emails and memos stolen from Democratic senators. During his 2004 and 2006 confirmation hearings, Kavanaugh answered more than 100 questions about Democratic emails and communications stolen by Republican Judiciary Committee staffer Manuel Miranda. For example, Sen. Hatch asked, "Did Mr. Miranda ever share, reference, or provide you with information that you believed or were led to believe was obtained or derived from Democratic files?" Kavanaugh answered, "No." Newly released emails show Kavanaugh did receive such information and should have known that it was improperly obtained. [Time, 9/17/18; Washington Post, 9/7/18]

Kavanaugh lied under oath about his involvement in the nomination of controversial nominee Charles Pickering. During his 2006 confirmation hearing, Kavanaugh downplayed his role in the nomination of Charles Pickering, but newly released emails deeply undercut those assertions. [Time, 9/17/18; Politico, 9/12/18; Washington Post, 9/7/18]

Kavanaugh misled the committee under oath about his desire overturn *Roe v. Wade*, criminalize abortion and punish women. An email hidden by Republicans and revealed by the New York Times showed that Brett Kavanaugh has been hiding his true beliefs and would vote to end *Roe v. Wade*. The 2003 email includes rock solid evidence that everything Brett Kavanaugh said in front of the Senate Judiciary Committee about "settled law" and precedent was nothing but a show to mislead the Senate and American people. [The Hill, 9/6/18; CNBC, 9/6/18]



Kavanaugh lied under oath about disclosing grand jury information in the Ken Starr investigation.

In questions for the record, Kavanaugh denied sharing "information learned through grand jury proceedings" in the Kenneth Starr investigation. However, according to a memo from the National Archives, Kavanaugh told Hickman Ewing, a colleague and deputy independent counsel in the Starr investigation, to illegally call a journalist about matters before a grand jury. [Politico, 9/26/18]