

EXHIBIT 1



FEDERAL BUREAU OF INVESTIGATION

Date of entry 03/06/2024

On March 6, 2024 Federal Bureau of Investigation (FBI) Washington Field Office (WFO) Special Agent (SA) [REDACTED] **FBI 29** and SA [REDACTED] **FBI 9** participated in an interview of Gary STERN, General Counsel for the National Archives and Records Administration (NARA). Present for the interview was Assistant Special Counsel (ASC) David Harbach. The interview took place over the telephone with SA [REDACTED] **FBI 29**, SA [REDACTED] **FBI 9**, and ASC Harbach calling from the Special Counsel's Office, and STERN from his office at NARA. After being advised of the identities of the FBI and Special Counsel personnel, and the purpose of the interview, STERN provided the following information:

[**AGENT NOTE:** STERN was emailed a copy of Exhibit 1 by ASC Harbach prior to the interview.]

When asked about his email with the subject of "Draft Letter to AG re Missing Trump Records," specifically the statement, "Also, I have now informally reached out to DOJ counsel about this," STERN stated he did not specifically recall whom at DOJ he was referencing, but that only two offices made sense. The first and most likely was the Federal Programs Branch, and the person STERN most likely contacted was [REDACTED]. If it was not the Federal Programs Branch, the only other DOJ office it could have possibly been was the Office of Legal Counsel (OLC).

STERN stated the timeframe when this email was sent was one in which NARA was actively working with Former President of the United States (FPOTUS) Donald TRUMP's designated Presidential Records Act (PRA) Representatives about missing records from FPOTUS' administration. STERN was in touch with FPOTUS' PRA Representative [REDACTED] **Per. 38** about the missing records. STERN's reference to informally reaching out to DOJ was in response to STERN's boss, the Archivist, stating, "if nothing happens here we'll have to refer to DOJ." This was an effort to affect assistance from DOJ to pursue civil enforcement of the PRA in response to the unauthorized removal of Presidential Records.

When asked whether there was any chance the person he reached out to at DOJ was in the Criminal Division or was a criminal prosecutor, STERN stated,

Investigation on 03/06/2024 at Washington, District Of Columbia, United States (Phone)
 File # [REDACTED]-302, 3770-WF-3560824-UNCLASS_302 Date drafted 03/06/2024
 by [REDACTED] **FBI 29, 9**

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[REDACTED]-302

Continuation of FD-302 of (U) Telephonic interview of Gary Stern , On 03/06/2024 , Page 2 of 2

"absolutely not."

At the conclusion of the interview, STERN did a quick search of his email account but was unable to find any confirmation it was [REDACTED] that STERN had contacted. STERN will check his other records in an attempt to confirm it was [REDACTED]

Original agent notes and a copy of the exhibit will be maintained in the attached 1A.

EXHIBIT 2

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

-----)
IN RE: *
* CASE NO. N/A
PVO 18 USC 793, 1519, 2071 *
-----)

Grand Jury 22-6

United States District Courthouse
333 Constitution Avenue, NW
Washington, DC 20001

Thursday, December 22, 2022


The testimony of TIMOTHY PARLATORE was taken in
the presence of a full quorum of the Grand Jury, commencing
at 9:20 a.m., before:

JULIE EDELSTEIN
Attorney, Department of Justice

BRETT REYNOLDS
Attorney, Department of Justice

ANNE McNAMARA
Assistant United States Attorney

Digitally reported by:

 Grand Jury Court Reporter

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1 A. Sure. And so generally speaking, you know, I
2 represent him, you know, related to, you know, various
3 matters, including, you know, DOJ probes, you know, January
4 6th probe, you know, this one, you know, some other, you
5 know, things. But I am primarily a criminal defense
6 attorney. I do do civil litigation as well. But I'm not a
7 political attorney, if that's what you're wondering. So I'm
8 not doing any election stuff.

9 Q. So we are not seeking today to elicit from you
10 privileged information.

11 A. Okay.

12 Q. But should you say that any information is
13 privileged, I will ask you what privilege and the basis for
14 the invocation.

15 A. Sure.

16 Q. Do you understand?

17 A. Absolutely.

18 Q. When did you become involved in this matter?

19 A. As to the compliance with the subpoena?

20 Q. So more broadly speaking with it, with the
21 investigation into the potential mishandling of classified
22 information at Mar-a-Lago and other locations?

23 A. In which capacity? And I apologize for asking.
24 The -- because it is kind of a weird situation --

25 Q. So let me --

1 something that's helpful, I can't.

2 Q. A couple questions --

3 A. It's privileged.

4 Q. -- on that.

5 WITNESS: Which is something that she knows.

6 If -- it's something that every --

7 BY MS. EDELSTEIN:

8 Q. Is there a limitation --

9 WITNESS: -- attorney --

10 BY MS. EDELSTEIN:

11 Q. -- on --

12 WITNESS: It's something that every attorney does
13 know.

14 Q. Is there a limitation that, for the communication
15 to be attorney/client privilege, it must for the purpose of
16 asking legal advice?

17 A. Any information obtained from a client is part of,
18 you know, legal advice or representation. Yes.

19 Q. And are you aware that a client can waive that?

20 A. I am aware that a client can waive that.

21 Q. And if the former President's so cooperative, why
22 hasn't he allowed you to share his conversations with the
23 Grand Jury today?

24 A. Are you -- are we really doing this?

25 Q. I'm -- I asked you a question.

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1 A. Are you --

2 Q. You must made a representation --

3 A. Well --

4 Q. -- about a conversation --

5 A. Hold on a second. Hold on.

6 Q. -- that occurred, and you said that the former
7 President --

8 A. Hold on.

9 Q. -- offered --

10 A. Are you saying --

11 Q. -- anything you want.

12 A. Are you saying that for --

13 Q. And I --

14 A. -- somebody to be cooperative, they're required to
15 waive their attorney/client privilege?

16 Q. I am absolutely not saying that. I'm just asking
17 you --

18 A. Okay.

19 Q. -- on this --

20 A. Because the --

21 Q. -- point --

22 A. -- the question you just asked seemed to indicate
23 that for somebody to be cooperative, they should waive their
24 attorney/client privilege, which is absolutely wrong --

25 Q. I'm not here to --

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1 A. -- for you to suggest.

2 Q. -- induce any waivers --

3 A. Right?

4 Q. -- of attorney/client privilege.

5 A. Do you understand --

6 Q. You just --

7 A. -- that that's not something that should be even
8 suggested --

9 Q. I understand --

10 MR. REYNOLDS: Sir, you're the witness today.

11 BY MS. EDELSTEIN:

12 Q. -- my legal obligations. You're the witness
13 today, and I've asked you a question --

14 A. Well, you -- but that's an --

15 Q. -- you made a representation --

16 A. -- improper question.

17 Q. -- to this Grand Jury about what was said at a
18 meeting. And I asked you the basis for that representation.

19 A. That's an improper question. You can't ask me
20 what the President said to me. You don't -- there's --

21 Q. Then who --

22 A. -- no --

23 Q. -- told you that?

24 A. There's no privilege waiver. There were other
25 people in the room.

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1 kept you a long day, so we really appreciate it.

2 MR. REYNOLDS: Thank you.

3 WITNESS: And thank you. And I apologize if some
4 of the answers were a little bit more convoluted just
5 because of the weird dynamic here, but I appreciate your
6 time. Thank you.

7 (Whereupon, the witness was excused at 3:22 p.m.
8 on December 22, 2022.)

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