

September 13, 2023

Via Electronic Transmission

The Honorable Jim Jordan
Chairman, Committee on the Judiciary
U.S. House of Representatives

The Honorable Jerrold Nadler
Ranking Member, Committee on the Judiciary
U.S. House of Representatives

Dear Chairman Jordan and Ranking Member Nadler:

Yesterday the *Washington Post* published a story reportedly based on a transcript it obtained of the Committee's interview of Federal Bureau of Investigation (FBI) Special Agent in Charge Thomas J. Sobocinski.¹

Mr. Sobocinski was one of seven attendees in the October 7, 2022 meeting at the Delaware U.S. Attorney's Office, including U.S. Attorney David Weiss and top officials in the FBI's Baltimore Field Office and the Internal Revenue Service (IRS) Criminal Investigation's Washington, D.C. Field Office. The meeting was documented that same day by our client, IRS Supervisory Special Agent (SSA) Gary Shapley, in an email to his chain of command that has since been made public by the House Ways and Means Committee.²

According to the *Washington Post* story, Mr. Sobocinski reportedly failed to recall in his interview with Committee staff certain details of the meeting recorded in SSA Shapley's email. However, Mr. Sobocinski apparently acknowledged that he took no notes in the meeting, nor did he document it in any contemporaneous fashion afterwards. By contrast, SSA Shapley took notes *during the meeting*. These notes, combined with his fresh memory of the meeting, formed the basis for the email he sent later that day and corroborate his current recollection.

In addition to the September 11 protected disclosure of nine new documents to the House Committee on Ways and Means and the Senate Committee on Finance pursuant to § 6103(f)(5), we are today providing those committees an unredacted version of SSA Shapley's contemporaneous handwritten notes. In order for you to assess the truthfulness and reliability of Mr. Sobocinski's testimony, please find attached a version of the contemporaneous handwritten

¹ Jacqueline Alemany and Devlin Barrett, "Senior FBI agent disputes some whistleblowers' claims about Hunter Biden probe," *Washington Post* (Sep. 12, 2023), available at <https://www.washingtonpost.com/politics/2023/09/12/hunter-biden-fbi-transcript-weiss-sobocinski>.

² Transcribed Interview of Gary Shapley, U.S. House of Representatives Committee on Ways and Means, Exhibit 10.

notes that redacts information not previously released by the House Ways and Means Committee.

Cordially,

[/Tristan Leavitt/](#)
Tristan Leavitt
President
Empower Oversight

[/Mark D. Lytle/](#)
Mark D. Lytle
Partner
Nixon Peabody LLP

ATTACHMENT

cc: Chairman Jason Smith
House Committee on Ways & Means

Ranking Member Richard Neal
Ranking Member, House Committee on Ways & Means

Chairman Ron Wyden
Senate Committee on Finance

Ranking Member Mike Crapo
Senate Committee on Finance

Attachment

4/7 1115
Lyndea
Tom
Darrell
Gary
David Weiss
Shawn Wood
Sharon

+ Post said IRJ/FBI Agent
+ refer to DOJ OIG + TIGTA
- w/ Case - [REDACTED]
+ Weiss stated - He is not the deciding person [REDACTED]
+ Not going to change 14/115

- ① RSB reports the income - Archer pay taxes on a part of [REDACTED]
- ② [REDACTED]
- ③ 2015 - Archer pays some tax
- Sm also pays taxes on same income } confusion
- ④ [REDACTED]
+ [REDACTED]
+ [REDACTED]
- ⑤ May 2015 Bean dies
- ⑥ Venue - have to go to D.C. 14/11/16

17/18/19 - CA

Tax Process

+ If approved - Tax will grant discretion / not approve
+

USA^{CA} - Estate in charge of authorizing these changes in that jurisdiction
+ Weiss requested Special Counsel status in D.C.
+ Max DOT said "NO" - follow the process

+ If CA^{USA} says no

> WCBF will request approval to proceed in

CA

- CA decision not determinative