

Central Intelligence Agency



Washington, D.C. 20505

1 July 2022

Judicial Watch, Inc.
c/o Paul J. Orfanedes
425 Third Street SW, Suite 800
Washington DC 20024

Reference: F-2022-00128; Civil Action No. 1:22-cv-00412

Dear Mr. Orfanedes:

This letter is in response to the October 26, 2021 Freedom of Information Act (FOIA) request submitted by your client, Judicial Watch, Inc., and subsequent litigation, seeking information regarding **“all records regarding any meetings or telephonic conversations between any official or employee of the Central Intelligence Agency and Mr. Michael Sussmann (formerly an attorney with Perkins Coie) between January 1, 2015 and the present.”** As part of the ongoing litigation relating to Plaintiff’s October 26, 2021 FOIA request, the parties agreed that CIA would produce “responsive records that were used as exhibits in the Sussmann trial, in the form that the records were used at the trial.”

We have completed a review of the four (4) documents used as exhibits in the Sussmann trial, and determined that they can be released in full in the form they were used at trial. The released documents may be found on the enclosed CD.

The CIA expressly reserves application of all statutory and other FOIA exemptions for any additional responsive materials should they exist.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony J. Capitos".

Anthony J. Capitos
Information and Privacy Coordinator

Enclosures

From: Mark P. Chadason [REDACTED]
Sent: Tuesday, February 07, 2017 4:51 PM
To: Steven M [REDACTED]
Subject: RE: Chadason lead

[REDACTED]

Per my previous to [REDACTED] if you have a number I ll have him call you

From: Steven M [REDACTED]
Sent: Tuesday, February 07, 2017 12:55 PM
To: Mark P. Chadason [REDACTED]
Cc: [REDACTED] Kevin P [REDACTED]
Subject: RE: Chadason lead

[REDACTED]

Mark,
Thanks for checking in. I tried Mr Sussman today, but he did not answer. Additionally, his mailbox is full and is not accepting any messages. I will try again tomorrow am and hopefully make contact. Thanks.

From: Mark P. Chadason [REDACTED]
Sent: Tuesday, February 07, 2017 3:47 PM
To: [REDACTED] Steven M [REDACTED]
Cc: [REDACTED] Kevin P [REDACTED]
Subject: Chadason lead

[REDACTED]



Steven, Michael [REDACTED] me and said he returned from Amsterdam and is looking forward to speaking with someone asap. I think the longer we wait the murkier the waters get with his source (that is who else he will speak to in frustration), That said leave it up to you. Just wanted to know if and when you get a hold of him and if you decide not, I would appreciate if you let me know so I can get him off my call list.

[REDACTED]

I am [redacted] and be back on the 10th. Good luck Mark ([redacted])

From: Mark P. Chadason [redacted]
Sent: Wednesday, February 01, 2017 6:50 AM
To: [redacted]
Cc: [redacted] Steven M [redacted] Kevin P [redacted]
Subject: RE: contact info

[redacted]

confirming phone [redacted] 9998., you can always try [redacted] but this the phone he gave me I will be [redacted] but will reconfirm and somehow get it to you.

From: [redacted]
Sent: Wednesday, February 01, 2017 9:21 AM
To: Mark P. Chadason [redacted]
Cc: [redacted] Steven M [redacted] Kevin P [redacted]
Subject: RE: contact info

[redacted]

Thanks. Also...FYI, we did try to call the number yesterday...prior to his 1830 departure...someone picked up and immediately said "wrong number". Can you verify that the number you gave is correct? Thanks.

From: Mark P. Chadason [redacted]
Sent: Wednesday, February 01, 2017 9:20 AM
To: [redacted]
Subject: RE: contact info

[redacted]

From: Mark P. Chadason [REDACTED]
Sent: Tuesday, January 31, 2017 12:57 PM
To: [REDACTED]
Subject: Memo of conversation (quick and dirty)

[REDACTED]

MEMORANDUM OF CONVERSATION

31 January 2017

On 31 January 2017, Mark Chadason was virtually ([REDACTED]) introduced by former CEO of INQTEL Gilman Louis to Michael Sussman. Sussman is partner at Perkins Cole LLP and is in charge of the Privacy and Data Security Practice, IOT, Consumer Privacy, Computer And Network Intrusion, IOT And Related Investigations Surveillance And Regulatory Compliance And National Security Issues. Sussman claimed to have a TS /SCI and an IC badge [REDACTED]

Sussman asked Gilman Louis [REDACTED] and Gilman called Chadason because of Chadason's past senior status and employment with CIA. [REDACTED] both Gilman and Chadason are on Board of Directors of the CIA Officers Memorial Foundation)

The story: Sussman said that he represents a CLIENT who does not want to be known, but who had some interesting information [REDACTED]

[REDACTED]

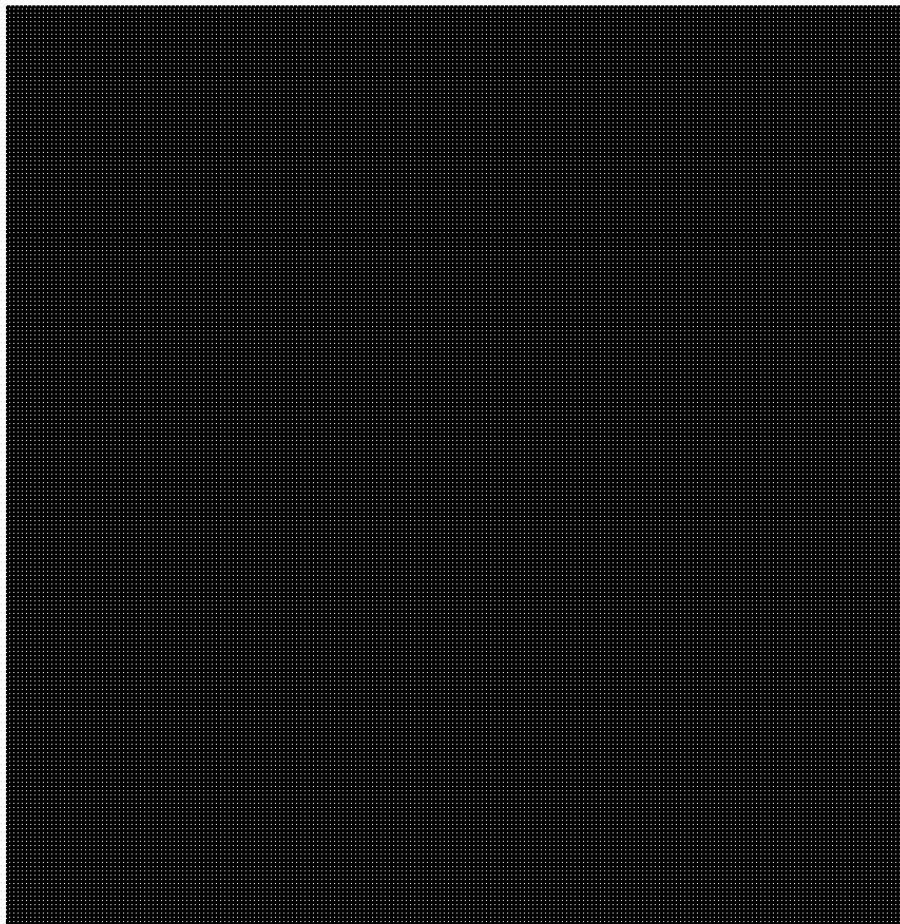
The CLIENT claims [REDACTED]

[REDACTED]

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SCO-093949



The Client. Sussman would not provide client's identity and was not sure if the client would reveal himself to the CIA but he would provide data sets supporting his claims which then could be verified. Chadason was able to elicit that the CLIENT is an engineer with number of patents, and is most likely a contractor tot eh IC as, Sussman claimed the CLIENT had [REDACTED] and various projects. The CLIENT has worked with IC before. Sussman also said that he CLIENT is a Republican

Chadason asked if Sussman has provided this data to the FBI and initially he said he knew Jim ((Trainer)) (NFI) the FBI but then claimed that his client did not want to provide this to the FBI as he knows that the FBI did not have resources to deal with these issues, or perhaps since Sussman is a openly a Democrat and openly told Chadason that he does lots of work with DNC, did not trust the FBI.

Sussman said he did speak with the CIA General Counsel (NFI) before she retired (NFI) and she told him he should contact he FBI.

Sussman said that his CLIENT would most likely only provide the data to senior bona fide CIA officers (active duty) and if there is no interest, he would most likely go to New York Times.

Lastly Sussman said that as an experienced attorney with full clearances and lots of IC experience he see lots of quacks and unsubstantial allegations etc., and based on his experience he believes that this client is telling the truth as he knows it. He cares about the security of the country and wanted to IC to know [REDACTED]

Chadason passed information to [REDACTED] on 31 January 2017, and subsequently asked Sussman for his contact information so "Chadason' s" friends could contact him directly. [REDACTED] Sussman also said he will be traveling to Amsterdam at some point this week but will be back on Friday. Chadason is [REDACTED] but can be available for [REDACTED] if need be [REDACTED] or on [REDACTED] at [REDACTED]

Sussman bio:

Michael Sussmann is a partner in the Privacy and Data Security Practice at Perkins Coie LLP, focusing on consumer privacy, computer and network intrusions, internet- and technology-related investigation, surveillance and regulatory compliance and national security issues. Michael is a nationally recognized privacy lawyer who is often quoted in front-page New York Times, Washington Post and Wall Street Journal stories and has appeared on NPR's The Diane Rehm Show and other media outlets. He has provided Congressional testimony and has been ranked as a Privacy and Data Security Expert in the Chambers Global and Chambers USA directories.

Michael's practice focuses on all aspects of consumer privacy. He regularly conducts extensive corp privacy reviews and has represented FORTUNE 10, 50 and 100 companies in FTC, Department of Justice and State Attorney General investigations of civil and criminal privacy violators. He investigates and takes legal action (including law enforcement referrals) regarding internet crimes, manages technology related litigation and responds to Congressional inquiries and investigations.

MORE

Sussmann, Michael Practices

- Privacy & Security Law
- IP Enforcement Programs
- White Collar & Investigations
- Israel Practice

Industries

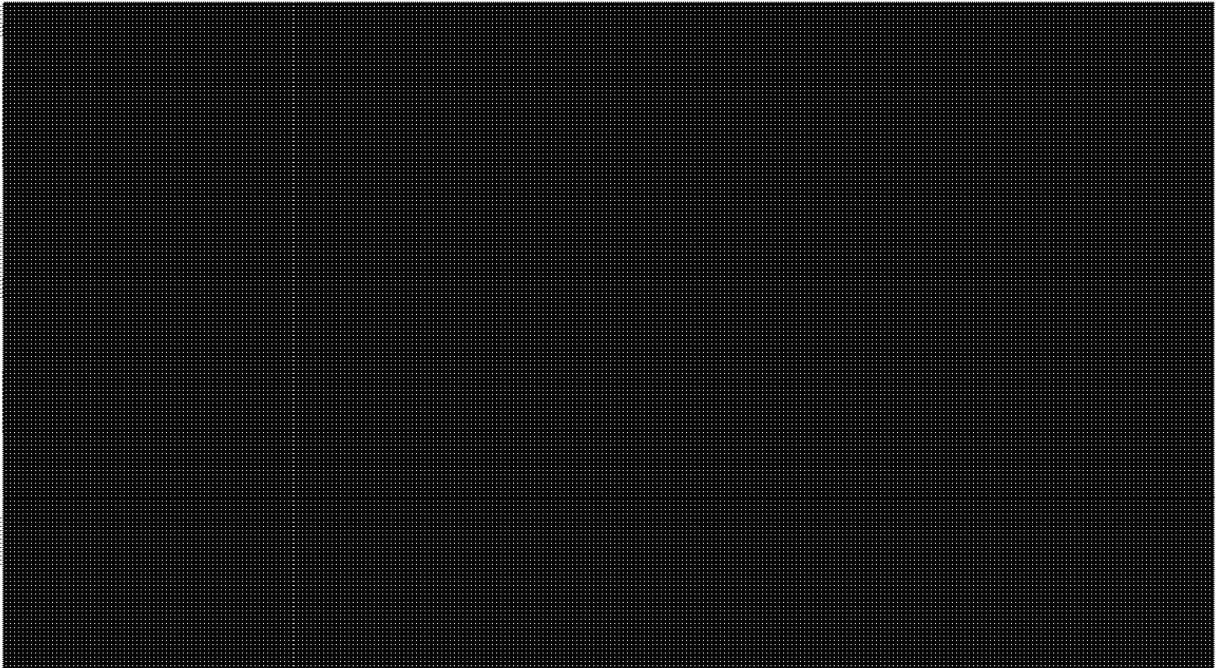
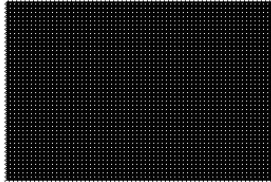
- Communications
- Interactive Entertainment
- Internet of Things (IoT)
- IoT, Interactive Entertainment
- IoT, Communications
- Brooklyn Law School, J.D., 1989
- Rutgers, The State University of New Jersey, B.S., Accounting, 1986

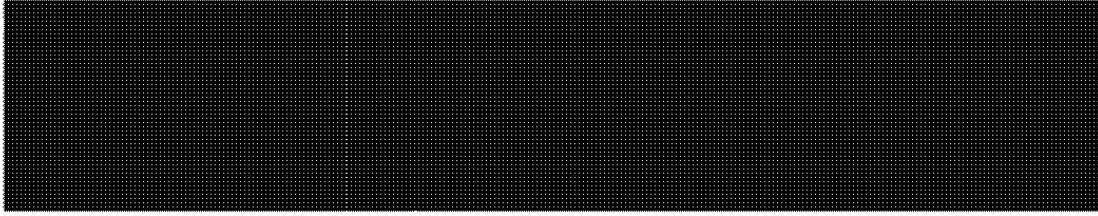
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SCO-093951

Thank you, Mark





DOJ_REQ_0242043

SCO_OGAPROD_000034

SCO-093953

From: Steve M.
Sent: Thursday, February 09, 2017 2:24 PM
To: Kevin P.
Cc:
Subject: Draft MFR
Attachments: Memorandum for the Record09 February 2017.docx

[Redacted]

Here you go. Feel free to add/subtract/edit as needed.

[Redacted]



[REDACTED]

Memorandum for the Record

09 February 2017

On 09 February 2017, Kevin P [REDACTED] and Steve M [REDACTED] met with Michael Sussman, a lawyer with the firm Perkins Coie, to discuss information which Sussman had previously indicated might be of interest to the CIA. At the meeting Sussman provided both written documents and thumb drives which he claimed contained data related to potential Russian activities connected to then Presidential candidate/elect Trump.

As background, Sussman had previously reached out to CIA's General Counsel, Caroline Krass, in December 2016. As he recalled, she had advised that she would be in touch after some coordination, but he never heard back from her or anyone from CIA OIGC. He said that he tried to re-contact the GC, but that no one ever returned his call, which led him to reach out to [REDACTED] who referred the matter to CIMC.

Sussman advised that he was not representing a particular client and the information he was volunteering to us was not privileged. His contacts wished to provide information to the USG through Sussman, but the clients preferred to remain anonymous. Sussman said that he believed his contacts were acting in good faith, out of a sense of loyalty to the USG. Sussman himself said that he did not expect anything from the USG and did not seek any sort of feedback or further contact, though he would be open to future contact if the CIA had such a need. He was up-front in disclosing that his law firm was active in supporting several democratic causes and office holders including both the DNC and then-Presidential candidate Hillary Clinton, but that such work was unrelated to his reasons for contacting the CIA. He merely wanted to pass along information that he thought would be of interest to the USG and then let the CIA and FBI validate the information and take whatever actions they felt were necessary.

Sussman noted that one of his contacts was a US person and clearance holder, but that the information his contact had collected (the content of the thumb drives) was "private collection"- suggesting that the data had been collected by his contacts as a matter of personal interest. He also advised that his contacts believe their actions have put themselves at some personal risk, though some of this could be simply paranoia.

Sussman gave a general description of the data he was providing to us, noting that it was connected to "domain name system" (DNS) information. [REDACTED]

[REDACTED]

Kevin P [REDACTED] advised Sussman that given the location of such activities (within the US), we would refer any relevant information to the FBI. Steve M [REDACTED] also advised that we had a crimes reporting obligation and

[REDACTED]

[REDACTED]

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SCO-094079

[REDACTED]

would need to report any evidence of criminal activity to the FBI/DOJ. Sussman had no objections to providing any relevant information to the FBI. He mentioned that he had previously contacted FBI's General Counsel, Jim Baker, on a similar, though unrelated, matter. Based on his perception that the FBI had not handled the matter well, and because he thought the FBI might lack the relevant technical expertise, he wanted to pass the information at issue directly to the CIA.

[REDACTED]

DOJ_REQ_0241996

SCO_OGAPROD_000084

SCO-094080

DOJ-REQ-0000159

[REDACTED]

Memorandum for the Record

09 February 2017

On 09 February 2017, Kevin [REDACTED] and Steve [REDACTED] met with Michael Sussman, a lawyer with the firm Perkins Coie, to discuss information which Mr. Sussman had previously indicated might be of interest to the US Government. At the most recent meeting Mr. Sussman provided both written documents and thumb drives which he claimed contained data related to potential Russian activities connected to then Presidential candidate/elect Trump.

As background, Mr. Sussman had previously reached out to CIA's General Counsel, Caroline Krass, in mid-December 2016. As he recalled, she had advised that she would be in touch after some coordination with the FBI, but he never heard back from her, anyone from CIA OGC, or the FBI. He said that he tried to re-contact the GC, but that no one ever returned his call, which led him to reach out to [REDACTED] who referred the matter to CIMC.

Mr. Sussman advised that he was not representing a particular client and the information he was volunteering to us was not privileged. His contacts wished to provide information to the USG through Mr. Sussman, preferring anonymity citing a potential threat from the Russian Intelligence Services. Mr. Sussman said that he believed his contacts were acting in good faith and out of a sense of loyalty to the USG. Mr. Sussman himself said that he did not expect anything from the USG, nor did he require feedback or further contact, though he would be open to future contact if the CIA had such a need. He was up-front in disclosing that his law firm was active in supporting several democratic causes and office holders including both the DNC and then-Presidential candidate Hillary Clinton, but that such work was unrelated to his reasons for contacting the CIA. He merely wanted to pass along information that he thought would be of interest to the USG and then let the CIA and FBI validate the information and take whatever actions they believed were necessary.

Mr. Sussman noted that one of his contacts was a US person and clearance holder, but that the information his contact had collected (the content of the thumb drives) was "private collection," suggesting that the data had been collected by his contacts as a matter of personal interest. He also advised that his contacts believe their actions have put themselves at some personal risk.

Mr. Sussman gave a general description of the data he was providing (on a thumb drive), noting that it was related to "domain name system" (DNS) information; [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

GOVERNMENT EXHIBIT
0814
21 FEB 2017

SCO-074877

DOJ-REQ-0000160

[REDACTED]

Mr. Sussman also provided information pertaining to alleged server communications between then candidate Trump server, Alpha Bank (described by Mr. Sussman as a "Kremlin proxy"), and Spectrum Health (located in Michigan). When contacted by the press about their communications with the Trump candidacy; Alpha Bank was said by Mr. Sussman to have denied any communications; the Trump candidacy server was taken off line; another Trump candidacy server under a different naming protocol came on line days later; and it is storied that the first server to connect with the newly established Trump candidacy server was the Alpha Bank server. Mr. Sussman provided a separate thumb drive that he said contained data that supported these claims.

[REDACTED] advised Mr. Sussman that given the location of such activities (within the US) and involvement of US Persons, we would need to refer all relevant information to the FBI. [REDACTED] also advised that we had a crimes reporting obligation and would need to report any evidence of criminal activity to the FBI/DOJ. Mr. Sussman had no objections to providing any relevant information to the FBI. He mentioned that he had previously contacted FBI's General Counsel, Jim Baker, on a similar, though unrelated, matter. Based on how the FBI had handled that matter, and because he thought the CIA had the necessary technical expertise, he wanted to pass the current information directly to the CIA.

[REDACTED] asked if Mr. Sussman's contact would be willing to speak directly with the FBI and Mr. Sussman said "that could be on the table and he wouldn't rule it out." Mr. Sussman added that his contacts would likely be willing, at a future date, to show USG authorities how they could directly access information similar to that which he provided on the thumb drives.

[REDACTED]

SCO-074878

From: Kevin P. [REDACTED]
Sent: Thursday, February 23, 2017 2:30 PM
To: Steven M. [REDACTED]
Subject: MFR - 9 FEB 2017
Attachments: Memorandum for the Record09 February 2017.docx

[REDACTED]

Steve,

I have reviewed and revised the attached MFR. If you concur with the verbiage, I will forward the MFR to [REDACTED] for them to craft a [REDACTED] using the MFR, the [REDACTED] assessment of the thumb drive's content, the copies of the thumb drives, and the text provided by Mr. Sussman. Thanks

Kevin

[REDACTED]



[REDACTED]

Memorandum for the Record

09 February 2017

On 09 February 2017, Kevin P. [REDACTED] and Steve M. [REDACTED] met with Michael Sussman, a lawyer with the firm Perkins Coie, to discuss information which Mr. Sussman had previously indicated might be of interest to the US Government. At the most recent meeting Mr. Sussman provided both written documents and thumb drives which he claimed contained data related to potential Russian activities connected to then Presidential candidate/elect Trump.

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Mr. Sussman gave a general description of the data he was providing (on a thumb drive), noting that it was related to "domain name system" (DNS) information; his contacts had gathered information indicating that a Russian-made Yota-phone had been seen by them connecting to WIFI from the Trump Tower in New York, as well as from a location in Michigan, at the same time that then-candidate Trump was believed to be at these locations. In December 2016, the Yota-phone was seen connecting to WIFI from the Executive Office of the President (the White House). Mr. Sussman was asked if the information provided would show instances when the Yota-phone and then candidate Trump were not believed to be collocated, to which Mr. Sussman answered, "yes."

[REDACTED]

[REDACTED]

[REDACTED]

DOJ_REQ_0242019

SCO_OGAPROD_000086

SCO-094082

[REDACTED]

[REDACTED] Mr. Sussman also provided information pertaining to alleged server communications between then candidate Trump server, Alpha Bank (described by Mr. Sussman as a "Kremlin proxy"), and Spectrum Health (located in Michigan). When contacted by the press about their communications with the Trump candidacy; Alpha Bank was said by Mr. Sussman to have denied any communications; the Trump candidacy server was taken off line; another Trump candidacy server under a different naming protocol came on line days later; and it is storied that the first server to connect with the newly established Trump candidacy server was the Alpha Bank server. Mr. Sussman provided a separate thumb drive that he said contained data that supported these claims.

[REDACTED] Kevin T. [REDACTED] advised Mr. Sussman that given the location of such activities (within the US) and involvement of US Persons, we would need to refer all relevant information to the FBI. [REDACTED] Steve M. [REDACTED] also advised that we had a crimes reporting obligation and would need to report any evidence of criminal activity to the FBI/DOJ. Mr. Sussman had no objections to providing any relevant information to the FBI. He mentioned that he had previously contacted FBI's General Counsel, Jim Baker, on a similar, though unrelated, matter. Based on how the FBI had handled that matter, and because he thought the CIA had the necessary technical expertise, he wanted to pass the current information directly to the CIA.

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[REDACTED]

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