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May 9, 2018

VIA ECF

United States District Judge Kimba M. Wood
United States District Court for the Southern
District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007-1312

Re: *Michael D. Cohen v. United States of America*, 18-MJ-3161 (KMW)

Dear Judge Wood:

We represent plaintiff Michael D. Cohen (“Mr. Cohen”) in the above-referenced matter. We write in response to Mr. Michael Avenatti’s application to appear *pro hac vice* in this case. After the Court’s April 26, 2018 hearing, the Government asked that Ms. Clifford’s motion to intervene be held in abeyance, and we requested the right to file a response to Ms. Clifford’s motion. ECF 31. The Court subsequently granted the Government’s request to hold Ms. Clifford’s motion in abeyance pending discussions between the Government and Ms. Clifford’s counsel. ECF 35. We are not commenting today on Ms. Clifford’s motion to intervene. The Court has not issued an order with a briefing schedule for the motion to intervene or Mr. Avenatti’s *pro hac vice* application, but we now submit this opposition to Mr. Avenatti’s *pro hac vice* application for the following reasons: (1) yesterday Mr. Avenatti published numerous incorrect statements regarding Mr. Cohen while his *pro hac vice* motion is pending before the Court; (2) Mr. Avenatti is apparently in possession of and has published information from some of Mr. Cohen’s actual bank records, and Mr. Cohen is concerned that Mr. Avenatti has no lawful basis to possess those materials; and (3) Mr. Avenatti has made numerous incorrect statements to the public in an apparent attempt to prejudice and discredit Mr. Cohen on this matter for which he seeks admission.

1. Mr. Avenatti has published numerous incorrect statements regarding Mr. Cohen.

On May 8, 2018, Mr. Avenatti released what he characterized as a Preliminary Report of what he has titled “Project Sunlight.” *See* Ex. A. This document is concerning for a number of reasons, including the number of blatantly incorrect statements it contains. For example, Mr. Avenatti made a series of claims under the heading “Possible Fraudulent and Illegal Financial Transactions.” Perhaps the most interesting item on this list is Mr. Avenatti’s claim that the

Letter to United States District Judge Kimba Wood
May 9, 2018

Page 2

plaintiff Michael D. Cohen received a wire transfer from Actuarial Partners Consulting SDN BHD to an account in Toronto. Ex. A at 7. However, the Michael Cohen who apparently received this wire is a Canadian citizen who has conducted foreign aid work for Actuarial Partners in Tanzania – not the plaintiff Michael D. Cohen in this case. The Michael Cohen who was actually involved in this transaction has expressed grave concerns about the breach of his privacy by Mr. Avenatti’s apparently improper possession and publication of his personal bank records. See Ex. B (email from the Canadian Michael Cohen dated May 9, 2018). Mr. Avenatti also claimed that Mr. Cohen received a wire transfer from a Kenyan bank from Netanel Cohen and Stav Hayun to an account in Israel. In response to a media inquiry, Mr. Netanel Cohen has stated that the Michael Cohen who received this wire is his brother in Israel, not the plaintiff Michael D. Cohen in this case. See Ex. C, Chuck Ross, *Avenatti Accuses the Wrong Michael Cohens of Making “Fraudulent” Payments*, **The Daily Caller** (May 9, 2018), available at <http://dailycaller.com/2018/05/09/avenatti-michael-cohen-israel/>. Mr. Avenatti’s conduct in somehow obtaining random bank records and publishing them without proper concern for their accuracy is extremely troubling for the parties in this case, the Court, and the public.

- A. Singapore. Mr. Avenatti claims that Mr. Cohen cashed a check in Palm Beach County, Florida on July 14, 2016, from KCS Outsourcing Solutions Pte Ltd. (“KCS”). Ex. A at 7. This is incorrect. Mr. Cohen was not in Palm Beach, Florida on July 14, 2016. Further, he has no knowledge of KCS.
- B. Hungary. Mr. Avenatti claims that Mr. Cohen received two wire transfers from KOBE EVA KERESKEDELMI (“KOBE”) to an account in Singapore at DBS Bank. Again, this is incorrect. Mr. Cohen has no knowledge of KOBE.
- C. Taiwan. Mr. Avenatti claims that Mr. Cohen conducted a wire transfer from a Taiwanese bank account to an account at Bank of America. Mr. Cohen has never had a Taiwanese bank account, has never been to Taiwan, and has never even had a Bank of America bank account.

We are not going to list every incorrect statement contained in Mr. Avenatti’s “Preliminary Report.” We note, however, that Mr. Avenatti’s statements above have absolutely no relation to his client, or her civil lawsuit against Mr. Cohen.

2. **While much of the information in his “report” is completely inaccurate, Mr. Avenatti has published some information that appears to be from Mr. Cohen’s actual bank records, and Mr. Cohen has no reason to believe that Mr. Avenatti is in lawful possession of these records.**

While Mr. Avenatti has published numerous incorrect statements regarding Mr. Cohen, he appears to be in possession of some information from Mr. Cohen’s actual bank records. Mr. Avenatti has published information from these records, such as the identities of and payments

Letter to United States District Judge Kimba Wood
May 9, 2018

Page 3

made by Mr. Cohen's business clients, such as AT&T and Novartis. Ex. A at 3-4. These business clients have not been previously identified in public. We understand that the Government now possesses these records as a result of the seizures executed on April 9, 2018, and prior seizures, but we are not aware of any lawful attempts by Mr. Avenatti to obtain these records. We note that prior to this submission, the Inspector General of the U.S. Department of Treasury initiated an investigation into whether these bank records were "improperly disseminated." Ex. D, Beth Rainhard & Emma Brown, *Treasury inspector general launches probe into possible leak of Michael Cohen's banking records*, **The Washington Post** (May 9, 2018), available at https://www.washingtonpost.com/politics/treasury-inspector-general-launches-probe-into-possible-leak-of-michael-cohens-banking-records/2018/05/09/d33c2010-5391-11e8-b00a-17f9fda3859b_story.html?utm_term=.d44c95c0cf27. We have no reason to believe that Mr. Avenatti is in lawful possession of these bank records. If Mr. Avenatti wishes to be admitted *pro hac vice* before this Court, he should be required to explain to this Court how he came to possess and release this information. The details of when Mr. Cohen was paid by these business clients – whose names had not previously been made public – have no relation to the litigation in which he represents Ms. Clifford or any purported reasons he may have to appear before this Court.

3. Mr. Avenatti has made inaccurate statements to the public in an attempt to discredit Mr. Cohen.

Mr. Avenatti has also deliberately distorted information from the records which appear to be in his possession for the purpose of creating a toxic mix of misinformation. He has disclosed the identities of some of Mr. Cohen's clients and has incorrectly deemed their contractual relationships and corresponding payments to be "possibl[ly] fraudulent and illegal" without any basis to make such assertions. Ex. A at 3. For example, Mr. Avenatti stated that "Mr. [Viktor] Vekselberg and his cousin Mr. Andrew Intrater routed eight payments to Mr. Cohen through a company named Columbus Nova LLC ("Columbus") beginning in January 2017 and continuing until at least August 2017." Ex. A at 3. Mr. Avenatti's statements are incorrect, as can be seen from the public response of Columbus Nova. After Mr. Avenatti released his Preliminary Report yesterday, Columbus Nova stated that "Columbus Nova is a management company solely owned and controlled by Americans . . . and [n]either Viktor Vekselberg nor anyone else, other than Columbus Nova's owners, were involved in the decision to hire Cohen or provided funding for his engagement[.]" Ex. E, Jill Colvin & Catherine Lucey, *Porn star's lawyer says Russian paid Trump attorney Cohen*, **Associated Press** (May 9, 2018), available at <https://finance.yahoo.com/news/porn-stars-lawyer-says-russian-paid-trump-attorney-231545037-politics.html>. A spokesman for Vekselberg and the Renova Group also said in a statement that "neither Victor Vekselberg nor Renova has ever had any contractual relationship with Mr. Cohen or Essential Consultants." *Id.*

Letter to United States District Judge Kimba Wood
May 9, 2018

Page 4

We respectfully reserve the right to supplement this submission as more information becomes available.

We oppose Mr. Avenatti's admission for the reasons set forth herein.

Respectfully Submitted,

Stephen Ryan

/s/ Stephen Ryan

Todd Harrison

/s/ Todd Harrison

cc: Counsel of Record

EXHIBIT A



EXECUTIVE SUMMARY

Note: This information is true and correct as of the date of this Preliminary Report of Findings (May 8, 2018) to the best of our knowledge. Additional information is being obtained on a near daily basis. The below information and findings, therefore, are subject to change.

BACKGROUND

Michael Dean Cohen

- Michael Dean Cohen (“Mr. Cohen”) is an attorney licensed in the State of New York. He is a graduate of Cooley Law School and a resident of Manhattan, New York City, New York.
- Mr. Cohen served at the right hand of Mr. Donald J. Trump (“Mr. Trump”) as Mr. Trump’s attorney beginning in approximately 2007 and continuing until at least April of this year. During this same approximate time period, Mr. Cohen also occupied a senior position with the Trump Organization (although it is unclear as to when he formally left the company).
- Importantly, at all relevant times, Mr. Cohen and Mr. Trump have consistently referred to Mr. Cohen as Mr. Trump’s attorney. In fact, in answering reporters’ questions on Air Force One on April 5, 2018, Mr. Trump, referring to Mr. Cohen, stated “Michael is my attorney” (present tense).

Essential Consultants, LLC

- On or about October 17, 2016, Michael D. Cohen established a limited liability company named Essential Consultants, LLC (“Essential”) by filing the requisite paperwork with the Secretary of State in Delaware.
- At all material times, Essential has been exclusively owned and controlled by Mr. Cohen.

FIRST REPUBLIC BANK

Establishment of Essential Consultants Bank Account at First Republic Bank

- First Republic Bank (“First Republic”) is a financial institution offering private banking, private business banking, and private wealth management, including investment, trust, and brokerage services.
- In October 2016, less than one month before the 2016 Presidential Election, Mr. Cohen established a new business account at a First Republic Bank branch (“First Republic”) located in Manhattan, New York City, New York.
- In connection with the establishment of that account, Mr. Cohen was required to make certain representations to First Republic regarding Essential’s business as part of First Republic’s Know Your Customer (“KYC”) anti-money laundering protocol.
- In order to establish the account, Mr. Cohen subsequently submitted information claiming, among other things, the following:
 - (a) Essential is a real estate consulting company that collects fees for investment consulting work;
 - (b) The company’s typical clients are U.S.-based high net worth individuals;
 - (c) The company’s primary source of funds will be derived from within the U.S. or a U.S.-based company;
 - (d) The company expected one (1) to twenty (20) incoming domestic only wires totaling \$1,000 to \$10,000 each month for consulting fees, and one (1) to twenty (20) ACH credits and electronic transfers totaling \$1,000 to \$10,000 each month;
 - (e) No outgoing wire transfers and debits related to ACH or electronic transfers were expected; and
 - (f) Receipts of the business would be internally transferred to Mr. Cohen’s personal account at First Republic Bank.
- As set forth below, the above representations made to the bank were false when made and continued to be false at all material times based on the activity occurring in the account. *This likely constitutes bank fraud.*
- Following the submission of the required information by Mr. Cohen, First Republic opened a business account for Essential bearing account number 8000600XXXX.

The Payment to Stephanie Clifford (aka Stormy Daniels) and Subsequent Reimbursement

- On October 27, 2016 Mr. Cohen caused a wire of \$130,000 from Essential Consultants' account at First Republic Bank to be sent to an Attorney-Client Trust Account of Keith M. Davidson & Associates at City National Bank located in California. The wire originated from First Republic Bank's operations located in California. *Note: this fact may provide the State of California with jurisdiction over possible state criminal charges associated with this payment.*
- Mr. Cohen has previously claimed that the source of funds from the \$130,000 payment was a home equity line of credit advance conducted on October 26, 2016. This has yet to be confirmed. *However, as detailed below, within approximately 75 days of the payment to Ms. Clifford, Mr. Viktor Vekselberg, a Russian Oligarch with close ties to Russian President Vladimir Putin, caused substantial funds to be deposited into the bank account from which Mr. Cohen made the payment. It appears that these funds may have replenished the account following the payment to Ms. Clifford.*

Additional Possible Fraudulent and Illegal Financial Transactions

- From October 2016 through January 2018, Mr. Cohen used his First Republic account to engage in suspicious financial transactions totaling \$4,425,033.46.
- Chief among these suspicious financial transactions are approximately \$500,000 in payments received from Mr. Viktor Vekselberg, a Russian Oligarch with an estimated net worth of nearly \$13 Billion. Mr. Vekselberg and his cousin Mr. Andrew Intrater routed eight payments to Mr. Cohen through a company named Columbus Nova LLC ("Columbus") beginning in January 2017 and continuing until at least August 2017.
- Columbus Nova is a private equity firm founded in 2000 with over \$2 billion in assets. Mr. Intrater is the CEO of Columbus Nova. Columbus Nova is the U.S. investment vehicle for Renova Group, a multi-national company controlled by Mr. Vekselberg. Renova group holds investments in various interests, including mining, oil, and telecommunications.
- *Mr. Cohen inexplicably accepted these payments while he was the personal attorney to the President and holding himself out at times as employed by the Trump Organization (with few other clients). This was occurring at the same time significant questions were being raised relating to (a) the involvement of Russia and Vladimir Putin in the 2016 Presidential Election and (b) the extent of the relationship between Mr. Putin and Mr. Trump.*

- Also included in these suspicious financial transactions are four payments in late 2017 and early 2018 totaling \$399,920 made by global pharmaceutical giant Novartis directly to Essential in four separate transactions of \$99,980 each (just below \$100,000). Following these payments, reports surfaced that Mr. Trump took a dinner meeting with the incoming CEO of Novartis before Mr. Trump's speech at the World Economic Forum in Davos, Switzerland in late January 2018.
<https://www.fiercepharma.com/pharma/during-davos-trip-trump-takes-meeting-novartis-bayer-ceos-and-other-execs>.
- In addition, Essential received \$200,000 in four separate payments of \$50,000 in late 2017 and early 2018 from AT&T.
- Essential also received a \$150,000 payment in November 2017 from Korea Aerospace Industries LTD.
- The details of the above referenced payments and others are as follows:

*Monies Received from Columbus Nova LLC
(controlled by Viktor Vekselberg and his cousin Andrew Intrater)*

- Approximately \$500,000 over eight transactions from January to August 2017

Monies Received from Korea Aerospace Industries LTD

- November 27, 2017 - \$150,000

*Monies Received from Novartis Investments SARL
(Wire Transfers originating from UBS Switzerland)*

- October 5, 2017 – \$99,980
- November 3, 2017 – \$99,980
- December 1, 2017 – \$99,980
- January 5, 2018 – \$99,980

Monies Received from AT&T

- October 3, 2017 – \$50,000
- November 7, 2017 – \$50,000
- December 5, 2017 – \$50,000
- January 3, 2018 – \$50,000

Monies Received by Michael Cohen from Elliott Broidy

- As detailed below, Mr. Cohen (through Essential and/or Michael D. Cohen & Associates) received at least \$187,500 from Mr. Elliott Broidy that originated from an account held in Mr. Broidy's name at Bank of America. The business purpose of these payments is unclear.

CITY NATIONAL BANK

Transactions Involving Elliott Broidy, Keith Davidson, Real Estate Attorneys' Group, and Essential Consultants, LLC / Michael Cohen

- Keith M. Davidson & Associates, APLC is a law firm located in Beverly Hills, California. The firm is owned by attorney Keith Davidson. The firm maintains three accounts at City National Bank ("CNB") and the banking relationship began in May 2011.
- Mr. Elliott Broidy
 - Former Deputy National Finance Chairman for the Republican National Committee.
 - Venture capitalist and prominent Republican fundraiser.
 - CEO of Broidy Capital Management.
 - Owner of Circinus, a private security company, which has hundreds of millions of dollars in contracts with foreign nationals.
- Real Estate Attorneys' Group APLC ("REAG") is a firm specializing in the commercial real estate industry.

Possible Fraudulent and Illegal Financial Transactions

- October 27, 2016: \$130,000 payment from Essential Consultants, LLC (First Republic Bank) to Keith Davidson & Associates (CNB).
- November 30, 2017: \$200,000 incoming wire from Elliott Broidy (Bank of America account) into REAG account (CNB)
- December 5, 2017: \$200,000 internal transfer from REAG to Keith Davidson & Associates
- December 29, 2017: \$62,500 incoming wire from Elliott Broidy (Bank of America) into REAG account (CNB)
- January 2, 2018: \$62,500 outgoing wire from REAG (CNB) to Essential Consultants, LLC (First Republic Bank)
- January 31, 2018: \$62,500 incoming wire from Elliott Broidy (Bank of America) into REAG account (CNB)
- January 31, 2018: \$62,500 outgoing wire from REAG (CNB) to Michael D. Cohen & Associates (First Republic Bank)
- March 1, 2018: \$62,500 incoming wire from Elliott Broidy (Bank of America) into REAG account (CNB)
- March 1, 2018: \$62,500 outgoing wire from REAG (CNB) to Michael D. Cohen & Associates (First Republic Bank)

MORGAN STANLEY SMITH BARNEY

Establishment of Michael Cohen Bank Account at Morgan Stanley Smith Barney

- Mr. Cohen opened two individual accounts at Morgan Stanley Smith Barney

Possible Fraudulent and Illegal Financial Transactions

- From July 13, 2017 through September 8, 2017, Mr. Cohen deposited three checks in the amounts of \$505,000, \$250,000, and \$250,000 in his Morgan Stanley account.
- Each deposit was remitted from an account held at First Republic Bank in the name of Essential Consultants, LLC.

- All three deposits appear to have no legitimate business purpose.

STANDARD CHARTERED BANK

Possible Fraudulent and Illegal Financial Transactions

- Singapore. On July 14, 2016, Mr. Cohen cashed a check for \$700.00 in Palm Beach County, Florida. The originator of the check was KCS Outsourcing Solutions Pte Ltd. (“KCS”), a provider of corporate services, including taxation advisory, auditing, and consulting services located in Singapore.
- On February 22, 2017, Mr. Cohen received another check from KCS for \$2,998.00.
- Hungary. Mr. Cohen received two wire transfers totaling \$10,980.00 from KOBE EVA KERESKEDELMI to an account in Singapore at DBS Bank.
 - It is unclear what line of business KOBE EVA is engaged in. KOBE EVA may be a travel agency located in Budapest, Hungary. Third-party websites identify it as a retailer of newspapers and stationery items.
 - The remittances reference an invoice and a “Ms. Nikolett Vadja.”
- Malaysia & Canada. Mr. Cohen received a wire transfer in the amount of \$4,250.00 from Actuarial Partners Consulting SDN BHD to an account in Toronto at Toronto Dominion Bank.
 - Actuarial Partners is a provider of actuary services in Malaysia.
 - Mr. Cohen utilized a Canadian address belonging to Blue Cloud Immigration Inc., a company that assists individuals seeking immigration to Canada and appears to have ties to the United Arab Emirates (UAE).
- Taiwan. Mr. Cohen conducted a wire transfer from an account at Union Bank of Taiwan to an account at Bank of America in the amount of \$675.00.
- Kenya & Israel. Mr. Cohen received one wire transfer in the amount of \$980.00 from a Kenyan bank from accountholders Netanel Cohen and Stav Hayun to an account in Israel at Bank Hapoalim.

EXHIBIT B

From: Michael Cohen
Sent: Wednesday, May 9, 2018 9:28:36 AM
To: mavenatti@eaganavenatti.com
Subject: No connection with Michael Cohen, Donald Trump's lawyer

Dear Mr Avenatti,

It has come to my attention that you have cited a payment from Actuarial Partners to myself in connection with the Stormy Daniels affair.

Please note that I am not the said Michael Cohen. I am a Canadian international consultant residing in Ottawa, Canada. The payment from Actuarial Partners was for legitimate work performed on their behalf in respect to a project in Tanzania.

I would greatly appreciate it if you were to correct this error forthwith and make it known publicly that there is no connection between myself and Actuarial Partners and your action against the New York attorney with whom I share a name.

You are surely aware of the fact that this is an extremely common name and would request that you take care before involving innocent parties in this sordid affair.

Actuarial Partners have already received inquiries from the press in this regard and we would like to see this scurrilous rumour spiked as soon as possible.

Please acknowledge receipt of this email and take the steps I have requested above.

Yours truly,

Michael Cohen

EXHIBIT C

THE DAILY CALLER

Avenatti Accuses The Wrong Michael Cohens Of Making 'Fraudulent' Payments

Posted By [Chuck Ross](#) On 2:14 PM 05/09/2018 In | [No Comments](#)

Michael Avenatti, porn star Stormy Daniels' lawyer, released a seven-page dossier on Tuesday containing a list of payments purportedly made to Michael Cohen, the lawyer for President Donald Trump.

But there is one problem with the document: two of the allegedly "fraudulent" payments were made to men named Michael Cohen who have no affiliation with Trump.

Avenatti's report includes a section listing "possible fraudulent and illegal financial transactions" involving Trump's lawyer. One of the payments is a \$4,250 wire transfer from a Malaysian company, Actuarial Partners, to a bank in Toronto.

The other is a \$980 transfer from a Kenyan bank to Bank Hapoalim — the largest bank in Israel.

Zainal Kassim, a representative for Actuarial Partners, told The Daily Caller News Foundation Avenatti's report is a case of mistaken identity. He forwarded an email the falsely accused Michael Cohen sent to Avenatti requesting the lawyer "correct this error forthwith and make it known publicly" there is no connection to Trump's Michael Cohen.

"You are surely aware of the fact that this is an extremely common name and would request that you take care before involving innocent parties in this sordid affair," wrote Cohen, who told Avenatti he is an international consultant who was paid by Actuarial Partners for work on a project in Tanzania.

"Actuarial Partners have already received inquiries from the press in this regard, and we would like to see this scurrilous rumour spiked as soon as possible."

Haaretz, the Israeli news outlet, [found](#) another case of mistaken identity in Avenatti's report.

"Mr. Cohen received one wire transfer in the amount of \$980.00 from a Kenyan bank from account holders Netanel Cohen and Stav Hayun to an account in Israel at Bank Hapoalim," Avenatti wrote.

Haaretz caught up with Netanel Cohen, who acknowledged having a bank account in Kenya and transferring money to a Michael Cohen. But the Michael Cohen in questions is his brother, Netanel told the news outlet. And his brother is not Trump's lawyer.

"I've never heard of [Michael Cohen](#), and I have no connection to this affair," Netanel told Haaretz.

It is unclear how Avenatti obtained the financial records cited in his report. But various news outlets, including The New York Times, also appear to have viewed the documents. The Treasury Department's office of the inspector general opened an investigation into whether someone leaked Cohen's financial documents to Avenatti and the press, it was reported on Wednesday.

It remains a mystery how the financial records of a completely separate Michael Cohen would have ended up in the tranche of documents provided to Avenatti.

Other transfers tied to Michael Cohen, the Trump lawyer, actually did occur. Several companies, including AT&T, [Novartis](#) and Columbus Nova, a firm linked to Russian oligarch Viktor Vekselberg, acknowledged paying Cohen's company, Essential Consultants.

Cohen used that firm to route a \$130,000 payment to Daniels in October 2016. Daniels, who claims she had an affair with Trump in 2006, is suing Cohen and the president to get out of a non-disclosure agreement she signed in exchange for the money.

This article has been updated with additional information.

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EXHIBIT D

Politics

Treasury inspector general launches probe into possible leak of Michael Cohen's banking records

By **Beth Reinhard** and **Emma Brown** May 9 at 12:55 PM

The Treasury Department's inspector general is investigating whether confidential banking information related to a company controlled by President Trump's personal attorney Michael Cohen may have been leaked, a spokesman said.

Rich Delmar, counsel to the inspector general, said that in response to media reports the office is "inquiring into allegations" that Suspicious Activity Reports on Cohen's banking transactions were "improperly disseminated."

Detailed claims about Cohen's banking history were [made public](#) Tuesday by Michael Avenatti, an attorney for Stormy Daniels, the adult-film star who was paid \$130,000 by Cohen shortly before the 2016 election to keep quiet about her alleged affair with Trump.

On Twitter, Avenatti circulated a dossier that purports to show that Cohen was hired last year by the U.S.-based affiliate of a Russian company owned by Viktor Vekselberg, a Russian business magnate who attended Trump's inauguration and was recently subjected [to sanctions](#) by the U.S. government. The affiliate, New York investment firm Columbus Nova, confirmed the payment, saying it was for consulting on investments and other matters, but denied any involvement by Vekselberg.

Avenatti's dossier also alleged that, after Trump's inauguration, Cohen's company Essential Consultants had received payments from several others with business considerations before the federal government, including telecommunications giant AT&T, aircraft manufacturer Korea Aerospace Industries and pharmaceutical company Novartis. All three companies subsequently confirmed the payments.

In an interview, Avenatti declined to reveal the source of his information.

"The source or sources of our information is our work product, and nobody's business," Avenatti said. "They can investigate all they want, but what they should be doing is releasing to the American public the three Suspicious Activity Reports filed on Michael Cohen's account. Why are they hiding this information?"

A fixture on cable television, Avenatti has been calling on the Treasury Department for weeks to release reports of unusual banking transactions by Cohen. He came up with a social media hashtag: #releasetheSAR, using the acronym for a Suspicious Activity Report.

On Tuesday night, Avenatti told CNN's Anderson Cooper: "There's been some criticism of our media strategy and how often I'm on CNN and how often I've been on your show and other networks. It's working. It's working in spades. Because we're so out front on this, people send us information, people want to help our cause. People contact us with information."

Experts say the information Avenatti published could have come from a SAR filed by Cohen's bank to Treasury.

"This has the appearance of a leak," said Daniel P. Stipano, former deputy chief counsel in the Treasury's Office of the Comptroller of the Currency. "It shouldn't happen, but things leak."

It is not uncommon for journalists, lawyers and others in the public eye to receive unauthorized leaks of sensitive information, and there is nothing improper in receiving such information. Stipano said hundreds, if not thousands, of officials in law enforcement and government have access to a database of SARs.

Banks, casinos, and other entities file SARs with the Treasury Department's Financial Crimes Enforcement Network to detect for money laundering, terror financing, and other illegal behavior. Fincen officials often scan and then aggregate the records so they can be accessed at a later date. They can be requested by law enforcement, bank regulators and intelligence agencies as part of investigations.


Among other things, banks are required to file SARs if the transaction "has no business or apparent lawful purpose or is not the type of transaction that the particular customer would normally be expected to engage in, and the bank knows of no reasonable explanation for the transaction after examining the available facts, including the background and possible purpose of the transaction."


A spokesman for First Republic, Cohen's bank, declined to comment.

Treasury Inspector General Eric Thorson is a George W. Bush nominee [who has served](#) in the role since 2008.

Damian Paletta contributed to this report.

 **1855 Comments**

Beth Reinhard is a reporter on the investigative team at The Washington Post. She previously worked at the Wall Street Journal, National Journal, the Miami Herald and the Palm Beach Post.  Follow @bethreinhard

Emma Brown is a reporter on the investigative team who joined The Washington Post in 2009. Previously, she wrote obituaries and covered local and national education.  Follow @emmersbrown

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EXHIBIT E

Porn star's lawyer says Russian paid Trump attorney Cohen

AP

JILL COLVIN and CATHERINE LUCEY

[Associated Press](#) May 9, 2018

WASHINGTON (AP) — Stormy Daniels' lawyer says he has information showing that President Donald Trump's longtime personal attorney received \$500,000 from a company associated with a Russian billionaire within months of paying hush money to the porn star who claims a long-ago affair with Trump.

Lawyer Michael Avenatti also said hundreds of thousands of dollars streamed into Trump attorney Michael Cohen's account from companies, including pharmaceutical giant Novartis, AT&T and Korea Aerospace, with U.S. government business interests. Those three companies have confirmed the connection.

Avenatti isn't disclosing the source of his information or releasing documentation. But in a seven-page memo, Avenatti details what he says were wire transfers into and out of the account Cohen used to pay Daniels \$130,000 in October 2016 to stay silent about her alleged tryst with Trump in 2006. He denies having an affair with Daniels, whose real name is Stephanie Clifford.

Financial documents reviewed Tuesday by The Associated Press appeared to back up Avenatti's report.

The memo says Viktor Vekselberg, a Russian billionaire, and his cousin "routed" eight payments totaling approximately \$500,000 to Cohen's company, Essential Consultants, between January and August 2017. The reason for the payments was not immediately known.

Avenatti's memo says the deposits into the account controlled by Cohen were made by Columbus Nova, an American investment company headed by Vekselberg's cousin, Andrew Intrater, and affiliated with the Renova Group, which Vekselberg controls.

Andrey Shtorkh, a spokesman for Vekselberg and the Renova Group, said in a statement that "neither Victor Vekselberg nor Renova has ever had any contractual relationship" with Cohen or Essential Consultants.

He said questions about a relationship between Columbus Nova and Cohen would have to be answered by Intrater "because Columbus Nova is a company owned and managed by him."

Columbus Nova's lawyer, Richard Owens, said in a statement the company is "solely owned and controlled by Americans." He said that after Trump's inauguration in January 2017, the company hired Cohen as a business consultant "regarding potential sources of

capital and potential investments in real estate and other ventures," but that it had nothing to do with Vekselberg.

"Neither Viktor Vekselberg nor anyone else, other than Columbus Nova's owners, were involved in the decision to hire Cohen or provided funding for his engagement," he said.

Cohen and his lawyer did not immediately respond to requests for comment. Cohen is under investigation by federal prosecutors in New York, but hasn't been charged.

At the time of the payments, there was an FBI counterintelligence investigation, which special counsel Robert Mueller took over last May, into Russian election interference and any possible coordination with Trump associates.

Vekselberg was targeted for U.S. sanctions by the Trump administration last month. He built his fortune, currently estimated by Forbes at \$14.6 billion, by investing in the aluminum and oil industries. More recently, he has expanded his assets to include industrial equipment and high technology.

Eric Althoff, a spokesman for Novartis, a multinational pharmaceutical company, said it entered into a one-year agreement with Essential Consultants in February 2017 to focus on health care policy.

He said in an emailed statement Wednesday that Novartis hired Cohen for \$100,000 a month, but determined after a single meeting with Cohen that he wouldn't be of use. Novartis still paid out the \$1.2 million contract.

"The decision was taken not to engage further," he said, but the contract could not be terminated, so the payments continued.

Althoff said Novartis complied with requests for information about the payments from Mueller's investigators in November.

AT&T said in a statement that Essential Consultants was one of several firms it "engaged in early 2017 to provide insights into understanding the new administration."

Avenatti alleged that the company made four \$50,000 payments to Cohen totaling \$200,000 in late 2017 and early 2018.

AT&T said Cohen's company "did no legal or lobbying work for us, and the contract ended in December 2017." Cohen is not a registered lobbyist, according to public records.