

EXHIBIT 1



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Stanley Woodward, Jr

Stanley E. Woodward, Jr., Esq. has more than a decade of legal experience. As co-founder of Brand Woodward, Attorneys at Law, Mr. Woodward counsels companies and individuals alike responding to government and internal investigations as well as civil litigation. Mr. Woodward's experience includes domestic and international clients' representation of global compliance issues, including matters arising under the Foreign Corrupt Practices Act. Mr. Woodward's representations span a wide range of federal executive branch departments, commissions, and agencies. Mr. Woodward also has extensive experience representing companies in sensitive high-stakes employment litigation. In 2018, Mr. Woodward was awarded the D.C. Bar's Pro Bono Attorney of the Year Award for his representation of tenants in the District facing eviction.

Mr. Woodward earned his Bachelor of Arts degree, cum laude, from the American University and his Juris Doctor, cum laude, from the Catholic University of America Columbus School of Law, where he now serves as an Adjunct

Professor as well as the President of their Alumni Council. Mr. Woodward served as a law clerk to the Honorable Vanessa Ruiz on the D.C. Court of Appeals and the Honorable Joan Zeldon on the D.C. Superior Court.

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EXHIBIT 2

From: Howell Chambers [REDACTED]@dcd.uscourts.gov>
Sent: Tuesday, October 11, 2022 6:48 PM
To: Reynolds, Brett (NSD); [REDACTED]@brandwoodwardlaw.com; Howell Chambers; Teresa Gumiel
Cc: Edelstein, Julie (NSD); Bratt, Jay (NSD)
Subject: RE: Sealed GJ Filing - Government Response to Motion to Quash (In Re GJ Subpoena 63-13)

Good evening,

Please see the below Minute Order entered in Case No. 22-gj-41.

All best,
The Chambers of Chief Judge Howell

NOTE: This docket entry (or case) is SEALED. Do not allow it to be seen by unauthorized persons.

U.S. District Court

District of Columbia

Notice of Electronic Filing

The following transaction was entered on 10/11/2022 at 6:40 PM and filed on 10/11/2022

Case Name: GRAND JURY NO. 22-03 SUBPOENA 63-13 (SEPTEMBER 16, 2022)

Case Number: [1:22-gj-00041-BAH *SEALED*](#)

Filer:

Document Number: No document attached

Docket Text:

MINUTE ORDER (paperless) DENYING [REDACTED] Per. 24 [REDACTED]'s [2] Motion to Quash, which was filed after business hours on Friday, October 7, 2022, before a three-day holiday weekend, and **DIRECTING** Mr. [REDACTED] Per. 24 to appear before the scheduled grand jury session on October 13, 2022 in accordance with the two-week extension the government has already granted at his request. See [3-1] Gov't's Opp'n at Ex. A. Mr. [REDACTED] Per. 24 requests a delay of some unspecified time period in his testimony because his counsel, Stanley Woodward, will be engaged in the *United States v. Rhodes* trial, Case No. 22-cr-15, scheduled to last several weeks, with no promises as to when his counsel will have time available. Mr. [REDACTED] Per. 24 retained Mr. Woodward on the attorney's first day of jury selection in *Rhodes* when such circumstance made fully apparent that counsel would be unavailable during Mr. [REDACTED] Per. 24's scheduled grand jury testimony. In addition, the government has already demonstrated flexibility in meeting Mr. [REDACTED] Per. 24's scheduling needs, including granting him a two-week extension of the grand jury subpoena to find counsel and offering to schedule Mr. [REDACTED] Per. 24's testimony, with his retained counsel, during breaks in the *Rhodes* trial, including Friday afternoons or for informal interviews on weekends. See Gov't's Opp'n at 4. All such alternatives suggested by the government have been rejected.

Mr. Per. 24 supports his motion by reference to the First, Fifth, and Sixth Amendments. The First Amendment is of no help to this witness. The motion before the Court is a scheduling dispute: Mr. Per. 24 merely asks to stay the subpoena "pending the conclusion of his counsel's trial." See [2-1] Proposed Order. Mr. Per. 24 cites the entirely inapposite case *In re Investigation before April 1975 Grand Jury*, 531 F.2d 600, 604 (D.C. Cir. 1976), where the D.C. Circuit references the First Amendment in a case involving multiple journalists' freedom to associate to retain legal representation by one attorney. See [2] Motion to Quash at 4.

Mr. Per. 24 also asserts a claim under the Fifth Amendment, arguing that his counsel's presence is necessary to "assur[e] that he properly invoke[s] any applicable Fifth Amendment right against self-incrimination." [2] Motion to Quash at 4. To be sure, a grand jury "may not force a witness to answer questions in violation of [the Fifth Amendment's] constitutional guarantee against self-incrimination," *United States v. Calandra*, 414 U.S. 338, 346 (1974), but Mr. Per. 24 goes too far in asserting that this right would only be adequately protected if he is represented by the private counsel of his choice, who cannot be available for his scheduled testimony. While the Fifth Amendment right may serve to limit Mr. Per. 24's testimony, as "a grand jury witness... has an absolute duty to answer all questions, subject only to a valid Fifth Amendment claim," see, e.g., *U.S. v. Mandujano*, 425 U.S. 564, 579-81 (1976)--and, indeed, the Government does not contest that Mr. Per. 24 may invoke that right, see Gov't's Opp'n at 7--no authority supports the proposition that the Fifth Amendment also confers an absolute right to counsel for grand jury witnesses. Nor does Mr. Per. 24 identify any in his motion.

As to Mr. Per. 24's Sixth Amendment right to counsel, this Court does not doubt that Mr. Per. 24 is entitled to be represented by counsel of his choice in his testimony before the grand jury, even though he is neither a target nor a subject. See Gov't's Opp'n at 5. The Sixth Amendment right to counsel of choice, however, is not absolute. In the trial context, the Supreme Court has "recognized a trial court's wide latitude in balancing the right to counsel of choice against the needs of fairness," *United States v. Gonzalez-Lopez*, 548 U.S. 140, 151-52 (2006) (citations omitted), and thus "the right 'cannot be insisted upon in a manner that will obstruct an orderly procedure in courts of justice,'" *United States v. Burton*, 584 F.2d 485, 489 (D.C. Cir. 1978) (quoting *Lee v. United States*, 235 F.2d 219, 221 (D.C. Cir. 1956)). The same limitations on the Sixth Amendment right to counsel of choice apply in the grand jury context, assuming that a grand jury witness has the right to counsel under the Sixth Amendment at all. This grand jury proceeding must be given the highest priority as the investigation involves national security, and Mr. Per. 24 cannot delay the investigation by refusing to engage with the government's proposals to proceed expeditiously. In communications with the government, his current counsel indicated that he expects the *Rhodes* trial to conclude "as soon as possible" because his wife is expected to give birth October 23, 2022--potentially posing yet another reason up Mr. Per. 24's sleeve to delay the proceedings. Testifying before a grand jury is not a game of find-or-see-a-better-time or catch-me-if-you-can, and a witness cannot indefinitely delay a proceeding based on his counsel's convenience, particularly when that counsel is a member of a law firm with multiple lawyers, who may be made available to provide legal advice when one lawyer in the firm is unavailable.

MR. Per. 24 is DIRECTED to advise the Court by October 12, 2022 at 8:30 a.m. why no other lawyer at the same firm as his retained counsel or from some other firm is available to assist him during his scheduled testimony before the grand jury. Signed by Chief Judge Beryl A. Howell on October 11, 2022.

Counsel has been notified electronically.(lcbah1)

EXHIBIT 3

From: Reynolds, Brett (NSD)
Sent: Tuesday, October 25, 2022 7:27 PM
To: Stanley Woodward
Cc: Edelstein, Julie (NSD)
Subject: Re: [EXTERNAL] Re: Per. 24

Stanley,

Following up on our call earlier today, we have moved Mr. Per. 24's scheduled grand jury testimony to next Thursday, November 3, at 1:00 p.m.

And again, our sympathies on your accident and very best wishes for a good prognosis and prompt recovery.

Thanks,
Brett

Sent from my iPhone

On Oct 24, 2022, at 9:31 PM, Stanley Woodward [REDACTED]@brandwoodwardlaw.com> wrote:

Thanks Brett - but I won't know until Wednesday where things stand. Happy to touch base mid-day tomorrow. Call anytime.

Sent from my iPhone

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[REDACTED] (o)
[REDACTED] (m)
[REDACTED] (f)

On Oct 24, 2022, at 9:28 PM, Reynolds, Brett (NSD) [REDACTED]@usdoj.gov> wrote:

We've just filed the immunity application. That's terrible news about the complex fracture. Sorry to hear it.

I recognize that your additional tests are on Wednesday, but please let us know by mid-day tomorrow if this Thursday will work for Mr. Per. 24's appearance. Our preference is to go ahead this week rather than next, but if you know by tomorrow that Thursday is an absolute impossibility because of where things stand with you, we'll need to move some things around to get the appearance locked in for next week.

Thanks,

Brett

Brett C. Reynolds
Trial Attorney
Counterintelligence and Export Control Section
National Security Division, U.S. Department of Justice
Washington, D.C. 20530
[REDACTED] (office) / [REDACTED] (cell)

From: Stanley Woodward [REDACTED]@brandwoodwardlaw.com>
Sent: Monday, October 24, 2022 6:52 PM
To: Reynolds, Brett (NSD) [REDACTED]@usdoj.gov>
Cc: Edelstein, Julie (NSD) [REDACTED]@usdoj.gov>
Subject: [EXTERNAL] Re: Per. 24 [REDACTED]

Thanks Brett - not sure what you heard, but I have a complex fracture in my humerus. More tests on Wednesday morning to determine if surgery is necessary. At the moment I'm not able to put on a shirt so not sure where I'll be Thursday but I'll advise Mr. [REDACTED] Per. 24 of the grand jury's availability. It might be prudent to also book time next week. Also, any word on an immunity order.

Sent from my iPhone

Brand | Woodward
www.brandwoodwardlaw.com

[REDACTED] (o)
[REDACTED] (m)
[REDACTED] (f)

On Oct 24, 2022, at 6:23 PM, Reynolds, Brett (NSD)
[REDACTED]@usdoj.gov> wrote:

Stanley,

I heard through the grapevine about your injury. I'm sorry to hear it and wish you a speedy recovery.

We have secured time for Mr. [REDACTED] Per. 24's appearance before the grand jury at 1:00 p.m. this Thursday, the 27th. Please confirm when you can.

Brett

Brett C. Reynolds
Trial Attorney

Counterintelligence and Export Control Section
National Security Division, U.S. Department of Justice
Washington, D.C. 20530
[REDACTED] (office) / [REDACTED] (cell)