

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ASHOT EGIAZARYAN,

Plaintiff,

11 Civ. 0267  
(PKC)(GWG)

PETER ZALMAYEV,

Defendant.  
-----X

**DECLARATION OF RINAT AKHMETSHIN**

CITY OF WASHINGTON            )  
  )     ss.:  
DISTRICT OF COLUMBIA        )

**RINAT AKHMETSHIN**, declares under penalty of perjury pursuant to 28 U.S.C. § 1746, as follows:

1. I am the subject of a subpoena issued by the Plaintiff in this action to Google, Inc. for copies of my emails on my gmail account since December 1, 2009. I am not a party to this action. Unless otherwise specified, I make this declaration based on personal knowledge.

2. My counsel received a subpoena for me sometime late last year that was issued by Mr. Egiazaryan. That subpoena called for both my deposition and for the production of documents. I made document productions in this case, disclosing more than 800 pages of documents, and my deposition was taken on March 20, 2012. The transcript of that deposition runs to some 380 pages.



3. Plaintiff issued a subpoena to Google, Inc. dated July 16, 2012. That subpoena calls for Google to produce emails from my gmail account that (1) are either to, from, or have me copied on or mention 139 separate search terms (not including permutations), or (2) mention in the body of the email those same 139 search terms. Some of the terms are so general they could encompass anything “Russian” or “Jewish” or “Kremlin.”

4. My business is strategic communications. Individuals and entities seek me out when they have an issue; if one does not have an issue one does not need to engage in strategic communications. As such, a considerable percentage of the emails I write or read in my profession touch on confidential, proprietary, and even more sensitive information. That is one reason I delete them as a matter of routine practice.

5. Please allow me to provide a few examples. Some of my clients are national governments or high ranking officials in those governments. These are the most sensitive communications in which I engage. Some of my government clients have highly sensitive discussions in my emails concerning the location or relocation of American military bases in areas within the former Soviet Union. This client’s interest was directly aligned with the United States’ interests and included communications with both the Department of State and the Department of Justice. Some of these communications also address other nation’s interests in the base location issue in a candid, unvarnished manner. On a separate issue, other communications involved the Head of the Russian Drug Enforcement Agency. Topics included in communications on this task range from narco-trafficking and terrorism in Afghanistan to surveillance of undercover agents, suspected undercover agents, and their identities. Disclosure of such data could put individual lives at risk, potentially including American lives.

6. In addition to my government clients, I have clients in the private sector. Many of my private sector clients are in the energy industry. Competition for oil rights in the arctic, including the Russian arctic, is extreme. Many commercial enterprises are seeking to advance their interests, or replace other interests, in these markets. As such, my emails contain highly proprietary commercial trade secrets and strategic plans that would severely disadvantage the subject of such communications if they were disclosed. While all of these communications have something to do with "Russia," none of them have anything to do with Mr. Zalmayev, Mr. Bloomfield, or Mr. Egiazaryan. They certainly have nothing to do with whether Mr. Egiazaryan is anti-semitic, is anti-American, is a neo-Stalinist, or is worthy of asylum in the United States.

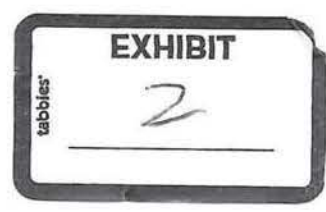
7. To attempt to resolve the Google Subpoena issue without Court intervention, I instructed my counsel to offer to accept the Google Subpoena if Plaintiff agreed to limit the search terms to Zalmayev, Bloomfield, and Egiazaryan. Counsel advised me that Plaintiff rejected that offer and countered with an offer that included acceptance of all 139 search terms.

8. Plaintiff made no effort to even try to discriminate between relevant and irrelevant search terms with respect to this litigation. The resulting burden on me and my counsel if the subpoena is not quashed would be overwhelming. Counsel's review of my emails for a two-and-a-half year period could take weeks, if not longer, and would jeopardize communications of the most sensitive type that have nothing to do with this case.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 21, 2012.

/s/  
Rinat Akhmetshin

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



|                   |   |                 |
|-------------------|---|-----------------|
| -----X            | ) |                 |
| ASHOT EGIАЗARYAN, | ) |                 |
|                   | ) |                 |
| Plaintiff,        | ) | Civ. Action No. |
|                   | ) |                 |
| -against-         | ) | 11 CIV 2670     |
|                   | ) | (PKC) (GWG)     |
| PETER ZALMAYEV,   | ) |                 |
|                   | ) |                 |
| Defendant.        | ) |                 |
| -----X            | ) |                 |

Tuesday, March 20, 2012

- - -

Videotape Deposition of RINAT R.  
AKHMETSHIN held in the offices of Greenberg  
Traurig, 2101 L Street, Northwest, Washington,  
D.C. 20037 commencing at approximately 10:11 a.m.,  
on the above date, before [REDACTED],  
Registered Merit Reporter, Certified Real-Time  
Reporter, Certified Shorthand Reporter, Registered  
Professional Reporter, Certified Court Reporter,  
Real-Time Systems Administrator and Notary Public.

HUDSON REPORTING & VIDEO 1-800-310-1769

New York  
Connecticut

Hudson Reporting & Video  
Nationwide 1-800-310-1769

New Jersey  
Pennsylvania

## 1 A P P E A R A N C E S:

2 FLEMMING ZULACK WILLIAMSON ZAUDERER LLP

3 BY: JASON T. COHEN, ESQUIRE

4 BY: JONATHAN D. LUPKIN, ESQUIRE

5 One Liberty Plaza

6 New York, New York 10006-1404

7

8 Representing the Plaintiffs

9

10 HAMBURG &amp; GOLDEN, PC

11 BY: JAMES P. GOLDEN, ESQUIRE

12 1601 Market Street

13 Suite 3310

14 Philadelphia, Pennsylvania 19103-1443

15 Representing the Defendant

16

17 THE SPERDUTO LAW FIRM, PLC

18 BY: KIM HOYT SPERDUTO, ESQUIRE

19 1133 Twentieth Street, Northwest

20 Second Floor

21 Washington, D.C. 20036

22

23 Representing the Witness

24

25 ALSO PRESENT:

[REDACTED], Videographer

26

27

28

29

30

31



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 2 I N D E X  
 3 - - -

|   |                     |          |
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| 4 | WITNESS             | PAGE NO. |
| 5 | RINAT R. AKHMETSHIN |          |
| 6 | By Mr. Cohen        | 12, 143  |

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 8 E X H I B I T S  
 9 - - -

|    |  |     |          |
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| 10 | EXHIBIT  |     | PAGE NO. |
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| 14 | Permit Inspection of Premises                        |     |          |
| 15 | in a Civil Action                                    | 37  |          |
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| 18 | Web site titled Presidential                         |     |          |
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| 22 | 163 E-mail string                                    | 135 |          |
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| 25 | transfer, January 27, 2011                           | 152 |          |

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| 171               | E-mail, Akhmetshin to Zalmayev,<br>March 24, 2011                                 | 200      |
| 172               | E-mail, Akhmetshin to Zalmayev,<br>March 15, 2011                                 | 201      |
| 173               | E-mail, Akhmetshin to Zgenti, cc:<br>Eller, Hitt and Butler,<br>February 25, 2011 | 206      |

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| 178               | E-mail, Akhmetshin to Hitt,<br>February 25, 2011                              | 236      |
| 179               | E-mail string   | 238      |
| 180               | E-mail, Akhmetshin to Nariman,<br>cc: several recipients<br>February 22, 2011 | 241      |
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2 Direction to Witness Not To Answer

3 Page Line Page Line

4 (None)

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7 Request For Production of Documents

8 Page Line Page Line

9 (None)

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12 Stipulations

13 Page Line Page Line

14 (None)

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17 Questions Marked

18 Page Line Page Line

19 (None)

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1 RINAT R. AKHMETSHIN

2 THE VIDEOGRAPHER: This is  
3 Disc Number 1 of the videotape  
4 deposition of Rinat Akhmetshin taken  
5 in the matter of Ashot Egiazaryan  
6 versus Peter Zalmayev in the U.S.  
7 District Court for the Southern  
8 District of New York, Case  
9 Number 11 CIV 2670 (PKC)(GWG).

10 This deposition is being held  
11 at the offices of Greenberg Traurig,  
12 2101 L Street, Northwest,  
13 Washington, D.C.

14 Today's date is March 20th,  
15 2012.

16 The time on the video screen is  
17 currently 10:11 and 50 seconds a.m.

18 The videographer is  
19 [REDACTED] [REDACTED]. The court reporter  
20 is [REDACTED] [REDACTED], both here on behalf of  
21 Hudson Reporting & Video.

22 Will counsel present please  
23 introduce themselves and state whom  
24 they represent?

25 MR. COHEN: Good morning. My

1 RINAT R. AKHMETSHIN

2 name is Jason Cohen. I'm counsel for  
3 Ashot Egiazaryan. I'm here with my  
4 colleague, Jonathan Lupkin.

5 MR. GOLDEN: James Golden  
6 representing Peter Zalmayev.

7 MR. SPERDUTO: Kim Sperduto for  
8 the witness.

9 THE WITNESS: Rinat Akhmetshin,  
10 the witness.

11 THE VIDEOGRAPHER: And will the  
12 reporter swear in the witness,  
13 please?

14 - - -

15 RINAT R. AKHMETSHIN

16 after having been first duly sworn, was  
17 examined and testified as follows:

18 - - -

19 EXAMINATION

20 - - -

21 BY MR. COHEN:

22 Q. Good morning, Mr. Akhmetshin.

23 A. Good morning.

24 Q. As I mentioned, my name is  
25 Jason Cohen. I'm going to be asking you

1 RINAT R. AKHMETSHIN

2 some questions today related to the  
3 defamation lawsuit of Ashot Egiazaryan --

4 A. Yes.

5 Q. -- against Peter Zalmayev.

6 If, during the course of today's  
7 deposition, you don't understand a question,  
8 let me know, and I will repeat it or rephrase  
9 it for you.

10 A. Um-hum.

11 Q. If you do answer, we're going to  
12 assume that you heard and understood the  
13 question.

14 A. Understood.

15 Q. All of my questions and all of  
16 your answers are going to be transcribed by  
17 a court reporter and are going to be on the  
18 video record.

19 A. Understood.

20 Q. Okay. You must answer all  
21 questions out loud --

22 A. Understood.

23 Q. -- so the court reporter --  
24 because the court reporter can't take down  
25 gestures.

1 RINAT R. AKHMETSHIN

2 A. Of course.

3 Q. In addition, as the deposition  
4 is going forward, please try and let me  
5 finish my question --

6 A. Of course.

7 Q. -- before you answer. And --

8 THE COURT REPORTER: Like that.

9 BY MR. COHEN:

10 Q. -- I know -- I know it's hard to  
11 do, and I will try and let you finish your  
12 answer before I ask the next --

13 A. Understood.

14 Q. -- question. Otherwise, it's  
15 very difficult for the court reporter to  
16 take down when two people are speaking at --

17 A. Um-hum.

18 Q. -- at one time.

19 A. Agreed.

20 Q. Okay. If you need a break at  
21 any time for any reason, just let us know,  
22 and we'll accommodate you at the most  
23 convenient --

24 A. Very well.

25 Q. -- and quickest opportunity.



1 RINAT R. AKHMETSHIN

2 All of that is agreeable?

3 A. Agreed.

4 Q. Are you aware of the fact that  
5 Ashot Egiazaryan brought a lawsuit against  
6 Peter Zalmayev?

7 A. I am.

8 MR. GOLDEN: Excuse me.

9 Before you -- you go on with  
10 your questions, I want to make an  
11 objection.

12 And my objection is that last  
13 night, I received 2,025 documents  
14 labeled PSI1 through PSI2025. It  
15 appears that those documents were  
16 provided to you on February 28th and  
17 March 9th.

18 I have no idea whether those  
19 documents have any relevance at all  
20 to this deposition, but I object to  
21 your use of them, because I didn't  
22 get them until last night.

23 There's another batch of  
24 documents numbered PSI2026 to 2258  
25 which I still haven't received.

1 RINAT R. AKHMETSHIN

2 We're trying to work that out.

3 Those, I understand, you  
4 received only yesterday, but I also  
5 object to the use of those documents,  
6 because I haven't had a chance,  
7 still, to look at them.

8 MR. COHEN: All right. Well,  
9 you'll have a chance during the  
10 course of today to look at those  
11 documents and over breaks and -- and  
12 the lunch break.

13 As you noted, we just received  
14 a majority of those documents late  
15 last night. We haven't had them or  
16 an opportunity to review them until  
17 just now. Yet, because  
18 Mr. Akhmetshin is here today, some of  
19 those documents appear relevant to  
20 this deposition, and we would hope  
21 not to have to bring Mr. Akhmetshin  
22 back to discuss just those -- those  
23 documents.

24 We're planning to proceed and  
25 ask about those documents that we

1 RINAT R. AKHMETSHIN

2 think are relevant to this

3 deposition. And your -- but your

4 objection is noted.

5 BY MR. COHEN:

6 Q. Just going back to --

7 A. Yes.

8 Q. -- my earlier question, you said

9 you were aware of the fact that

10 Mr. Egiazaryan brought a lawsuit against

11 Mr. Zalmayev; is that correct?

12 A. I'm aware of the lawsuit, yes,

13 sir.

14 Q. And when did you first become

15 aware of that?

16 A. Mr. Zalmayev told me that he was

17 served by the documents.

18 Q. And he -- did he tell you that

19 almost immediately after he was served with

20 the summons and com- -- complaint in the

21 defamation case?

22 A. I'm sorry?

23 Q. Did Mr. Zalmayev tell you about

24 the lawsuit shortly after he was served with

25 the lawsuit?

1 RINAT R. AKHMETSHIN

2 A. I -- I don't know. He -- he just  
3 called me and we discussed this.

4 Q. Did he say, I was just served  
5 with a lawsuit?

6 A. He -- he told me that some people  
7 approached him -- approached him on the  
8 street and just dumped it on him.

9 Q. Do you recall if that was in  
10 April of 2011?

11 A. It was spring. I do not recall  
12 the exact date. It was spring.

13 Q. Okay. And -- and you described  
14 it, he called you and he said, I'm standing  
15 on the street and someone just delivered  
16 some papers to me?

17 A. I doubt it. I think it was after  
18 the fact.

19 Q. Okay. Did you, shortly  
20 thereafter, receive a copy of the complaint  
21 in Mr. Egiazaryan's lawsuit against  
22 Mr. Zalmayev?

23 A. Yes, I -- he informed me about  
24 it.

25 Q. Okay. And do you recall that

1 RINAT R. AKHMETSHIN

2 was also in the spring of 20 --

3 A. It was --

4 Q. -- 11?

5 A. -- in spring 2011, yes --

6 Q. Okay. Once again --

7 A. -- basically --

8 Q. -- try to --

9 A. I'm sorry, sorry, yeah --

10 Q. -- it's -- it's --

11 A. -- sorry, yeah --

12 Q. -- not the way we usually --

13 A. -- I'm sorry --

14 Q. -- communicate --

15 A. -- yes --

16 Q. -- in --

17 A. -- I'm sorry --

18 Q. -- in -- in general

19 conversation, so just try and --

20 A. Understood.

21 Q. -- take a pause after I finish

22 the question, and then you -- you can

23 answer.

24 I just want to clarify your last

25 answer.

1 RINAT R. AKHMETSHIN

2 You recall receiving a copy of  
3 the summons and complaint in the spring of  
4 2011; is that correct?

5 A. Correct.

6 Q. All right. Are you represented  
7 by counsel today?

8 A. I am.

9 Q. Is that Mr -- Mr. Sperduto?

10 A. Yes.

11 Q. Okay. Have you been represented  
12 by counsel with regard to this litigation by  
13 anyone other than Mr. Sperduto?

14 A. No.

15 Q. You have a retainer agreement  
16 with Mr. Sperduto?

17 A. I do.

18 Q. Do you have a retainer agreement  
19 with any other attorneys or law firms  
20 relating to the Ashot Egiazaryan --

21 A. No.

22 Q. -- matter?

23 Have you been -- have you met  
24 Mr. Golden before today?

25 A. I did.

1 RINAT R. AKHMETSHIN

2 Q. Have you spoken with him from  
3 time to time?

4 A. Not from time -- I think I met  
5 him once or twice.

6 Q. Has he interviewed you with  
7 regard to the Egiazaryan versus Zalmayev  
8 matter?

9 A. No. He made it clear that he  
10 doesn't want to discuss this matter with me.

11 Q. Have you had e-mail  
12 communications with Mr. Golden?

13 A. No.

14 Q. Have you had e-mail  
15 communications with Andy Ryan?

16 A. No.

17 Q. Have you had e-mail  
18 communications with any counsel for  
19 Mr. Zalmayev?

20 MR. SPERDUTO: Object to the  
21 form. I'm not sure he can know who  
22 any counsel for Mr. Zalmayev is other  
23 than the people in the room.

24 THE WITNESS: Actually,  
25 there's -- there's a clarification, I



1 RINAT R. AKHMETSHIN

2 think.

3 At first, before Mr. Zalmayev  
4 was represented by Mr. Golden, there  
5 was another counsel. It's firm  
6 called Baker Hostetler. And for a  
7 while -- for a while, they represent  
8 him. And I think I was in contact  
9 with those people, but they -- they  
10 dropped out of the case.

11 BY MR. COHEN:

12 Q. Was your first communication  
13 with Baker Hostetler before or after you  
14 learned of the fact that there was a  
15 lawsuit?

16 A. For -- after the fact.

17 Q. Do you recall who you spoke with  
18 at Baker Hostetler?

19 A. A partner, Mark Cymrot.

20 Q. Do you recall -- can you  
21 state -- or spell the last name again?

22 A. Cymrot, Mark, M-I -- M-A-R-K, I  
23 think; Cymrot, C-Y-M-R-O-T.

24 He should be in the docket.

25 Q. Yes, that's a familiar name.

1 RINAT R. AKHMETSHIN

2 Did he interview you regarding  
3 the lawsuit?

4 A. He did not.

5 Q. What did you discuss with  
6 Mr. Cymrot?

7 A. I told him that I have a friend  
8 who needs legal representation in this  
9 defamation case, and he introduced  
10 Mr. Zalmayev to Mr. Cymrot.

11 Q. You were helping Mr. Zalmayev  
12 find counsel to represent him --

13 A. Yes, I did.

14 Q. -- and -- in the defense of the  
15 lawsuit against him; is that correct?

16 A. That is correct.

17 Q. Did you discuss or -- with any  
18 other counsel the possibility of them  
19 representing Mr. Zalmayev in the defamation  
20 case?

21 A. I did not.

22 Q. Did you talk to or meet  
23 Mr. Golden before Mr. Zalmayev retained  
24 Mr. Golden and his law firm?

25 MR. SPERDUTO: I'm sorry. I

1 RINAT R. AKHMETSHIN

2 just missed that.

3 Could you repeat it for me?

4 MR. COHEN: Yes.

5 BY MR. COHEN:

6 Q. Did you have any conversations  
7 or communications with Jim Golden or his law  
8 firm before Peter Zalmayev retained  
9 Jim Golden and his law firm to represent him  
10 in the defamation case?

11 A. I did not.

12 Q. Do you know how Mr. Zalmayev  
13 came to retain Jim Golden and his law firm  
14 to defend him in this lawsuit?

15 MR. SPERDUTO: Objection;  
16 capacity.

17 Go ahead. You can answer.

18 THE WITNESS: I think he was  
19 recommended by someone I know in  
20 New York.

21 BY MR. COHEN:

22 Q. Someone you -- you know where?

23 A. He was -- he was recommended by  
24 someone else.

25 Q. Okay. Who -- who recommended

1 RINAT R. AKHMETSHIN

2 Jim Golden?

3 A. Andy Ryan.

4 THE COURT REPORTER: Sorry?

5 THE WITNESS: Andy Ryan,

6 R-Y-A-N.

7 BY MR. COHEN:

8 Q. Who approached Andy Ryan about  
9 possibly representing Mr. Zalmayev?

10 A. I did.

11 MR. SPERDUTO: Object -- give  
12 me a chance.

13 THE WITNESS: I'm sorry.

14 BY MR. COHEN:

15 Q. Had you known Andy Ryan before  
16 the lawsuit was brought against  
17 Mr. Zalmayev?

18 A. I did.

19 Q. And how did you know Andy Ryan  
20 before the lawsuit was brought against  
21 Mr. Zalmayev?

22 A. Mr. Ryan and I, we go back  
23 probably seven, eight years, even more  
24 probably. We were on the same matter, but on  
25 the opposite sides. We -- we worked this

1 RINAT R. AKHMETSHIN

2 case.

3 Q. What was that matter?

4 A. It was matter in a country called  
5 Kyrgyzstan, K- -- K-Y-R-G-Y-S-T-A-N [sic],  
6 Kyrgyzstan Socialist Republic.

7 Q. What was the nature of the  
8 litigation that you were involved with?

9 MR. SPERDUTO: Objection; form.

10 THE WITNESS: We represented  
11 the Government of Kyrgyzstan, and  
12 Mr. Ryan represented the -- some  
13 people who -- who were, you know, in  
14 this kind of conflict with the  
15 Government.

16 BY MR. COHEN:

17 Q. Were you a party to that  
18 lawsuit?

19 A. I was not.

20 Q. Were any companies or entities  
21 that you work for a party to that lawsuit?

22 A. I was more in the capacity of  
23 translator in that case.

24 Q. What's your date of birth?

25 A. [REDACTED] [REDACTED] [REDACTED].

1 RINAT R. AKHMETSHIN

2 Q. What's your current address?

3 A. [REDACTED]  
4 Washington, D.C. [REDACTED]

5 Q. [REDACTED] the address of an  
6 organization that you operate?

7 A. [REDACTED]

8 Q. And what's the name of that  
9 organization?

10 A. The International Eurasian  
11 Institute.

12 Q. Is it the International Eurasian  
13 Institute for Economic and Political  
14 Research?

15 A. Correct.

16 Q. But you call it International  
17 Eurasian Institute for short?

18 A. Yes.

19 Q. And would it be all right if we  
20 discuss it today to call it IEI?

21 A. IEI will be acceptable.

22 Q. It doesn't work out to a  
23 convenient acronym.

24 A. That's fine.

25 Q. Do you reside in the D.C. area?

1 RINAT R. AKHMETSHIN

2 A. Correct.

3 MR. SPERDUTO: Objection.

4 Go ahead. Give me a chance.

5 THE WITNESS: I'm sorry.

6 Sorry, sorry.

7 BY MR. COHEN:

8 Q. Is [REDACTED] [REDACTED] [REDACTED] the  
9 headquarters of IEI?

10 A. I wouldn't describe it as  
11 "headquarters" --

12 Q. It's where you have an --

13 A. -- it's an operational office.

14 Q. Okay. Is your telephone number  
15 [REDACTED]?

16 A. Correct.

17 Q. Is that a telephone number for  
18 IEI?

19 A. Correct.

20 Q. [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] Q. Do you have any other telephone  
24 numbers that you use?

25 A. I have other numbers.

1 RINAT R. AKHMETSHIN

2 Q. What is the other telephone  
3 number?

4 A. [REDACTED].

5 Q. Is that associated with any  
6 entity or organization that you work with?

7 A. No.

8 Q. That's purely a personal number?

9 A. Correct.

10 Q. Has Mr. Zalmayev or anyone on  
11 his behalf asked if you would be a witness  
12 for him at the trial of Mr. Egiazaryan's  
13 lawsuit against Mr. Zalmayev?

14 MR. SPERDUTO: Just a minute,  
15 please.

16 (Pause.)

17 MR. SPERDUTO: To the extent  
18 that that includes a lawyer speaking  
19 representing you --

20 THE WITNESS: Um-hum.

21 MR. SPERDUTO: -- you should  
22 not include that in your answer.  
23 Otherwise, you can answer the  
24 question.

25 THE WITNESS: I don't recall



1 RINAT R. AKHMETSHIN

2 such approach or such a request.

3 BY MR. COHEN:

4 Q. If you were asked by  
5 Mr. Zalmayev or his counsel to appear as a  
6 witness for him at trial, would you do so?

7 MR. SPERDUTO: Objection;  
8 hypothetical.

9 THE WITNESS: Why not?

10 BY MR. COHEN:

11 Q. Okay.

12 A. Yes, maybe.

13 Q. And if you were asked by  
14 Mr. Egiazaryan or counsel for Mr. Egiazaryan  
15 if you would appear as a witness at trial,  
16 would you -- would you do so?

17 MR. SPERDUTO: Same objection.

18 THE WITNESS: I would consider  
19 it.

20 THE COURT REPORTER: Could you  
21 just keep your voice up?

22 THE WITNESS: Sorry.

23 BY MR. COHEN:

24 Q. Have you ever been deposed  
25 before?

1 RINAT R. AKHMETSHIN

2 A. No.

3 Q. Have you ever testified at a  
4 trial?

5 A. No.

6 Q. Have you ever provided a sworn  
7 statement in a litigation?

8 A. No.

9 Q. What did you do to prepare for  
10 today's deposition?

11 A. I engaged a lawyer.

12 Q. Did you -- in terms of preparing  
13 for today's testimony specifically, what did  
14 you do?

15 MR. SPERDUTO: To the extent  
16 that calls for communications between  
17 you and I, you're not to answer.  
18 Otherwise, you can answer.

19 THE WITNESS: I think I just  
20 discussed this --

21 BY MR. COHEN:

22 Q. You -- you met with Mr. --

23 A. -- upcoming --

24 Q. -- you --

25 A. -- upcoming -- I met with

1 RINAT R. AKHMETSHIN

2 Mr. Sperduto.

3 Q. Okay. For how long -- for  
4 how -- on how many occasions did you meet  
5 with Mr. Sperduto?

6 A. On a few.

7 Q. Okay. For how long, all  
8 together, would you say you met with  
9 Mr. Sperduto?

10 A. A few hours.

11 Q. Was anyone else present when you  
12 were meeting with Mr. Sperduto?

13 A. No.

14 Q. Did you speak with  
15 Peter Zalmayev about your forthcoming  
16 testimony today in this lawsuit?

17 A. He's aware of my upcoming  
18 testimony.

19 Q. Did you talk with Peter Zalmayev  
20 about the questions that you anticipate or  
21 he anticipates being asked at today's  
22 deposition?

23 A. No.

24 Q. Do you -- are -- are you -- do  
25 you remain in regular contact with

1 RINAT R. AKHMETSHIN

2 Mr. Zalmayev?

3 MR. SPERDUTO: Form --

4 THE WITNESS: Yes --

5 MR. SPERDUTO: -- "regular."

6 Go ahead.

7 THE WITNESS: I would say yes.

8 BY MR. COHEN:

9 Q. Is there anyone else who you've  
10 spoken with -- strike that.

11 Is there anyone else who you told  
12 that you will be testifying in this lawsuit  
13 to -- today?

14 A. My wife.

15 Q. Anyone else other than your wife  
16 and Mr. Zalmayev and your counsel?

17 A. I'm not -- I don't recall.

18 Q. Did you review any documents in  
19 preparation for today's deposition?

20 A. I did.

21 Q. What documents did you review?

22 A. Files.

23 Q. Did you review -- well, strike  
24 that.

25 What -- what files? What

1 RINAT R. AKHMETSHIN

2 materials?

3 A. Some memos, some -- just e-mails,  
4 I guess.

5 Q. And did you review the documents  
6 that you produced in response to the  
7 subpoena?

8 A. Those were the ones which I  
9 reviewed.

10 Q. Did you review the summons and  
11 complaint in this action?

12 A. I did not read them through.  
13 It's too dense of a writing.

14 Q. You read some of it?

15 A. Correct.

16 Q. Did you read Mr. Zalmayev's  
17 answer and counterclaims in this lawsuit?

18 A. I don't recall.

19 Q. Did you review documents  
20 produced by any other parties in this  
21 lawsuit?

22 A. I don't remember.

23 MR. SPERDUTO: The only parties  
24 we're aware of are Mr. Egiazaryan  
25 and -- and Mr. Zalmayev, correct?

1 RINAT R. AKHMETSHIN

2 MR. COHEN: Yes.

3 BY MR. COHEN:

4 Q. You reviewed your -- you  
5 reviewed the -- the documents that you,  
6 yourself, produced --

7 A. Correct.

8 Q. -- is that correct?

9 A. Correct.

10 Q. Did you review documents  
11 produced by Mr. Egiazaryan?

12 A. I did not -- I'm -- I'm -- I  
13 don't remember. I just -- I reviewed what I  
14 gave to my counsel. That's all I reviewed.

15 Q. Okay.

16 You reviewed what you gave to  
17 your counsel to produce?

18 A. Correct.

19 Q. Okay. And -- and so then what  
20 I'm asking is, did you review any documents  
21 that any other -- anybody else may have  
22 produced in this litigation?

23 A. I don't think so.

24 Q. Okay. Do you recall if you  
25 reviewed any documents provided by

1 RINAT R. AKHMETSHIN

2 Mr. Zalmayev in this lawsuit?

3 A. I doubt it.

4 Q. In preparing for today's  
5 deposition, did you take any notes of --

6 A. No.

7 Q. No.

8 In preparing for today's  
9 deposition, did you conduct an investigation  
10 into any issues or facts that you had some  
11 questions about?

12 A. I searched for -- once I was  
13 subpoenaed, I searched for documents. That's  
14 all I did.

15 MR. COHEN: I'm going to ask  
16 the court reporter to mark as the  
17 next exhibit a copy of Subpoena to  
18 Produce Documents, Information or  
19 Objects or to Permit Inspection of  
20 Premises in a Civil Action dated  
21 October 21, 2011.

22 MR. SPERDUTO: And what's that  
23 number, Jason?

24 MR. COHEN: We're getting the  
25 number. We're continuing in sequence

1 RINAT R. AKHMETSHIN

2 from the previous.

3 MR. LUPKIN: It appears to be  
4 159.

5 MR. COHEN: All right. So  
6 we'll make this 159.

7 MR. LUPKIN: 159 is the next  
8 number in the sequence.

9 MR. COHEN: Yes.

10 THE COURT REPORTER: Do you  
11 want me to put the witness' name?

12 MR. COHEN: Just write 159, no  
13 names.

14 (Sotto voce.)

15 MR. COHEN: That's from  
16 Egiazaryan, right? That's from  
17 Egiazaryan, -58?

18 Okay.

19 - - -

20 (Whereupon, Subpoena to  
21 Produce Documents, Information or  
22 Objects or to Permit Inspection of  
23 Premises in a Civil Action was marked,  
24 for identification purposes, as  
25 Deposition Exhibit Number 159.)



1 RINAT R. AKHMETSHIN

2 - - -

3 BY MR. COHEN:

4 Q. Do you have Exhibit 159 in front  
5 of you, Mr. Akhmetshin?

6 A. I do.

7 Q. Okay. Have you seen this  
8 document before?

9 A. I think I did.

10 Q. Okay. And, sir, call your  
11 attention to the fourth page.

12 Do you see there's a list of  
13 documents requested?

14 A. I do see that.

15 Q. You see that?

16 You've seen that before; is that  
17 correct?

18 A. I think I did.

19 Q. And -- and did you search for  
20 all documents responsive to that -- those  
21 requests for documents?

22 A. I did.

23 Q. And in response to that, you  
24 produced a set of documents; is that  
25 correct?

1 RINAT R. AKHMETSHIN

2 A. Correct.

3 Q. Did anyone other than you search  
4 for those documents?

5 A. No.

6 Q. Did you find -- where did you  
7 locate the documents that you produced?

8 A. In the house.

9 Q. But it was in your home and not  
10 in your IEI offices?

11 A. In both.

12 Q. Okay. Did you have a file that  
13 you maintain with regard to Ashot  
14 Egiazaryan-related issues?

15 A. Not exactly a file.

16 Q. You had sets of documents in  
17 different locations; is that correct?

18 A. Correct.

19 Q. Did you communicate with anyone  
20 to assist in locating every document that  
21 you could find?

22 A. I didn't, no.

23 Q. And, in addition -- and -- and  
24 the documents you produced were hard copies  
25 of documents found in either your home or at

1 RINAT R. AKHMETSHIN

2 IEI offices; is that correct?

3 A. I don't recall.

4 Q. Do you recall if there were any  
5 documents that you printed out from a  
6 computer that were produced?

7 A. I don't remember.

8 Q. Do you recall if you had checked  
9 for any e-mails that were responsive to the  
10 request provided in -- contained in  
11 Exhibit 159?

12 A. I did check my computer. I  
13 searched my computer.

14 Q. Do you recall if, in searching  
15 your computer, you located any e-mails that  
16 are -- were responsive to the request  
17 contained in Exhibit 159?

18 A. I don't recall.

19 Q. Do the documents that you  
20 produced contain all of the records in your  
21 possession, custody or control regarding or  
22 relating to Ashot Egiazaryan, Zalmayev and  
23 the Eurasia Democracy Initiative?

24 A. To my best knowledge.

25 Q. That would include all research

1 RINAT R. AKHMETSHIN

2 regarding Egiazaryan; is that correct?

3 A. I -- I would say so, yes.

4 Q. That would include all  
5 communications regarding Egiazaryan; is that  
6 correct?

7 A. That is correct.

8 Q. That would include all  
9 agreements or contracts relating to your  
10 Egiazaryan project --

11 MR. SPERDUTO: Form --

12 BY MR. COHEN:

13 Q. -- is that correct?

14 MR. SPERDUTO: -- objection to  
15 the form; assumes facts.

16 THE WITNESS: I got everything  
17 I could find and gave it to my  
18 counsel.

19 BY MR. COHEN:

20 Q. Okay. And that would also  
21 include everything you had regarding  
22 Peter Zalmayev and Eurasia Democracy  
23 Initiative; is that correct?

24 A. Correct. On this matter, yes.

25 Q. And that would include all --

1 RINAT R. AKHMETSHIN

2 and -- strike that.

3 Are you aware that there were no  
4 e-mails that were provided in response to  
5 Exhibit 159?

6 A. I am aware of that.

7 Q. Why is it that that -- that you  
8 did not provide any e-mails in response to  
9 the subpoena that's been marked as  
10 Exhibit 159?

11 A. I routinely delete --

12 THE COURT REPORTER: I'm sorry?

13 THE WITNESS: I routinely  
14 delete my correspondence on matters  
15 and, in general, keep my mailbox  
16 light.

17 BY MR. COHEN:

18 Q. How do you decide what gets  
19 relief -- deleted or not deleted?

20 A. Something which is relevant, I  
21 keep, but what's irrelevant, things get  
22 deleted.

23 Q. If you were continuing to work  
24 on a particular project, do you retain the  
25 e-mails relating to that project until the

1 RINAT R. AKHMETSHIN

2 project is completed?

3 A. I don't.

4 Q. Have you checked whether deleted  
5 items that were on your computer could be  
6 retrieved from your computer?

7 A. I did check.

8 Q. How did you check?

9 A. I went to these undelete. I went  
10 to this trash box. I went to all those  
11 areas.

12 Q. Did you have any computer or  
13 information technology specialist look at  
14 your computer to determine whether documents  
15 that you believe were deleted could be  
16 located on the computer somewhere?

17 MR. SPERDUTO: Objection to the  
18 form.

19 THE WITNESS: I'm pretty  
20 comfortable with computers myself.

21 BY MR. COHEN:

22 Q. Did you go to anybody else to  
23 help -- to help you?

24 A. I don't ever go to anyone else.

25 Q. And did you in this case --

1 RINAT R. AKHMETSHIN

2 occasion go to anybody else?

3 A. I did not.

4 Q. Do you still have the computer?

5 A. Not that one. I have a new one  
6 now.

7 Q. When did you get a new computer?

8 A. I think it was last year, I  
9 think, sometime.

10 Q. At the end of 2011?

11 A. Correct.

12 Q. Were you notified by anyone that  
13 you should retain the computer during the  
14 pendency of the lawsuit by Ashot Egiazaryan  
15 against Peter Zalmayev?

16 A. I do not recall such warning.

17 Q. What was your process by which  
18 you maintained and deleted e-mails?

19 A. Could you please --

20 MR. SPERDUTO: I think you  
21 asked that, didn't you, Jason?

22 Asked and answered.

23 Go ahead if you --

24 THE WITNESS: Could you  
25 elaborate a little bit?

1 RINAT R. AKHMETSHIN

2 BY MR. COHEN:

3 Q. Sure.

4 Did you have a regular practice  
5 of reviewing your computer on a regular basis  
6 to delete e-mails, or did you do it on a  
7 ongoing basis?

8 A. On an ongoing basis. There's no  
9 system; but, you know, I tend not to keep  
10 documents. Most of the documents have  
11 attachments which I save, but -- if it's  
12 relevant. If not, then -- because, you know,  
13 I tend not to keep a lot of mail.

14 Q. And where do you save  
15 attachments?

16 A. On the hard drive.

17 Q. What did you do with the  
18 computer that you used in 2010 and 2011 and  
19 you say you got rid --

20 A. Just did -- just --

21 Q. -- of sometime towards the end  
22 of 2011?

23 A. -- it's -- it was an old  
24 computer. It crashed --

25 Q. And where is it right --



1 RINAT R. AKHMETSHIN

2 A. I --

3 Q. -- now?

4 A. -- just disposed of it.

5 Q. How did you dispose of it?

6 A. Just throw it out in the trash.

7 It wouldn't even start.

8 Q. Do you back up your computer?

9 A. Not regularly. I should,  
10 probably.

11 Q. Do you have a backup device that  
12 you use to -- to make sure if the computer  
13 crashes, you don't lose all your data --

14 A. No --

15 Q. -- and information?

16 A. -- no, I never have anything  
17 relevant.

18 It happens to me all the time.

19 Sometimes I lose computer. I have a little  
20 child sometimes just step on it, and it  
21 just -- I go through many computers.

22 Q. And do you, from time to time,  
23 keep e-mails?

24 A. There's no system for this.

25 Q. Do you, from time to time, keep

1 RINAT R. AKHMETSHIN

2 e-mails?

3 A. I might.

4 Q. When you replaced the  
5 computer -- the older computer with a new  
6 computer at the end of 2011, did you  
7 transfer any of the data from the old  
8 computer to the new computer?

9 A. I did not. I did not.

10 Q. Other than e-mails, did you  
11 destroy any other documents --

12 MR. SPERDUTO: Objection --

13 BY MR. COHEN:

14 Q. -- relating to --

15 MR. SPERDUTO: -- objection,  
16 objection --

17 BY MR. COHEN:

18 Q. -- Ashot Egiazaryan?

19 MR. SPERDUTO: -- objection to  
20 the form; that assumes facts not in  
21 what you're -- in evidence; and it's  
22 arg- --

23 THE WITNESS: I did not destroy  
24 anything in this --

25 MR. SPERDUTO: -- and it's

1 RINAT R. AKHMETSHIN

2 argumentative.

3 Come on, Jason.

4 THE WITNESS: Yes; go ahead.

5 I did not destroy --

6 BY MR. COHEN:

7 Q. Did you destroy any --

8 A. I didn't --

9 Q. -- documents?

10 A. -- I didn't destroy anything.

11 Q. During the course of your review  
12 and search for documents relating to the  
13 Egiazaryan lawsuit against Peter Zalmayev,  
14 did you locate any documents that have not  
15 been produced?

16 A. No.

17 Q. What did you do with the  
18 documents that you located?

19 A. I bundled them together, took to  
20 my lawyer's office.

21 Q. Following the production of  
22 documents, did you ever go back and take a  
23 second look for additional documents?

24 A. I don't remember. I -- I might  
25 have.

1 RINAT R. AKHMETSHIN

2 Q. During the 2010 to 2011 period,  
3 did you have just one com- -- one computer?

4 A. I did.

5 Q. Do you have in your possession  
6 any backup hard drives or -- or other  
7 devices that contain any information from  
8 the computer that was destroyed?

9 A. I do not.

10 And if I may mention --

11 MR. SPERDUTO: I'm going to  
12 object --

13 THE WITNESS: -- computer has  
14 not been destroyed. It's --

15 MR. SPERDUTO: I -- I was just  
16 going to object to the form --

17 THE WITNESS: -- discarded --

18 THE COURT REPORTER: Wait,  
19 wait.

20 MR. SPERDUTO: Yeah, right.

21 I was going to object to the  
22 form nunc pro tunc on that, because  
23 it -- he didn't say it was  
24 "destroyed"; he said it was  
25 discarded.

1 RINAT R. AKHMETSHIN

2 THE WITNESS: And I mentioned  
3 several times it was discarded,  
4 because it was -- it crashed.

5 BY MR. COHEN:

6 Q. Could -- describe your  
7 educational background.

8 A. I have a doctorate in chemistry.

9 Q. From where?

10 A. From Catholic University.

11 Q. Where were you born?

12 A. I was born in Russia.

13 Q. And where in Russia?

14 A. In a city called Kazan,

15 K-A-Z-A-N, Russia.

16 Q. Approximately where is that?

17 A. It's outside of Moscow. It's  
18 east of Moscow.

19 Q. For how long did you live in  
20 Russia?

21 A. I left Russia when I was 24, I  
22 think. I -- I left Russia in 1993, so I was  
23 25.

24 Q. On what kind of visa did you  
25 leave Russia?

1 RINAT R. AKHMETSHIN

2 A. I'm sorry?

3 Q. On what kind of visa? How did  
4 you come to the United States?

5 A. Student visa, F-1.

6 Q. What is your current immigration  
7 status?

8 A. I'm a U.S. citizen.

9 Q. Did you ever apply for asylum?

10 A. No.

11 Q. How did you become a U.S.  
12 citizen?

13 A. Just applied for citizenship. I  
14 got the first green card, then citizenship.

15 Q. You say you have a -- a Ph.D.  
16 in -- in chemis- -- in chemistry?

17 A. That is correct, bioorganic  
18 chemistry.

19 THE COURT REPORTER: I'm sorry?

20 THE WITNESS: Bioorganic  
21 chemistry.

22 BY MR. COHEN:

23 Q. Do you act professionally in the  
24 chemistry field at all?

25 A. Not any more.

1 RINAT R. AKHMETSHIN

2 Q. Do you have any degrees past  
3 that -- that degree?

4 A. No. That's the highest degree I  
5 have. There are no higher degrees.

6 Q. Do you have any professional  
7 licenses?

8 A. No.

9 Q. Have you ever held any teaching  
10 positions?

11 A. I did.

12 Q. In what?

13 A. In chemistry.

14 Q. Okay. Have you published any  
15 papers in chemistry?

16 A. I did.

17 Q. In anything else?

18 A. No; just in chemistry.

19 Q. Ever give lectures or  
20 presentations on chemistry?

21 A. I have, years ago.

22 Q. Have you given any lectures or  
23 presentations on anything else?

24 A. Yeah. I might have talk about  
25 Central Asian matters. I -- I've been

1 RINAT R. AKHMETSHIN

2 invited to talked on matters of Central Asia  
3 a few times.

4 Q. By whom are you currently  
5 employed?

6 A. By the International Eurasian  
7 Institute.

8 Q. And -- and does the  
9 International Eurasian Institute have any  
10 employees other than you?

11 A. We have an employee in London.

12 Q. Who is that?

13 A. It's the former Prime Minister of  
14 Kazakhstan.

15 Q. What is his name?

16 A. Akezhan Kazhegeldin.

17 Q. And how did you get connected  
18 with Mr. Kazhegeldin?

19 A. I met him in 1998, I think.

20 Yeah.

21 Q. Have you represented him?

22 A. I have.

23 Q. In what capacity did -- did you  
24 represent Mr. Kazhegeldin?

25 A. As an advisor to him.



1 RINAT R. AKHMETSHIN

2 Q. At the time that you first began  
3 working with him, he -- he was no longer the  
4 Prime Minister of Kazakhstan; is that  
5 correct?

6 A. That is correct.

7 Q. And at the time that you began  
8 to represent him, was he -- was there a  
9 warrant out for his arrest in Kazakhstan?

10 A. That is correct.

11 Q. And at the time you represented  
12 him, was there an INTERPOL Red Notice for --  
13 out for him?

14 A. I do believe so.

15 Q. And do you recall what the  
16 warrant for arrest was for?

17 A. I do not remember.

18 Q. And -- strike that.

19 And am I correct that he is still  
20 wanted by -- there's still an arrest warrant  
21 for him in the country of Kazakhstan?

22 MR. SPERDUTO: Objection to the  
23 form; capacity.

24 THE WITNESS: I -- I don't  
25 know.

1 RINAT R. AKHMETSHIN

2 BY MR. COHEN:

3 Q. Do you continue to represent  
4 him?

5 A. In some capacity, yes.

6 Q. In what capacity?

7 A. Just advising.

8 Q. On what issues do you advise  
9 him?

10 A. The media communications.

11 Q. What's the purpose or mission of  
12 IEI?

13 A. We're trying to promote democracy  
14 in Central Asia, former Soviet Union, and  
15 promote pro- -- I mean progress and reform.

16 Q. Does IEI, from time to time,  
17 have paying clients?

18 A. Yes, correct.

19 Q. Do you rely -- does IEI rely on  
20 paying clients for its -- its income?

21 A. In some ways, yes.

22 Q. Does IEI rely upon charitable  
23 donations?

24 A. I would not recall those,  
25 actually.

1 RINAT R. AKHMETSHIN

2 Q. Okay. Mostly, you work for  
3 clients?

4 A. Correct.

5 Q. Is IEI registered as a 501(c)(3)  
6 entity?

7 A. No.

8 Q. Is it correct that IEI is not a  
9 charitable organization?

10 A. It is not.

11 Q. Do you -- does IEI pay a salary  
12 to Mr. Kazhegeldin?

13 A. It does, yes.

14 Q. Has Mr. Kazhegeldin worked in  
15 any capacity with -- assisted in any  
16 capacity with your work relating to  
17 Ashot Egiazaryan?

18 A. No. He's a former prime  
19 minister.

20 Q. He still has got to work, right?

21 A. He does. He has his hands busy  
22 with other things.

23 Q. I'm sorry. Could you speak up a  
24 little bit?

25 A. He has his hands busy with other

1 RINAT R. AKHMETSHIN

2 things.

3 Q. Okay. Things relating to  
4 Kazakhstan?

5 A. Correct.

6 Q. And things relating to the  
7 prosecution of -- of crimes against him; is  
8 that correct?

9 MR. SPERDUTO: Objection;  
10 assumes facts not in evidence; calls  
11 for a legal conclusion.

12 If you -- if --

13 THE WITNESS: He's -- you know,  
14 he's trying to promote reform in his  
15 country. That's what he does.

16 BY MR. COHEN:

17 Q. What is the Kazakhstan 21st  
18 Century Foundation?

19 A. It used to be a predecessor to  
20 International Eurasian Institute. It --

21 THE COURT REPORTER: I'm sorry?

22 THE WITNESS: It was a  
23 predecessor to International Eurasian  
24 Institute. It's no longer  
25 functional.

1 RINAT R. AKHMETSHIN

2 BY MR. COHEN:

3 Q. Did you have any employment in  
4 the -- in Russia before you left?

5 A. I did not.

6 Q. I'm sorry. You said you came  
7 over here when you were 24?

8 A. Twenty-five.

9 Q. Twenty-five.

10 Did you participate in the war in  
11 which Russia was engaged in in Afghanistan  
12 before coming to the United States?

13 A. In some capacity.

14 Q. In what capacity?

15 A. Soldier.

16 Q. Have you ever worked for the  
17 Russian Government other than as a soldier?

18 A. Just U.S.-Soviet Army -- US --  
19 Army of USSR.

20 Q. And was there a specific  
21 division or department that you worked in  
22 when you were working for the Soviet Army  
23 in -- when you worked for the Soviet Army?

24 A. I did not work for Soviet Army.

25 MR. SPERDUTO: I'm sorry.

1 RINAT R. AKHMETSHIN

2 Just -- can you repeat the first half  
3 of your question? I -- can you read  
4 it back, Jason? I just missed that  
5 first --

6 MR. COHEN: I -- I'll ask  
7 another question.

8 MR. SPERDUTO: All right,  
9 thanks.

10 BY MR. COHEN:

11 Q. When you served as a soldier,  
12 who did you serve for?

13 A. I served for the Soviet Army. I  
14 did not work.

15 Q. Okay. Did you -- you work in a  
16 specific division or department when you  
17 served for the Soviet Army?

18 A. I was -- every soldier served in  
19 a specific department. I did serve in my  
20 unit.

21 Q. What unit was that?

22 A. Do you need the number?

23 Q. What was the -- yes, the unit  
24 number.

25 A. 1 -- 12129.

1 RINAT R. AKHMETSHIN

2 Q. What was the -- what was the  
3 name -- name or title of that unit?

4 A. It's -- you know, in Russian,  
5 it's called "Komendantsky." It's a --  
6 there's no equivalent in the United States,  
7 but there's equivalent in -- used to be  
8 equivalent in Germany. It's called  
9 service -- command in service --  
10 commandant -- command in service? I don't  
11 know how you describe.

12 Q. What was the role of this unit  
13 of the Soviet Army?

14 A. It's protect well-being of  
15 soldiers.

16 Q. By doing what?

17 A. Just troop movements, you know,  
18 traffic, you know, all those things, security  
19 of soldiers. It has -- it's a very broad  
20 unit.

21 Q. Who was Viktor Ivanov?

22 A. I know one Viktor Ivanov who is  
23 the head of Russian drug enforcement agency.

24 Q. I'm sorry. Again, if you could  
25 speak up a little bit.

1 RINAT R. AKHMETSHIN

2 A. I know Viktor Ivanov who is the  
3 head of Russian drug enforcement agency.

4 Q. Did you serve with him in  
5 Afghanistan?

6 A. I did not. Much older.

7 Q. Did you serve with any of  
8 Mr. Ivanov's deputies in Afghanistan?

9 MR. SPERDUTO: Objection to the  
10 form; capacity.

11 THE WITNESS: I do not recall  
12 that.

13 BY MR. COHEN:

14 Q. Do you know who David Mastio is?

15 A. Never heard this name.

16 MR. COHEN: I'll ask the court  
17 reporter -- reporter to mark as  
18 Exhibit 160 an e-mail dated March 4,  
19 2011 to Peter Zalmayev titled Op-Ed  
20 Submission on the Role of Russia in  
21 Afghanistan.

22 There's two. That one's for  
23 Jim. Sorry.

24 MR. SPERDUTO: I'm sorry.

25 - - -



1 RINAT R. AKHMETSHIN

2 (Whereupon, an e-mail string  
3 was marked, for identification  
4 purposes, as Deposition Exhibit  
5 Number 160.)

6 - - -

7 (Whereupon, the witness reviews  
8 the document.)

9 THE WITNESS: Yes, I've read  
10 it.

11 BY MR. COHEN:

12 Q. Have you had a chance to review  
13 this e-mail?

14 A. I did.

15 Q. And it's a fairly recent e-mail  
16 from 2- -- March 2011; is that correct?

17 MR. SPERDUTO: Objection to the  
18 form, characterization of the e-mail.

19 THE WITNESS: The -- this  
20 e-mail, I -- I do recall, yes --

21 BY MR. COHEN:

22 Q. Okay.

23 A. -- and now I remember the name of  
24 the -- Mr. Mastio.

25 Q. And the date of the e-mail from

1 RINAT R. AKHMETSHIN

2 you to Peter Zalmayev is March 4th, 2011; is  
3 that correct?

4 MR. SPERDUTO: Can you just  
5 give me a second, please?

6 (Pause.)

7 MR. SPERDUTO: Okay.

8 Yeah, go ahead.

9 THE WITNESS: That's weird.

10 MR. SPERDUTO: To -- to save  
11 time, can I just point out some --  
12 the dates that you're referring to --

13 MR. COHEN: I -- I'll get to --

14 MR. SPERDUTO: -- Counsel?

15 MR. COHEN: -- I'll get to the  
16 other dates.

17 MR. SPERDUTO: Um-hum. Okay.

18 BY MR. COHEN:

19 Q. Is the date that -- that this  
20 e-mail was forwarded to Mr. Zalmayev  
21 March 4th, 2011?

22 A. It appears on the e-mail. I do  
23 not remember this.

24 Q. You -- do you -- you -- you --  
25 do you remember forwarding this e-mail to

1 RINAT R. AKHMETSHIN

2 Mr. Zalmayev on or about March 4th, 2011?

3 A. I might have, yes. I --  
4 probably, I did. I don't remember.

5 Q. That's your e- -- the From is --  
6 that's your e-mail address --

7 A. It is correct.

8 Q. -- is that correct?

9 A. That is correct, sir.

10 Q. And the To, that's  
11 Peter Zalmayev's e-mail address --

12 A. Correct --

13 Q. -- is that correct?

14 A. -- correct.

15 Q. And -- and below that is a  
16 e-mail from October 10, 2010; is that  
17 correct?

18 A. Correct, sir.

19 Q. And in that e-mail, you -- it  
20 says that you would like to submit an op-ed  
21 by Mr. Viktor Ivanov; is that correct?

22 A. That is correct, sir.

23 Q. Is that Viktor Ivanov the  
24 Viktor Ivanov you just mentioned who's head  
25 of the Russian drug enforcement agency?

1 RINAT R. AKHMETSHIN

2 A. That is correct, sir.

3 Q. And calling your attention a  
4 little bit farther down in the document  
5 towards the middle --

6 A. Served with?

7 Q. Yes.

8 It says, I'm a veteran of  
9 Russia's Afghanistan campaign; is that  
10 correct?

11 A. That is correct, yes.

12 Q. And that's a true statement?

13 A. I am, yes.

14 Q. Okay. And it says you served  
15 with one of Mr. Ivanov's deputies there; is  
16 that correct?

17 A. That's not exactly correct.

18 Q. Okay. What did -- what did you  
19 mean when you wrote that you served with one  
20 of Mr. Ivanov's deputies there?

21 A. I know someone for the service  
22 who worked with Mr. Ivanov. It wasn't his  
23 deputy, but it was someone who worked for him  
24 in this capacity of drug enforcement issues.

25 Q. Whom you served with in

1 RINAT R. AKHMETSHIN

2 Afghanistan?

3 A. I -- I served with him in army,  
4 yes.

5 Q. What's the name of that person?

6 A. General Volkov.

7 Q. Can you spell the last name,  
8 please?

9 A. V-O-L-K-O-V.

10 Q. Is Mr. Volkov still in the  
11 Sov- -- still in Russia?

12 A. He passed away, unfortunately,  
13 but he served here in Washington, D.C.

14 Q. Do you -- and who -- who  
15 submitted -- I'm sorry. Strike that.

16 Did Mr. Ivanov contact you to  
17 communicate on his behalf with The Washington  
18 Times?

19 A. No.

20 Q. How did it come about that you  
21 were submitting an op-ed by  
22 Mr. Viktor Ivanov to The Washington Times?

23 A. I was asked to help during  
24 Mr. Ivanov's trip to Washington, D.C. I was  
25 approached by this General Volkov and another

1 RINAT R. AKHMETSHIN

2 friend of mine to help them if -- telling  
3 their story, which I found very compelling.

4 Q. Was this a paid assignment?

5 A. No.

6 Q. And -- and you were approached  
7 by General Volkov at that time?

8 A. Correct, and another person.

9 Q. Who else?

10 A. It's former head of a news agency  
11 here.

12 Q. Who's that?

13 A. It's Ms. Babayeva,  
14 B-A-B-A-Y-E-V-A, Babayeva. Babayeva.

15 Q. What news agency?

16 A. RIA Novosti, R-I-A, Novosti,  
17 N-O-V-O-S-T-I, Novosti.

18 Q. Have you ever met Mr. Ivanov?

19 A. I have.

20 MR. COHEN: Let me ask the  
21 court reporter to mark as Exhibit 161  
22 a printout from Russian Government  
23 Web site titled Presidential  
24 Executive Office with a biography of  
25 Viktor Ivanov.

1 RINAT R. AKHMETSHIN

2 - - -

3 (Whereupon, a printout from  
4 Russian Government Web site titled  
5 Presidential Executive Office was  
6 marked, for identification purposes, as  
7 Deposition Exhibit Numbers 161.)

8 - - -

9 THE WITNESS: Thank you.

10 BY MR. COHEN:

11 Q. Do you have Exhibit 161 in front  
12 of you, sir?

13 A. Correct.

14 Q. And -- and if you look on the  
15 right, there's a photograph.

16 Is that a photograph of  
17 Viktor Ivanov?

18 A. It appears so.

19 Q. And you -- you've seen him  
20 before?

21 A. Oh, yes, I have.

22 Q. And that looks like him,  
23 correct?

24 A. It does look like him, yes, his  
25 moustache.

1 RINAT R. AKHMETSHIN

2 Q. And -- and it says he's -- do  
3 you know his current position in the  
4 administration of --

5 MR. SPERDUTO: Object- --

6 BY MR. COHEN:

7 Q. -- Vladimir Putin?

8 MR. SPERDUTO: -- objection to  
9 the form.

10 Go ahead.

11 THE WITNESS: I'm not sure; but  
12 at the time when I knew him, he was  
13 the head of Russian drug enforcement  
14 agency.

15 BY MR. COHEN:

16 Q. Is he also -- was he also an  
17 aide to President Putin?

18 A. He might have been. I did not  
19 know him in that capacity.

20 Q. Did you know him as Deputy  
21 Director of the Federal Security Service of  
22 the Russian Federation?

23 A. I did not.

24 MR. SPERDUTO: I'm sorry. Hold  
25 on. Just -- you're asking if he knew



1 RINAT R. AKHMETSHIN

2 him in that capacity?

3 MR. COHEN: Yes.

4 THE WITNESS: No. I only knew  
5 him in the capacity of Russian drug  
6 enforcement.

7 BY MR. COHEN:

8 Q. Did you know Mr. Ivanov to have  
9 worked for the KGB?

10 A. I might have.

11 Q. Just calling your attention to  
12 the second page in -- in the middle of the  
13 document.

14 There's a reference that begins  
15 From 1977?

16 A. Um-hum. Yes.

17 Q. Okay. You see that it says,  
18 Worked in the KGB in various operational and  
19 leadership capacities?

20 A. I do see that.

21 Q. Does that refresh your  
22 recollection as to roles he may have played  
23 in the KGB?

24 MR. SPERDUTO: Objection to  
25 form.

1 RINAT R. AKHMETSHIN

2 You can answer.

3 THE WITNESS: I never met him  
4 in other capacities -- in -- in  
5 capacities other than Russian drug  
6 enforcement agency chief.

7 BY MR. COHEN:

8 Q. Have you ever done -- other than  
9 this seeking to assist him in placing an  
10 article in The Washington Times, have you  
11 done other work for Viktor Ivanov?

12 A. I helped to organize his public  
13 presentation.

14 Q. To whom?

15 A. The Carnegie Endowment.

16 Q. When was that?

17 A. That's around the same time when  
18 he was visiting the United States.

19 Q. That would have been in -- in  
20 2010; is that correct?

21 A. It was around the time when the  
22 article ran. So if it says October, that  
23 should be October.

24 Q. Was this article published in  
25 The Washington Times?

1 RINAT R. AKHMETSHIN

2 A. It was.

3 Q. Calling your attention to  
4 Exhibit 160 again.

5 A. Yes.

6 Q. And do you see that the lower  
7 e-mail is dated October 18, 2010; is that  
8 correct?

9 A. That is correct, it appears so.

10 Q. And you forwarded that e-mail to  
11 Mr. Akhmetshin on March 4th, 2000 --

12 MR. SPERDUTO: Is that --  
13 objection to form.

14 BY MR. COHEN:

15 Q. I'm sorry.

16 And you -- you forwarded the  
17 e-mail dated Octo- -- did you forward the  
18 e-mail dated October 18, 2010 to Mr. Zalmayev  
19 on March 4th, 2011?

20 A. It does appear so, sir.

21 Q. That's almost five months later;  
22 is that correct?

23 A. Correct.

24 Q. This is not an e-mail that you  
25 destroyed; is that correct?

1 RINAT R. AKHMETSHIN

2 A. That was one which I had at that  
3 time. It appears that way.

4 Q. Where did you keep e-mails that  
5 you didn't destroy? Is it just kept in your  
6 inbox?

7 A. It probably was there.

8 MR. SPERDUTO: Objection.

9 I'm -- I'm going to -- excuse me.

10 I'm going to have a standing  
11 objection so I don't have to  
12 interrupt every time, but every time  
13 you use the word "destroy" -- there's  
14 nothing on the record that says he  
15 destroyed anything. He discarded an  
16 old computer. That's all there is.

17 If it gets argumentative, I'll  
18 make the objection again; otherwise,  
19 you know, we have a standing  
20 objection to counsel's  
21 characterization of the witness'  
22 testimony.

23 THE WITNESS: And I agree, yes,  
24 I'm not comfortable. You're putting  
25 words in my mouth, sir.

1 RINAT R. AKHMETSHIN

2 BY MR. COHEN:

3 Q. Well, when you put the computer  
4 in the -- out into the trash, you knew it  
5 was going to be destroyed, didn't you?

6 A. It was discarded. I tossed it --

7 Q. You discarded it, but you knew  
8 it was going to be destroyed?

9 MR. SPERDUTO: Objection to the  
10 form; argumentative.

11 You don't have to answer that.

12 THE WITNESS: Sir, it was  
13 crashed already. It was  
14 nonfunctional computer. I'm sure you  
15 destroy many computers yourself.

16 BY MR. COHEN:

17 Q. Did you seek to have anyone  
18 recover the data on the computer before you  
19 discarded it?

20 A. I did not.

21 Q. Why not?

22 A. Because I'm very good with  
23 computers, sir.

24 Q. Excuse me?

25 A. I am very good with computers. I

1 RINAT R. AKHMETSHIN

2 program and I work with computers -- worked  
3 extensively.

4 Q. Going back to Mr. Kazhegeldin,  
5 did -- do you recall that he was -- there  
6 was an arrest warrant and that he was wanted  
7 for organized crime?

8 A. I do not remember the charges,  
9 but --

10 Q. Do you remember --

11 A. -- there was an arrest warrant  
12 because he was detained on that warrant.

13 Q. Do you recall that one of the  
14 charges was transnational crime?

15 A. I was not -- as I mentioned, I  
16 was not aware of the charges.

17 Q. He never shared those -- those  
18 charges with you?

19 A. I -- I was quite sure that those  
20 are trumped-up charges.

21 Q. Did you ever look at them?

22 A. I didn't. I'm not a lawyer.

23 Q. And why -- how -- how were you  
24 so sure they were trumped-up charges?

25 A. Because he was the subject of

1 RINAT R. AKHMETSHIN

2 harassment complaint.

3 Q. Led by -- by whom?

4 A. Led by the regime in Kazakhstan.

5 Q. Is it your position that the  
6 regime in Kazakhstan can arrange for  
7 trumped-up charges against political enemies  
8 or dissidents?

9 MR. SPERDUTO: Objection to the  
10 form.

11 THE WITNESS: I --

12 MR. SPERDUTO: Go ahead.

13 Asked and answered.

14 THE WITNESS: I maintain it's  
15 possible.

16 BY MR. COHEN:

17 Q. Is it possible for that to  
18 happen in Russia?

19 MR. SPERDUTO: Objection to  
20 form --

21 THE WITNESS: I wouldn't  
22 speculate.

23 MR. SPERDUTO: -- "possible."

24 THE COURT REPORTER: Just let  
25 him finish.

1 RINAT R. AKHMETSHIN

2 THE WITNESS: I said I -- I --

3 I -- I wouldn't know.

4 BY MR. COHEN:

5 Q. You wouldn't know one way or the  
6 other?

7 A. Yes.

8 Q. Prior to 2010, were there other  
9 projects in which you worked with  
10 Peter Zalmayev?

11 A. Oh, I worked with him on many  
12 projects.

13 Q. And what's the nature of the  
14 projects that you work on with Mr. Zalmayev?

15 A. It's mostly media freedom,  
16 political activities in my position politics.

17 Q. And when you work with him, does  
18 he get paid for his work?

19 A. By me?

20 Q. Yes.

21 A. He has done some works for me,  
22 and I paid him for many works, actually.

23 Q. Did you do any work with him  
24 regarding anti-Semitism?

25 A. I do not recall anti-Semitic



1 RINAT R. AKHMETSHIN

2 issues.

3 Q. Did you do any work with him  
4 regarding anti-Americanism?

5 A. I wouldn't remember that. I  
6 wouldn't -- not recall.

7 Q. Did you do work with him  
8 regarding xenophobia?

9 A. I might have, yes.

10 Q. What -- what projects do you  
11 recall relating to xenophobia that you  
12 worked with him on?

13 A. It's about these genocide issues  
14 with -- where just a large number of  
15 people -- minority was killed.

16 Q. Do you recall a particular  
17 genocidal issue that you worked on?

18 A. It was in Kyrgyzstan. There was  
19 a massive massacre of Uzbek -- minority Uzbek  
20 citizens there. It was very unfortunate.

21 Q. Do you recall any other projects  
22 that you worked on with Mr. Zalmayev that  
23 related to xenophobia, race -- or racism?

24 A. I might have. I do not recall.  
25 I -- I -- I -- you know, actually I -- I -- I

1 RINAT R. AKHMETSHIN

2 remember that -- yes, I do remember. I -- I  
3 was not working, but he asked me to help on  
4 some of those, yes.

5 Q. Do you recall any particular  
6 projects?

7 A. It's about these Roma, Sinti  
8 issues.

9 Q. Can you say that again?

10 A. Roma, R-O-A -- R-O-M-A, Roma,  
11 Sinti, S-I-N-T-I, I think, Sinti. Roma,  
12 Sinti. It's this -- it's gypsies, pretty  
13 much.

14 Q. Okay. Have -- have you worked  
15 with him on any matters relating to the  
16 Liberal Democratic Party of Russia?

17 A. I do not recall.

18 Q. Did you work with Mr. Zalmayev  
19 on any assignments relating to corruption in  
20 Russia, political corruption?

21 A. I -- I -- I might have, yes.

22 Q. Do you recall any specific  
23 assignments or projects?

24 A. I work on this issues with  
25 Mr. Zalmayev.

1 RINAT R. AKHMETSHIN

2 Q. Any other ones?

3 A. I don't remember others.

4 Q. Did you work -- putting aside  
5 anything that you did --

6 A. And LDPR -- and LDPR as well,  
7 yes, actually, sir.

8 Q. With regard to Mr. Egiazaryan?

9 A. Mr. Egiazaryan, yes.

10 Q. And putting aside your work with  
11 Mr. Egiazaryan, before you began to work on  
12 that matter, did you work with Mr. Zalmayev  
13 in any assignments relating to  
14 Chechnya-related war crimes, atrocities?

15 A. Prior to working --

16 Q. Yeah.

17 A. -- prior -- prior to Egiazaryan  
18 matter?

19 Q. Right.

20 A. I do not recall. But I know he  
21 did.

22 Q. Did there come a time in 2010  
23 when you began to work on a project relating  
24 to Ashot Egiazaryan?

25 A. I think it was in 2011 or 2010.

1 RINAT R. AKHMETSHIN

2 I don't remember. Yes, but I started working  
3 on the Egiazaryan project, correct.

4 Q. Do you recall generally when  
5 that was?

6 A. I think it was around the new  
7 year. So it might have been, like, end of  
8 2010, early 2011. But I think it was 2011 --

9 Q. How did -- how did --

10 A. -- I do not remember exactly.

11 Q. How did that project come about?

12 A. It was very old client of mine  
13 asked me to look into this issue.

14 Q. Who is that?

15 A. His name is Andrey Vavilov.

16 Andrey, A-N-D-R-E-Y, Andrey; last name is  
17 Vavilov, V-A-V-I-L-O-V, Vavilov.

18 Q. Who is Andrey Vavilov?

19 A. Andrey Vavilov is a, I would say,  
20 personal friend of mine and also a  
21 long-standing client.

22 Q. Where does he reside?

23 A. He resides in New York and in  
24 Monaco, as far as I'm concerned -- or as far  
25 as I know. And I know he has a residence in

1 RINAT R. AKHMETSHIN

2 Russia.

3 Q. Is he Russian?

4 A. He's a Russian.

5 Q. By whom is he employed?

6 A. He -- his own hedge fund, and I  
7 think he also owns these, like,  
8 plaintiff cases -- he's an economist by  
9 training and an accomplished one, publishes  
10 on issues.

11 Q. And how did he -- did he reach  
12 out to you?

13 A. He did.

14 Q. And what did he say?

15 A. You know, he reached out to me on  
16 Mr. -- and I actually have known Mr. Vavilov  
17 since late '90s, and the issue of Egiazaryan  
18 was an important issue in -- in our  
19 interactions.

20 Q. In the 1990s?

21 A. Late '90s.

22 Q. And -- and what -- did you have  
23 any interactions with Mr. Egiazaryan in the  
24 1990s?

25 A. Personally, I know that my client

1 RINAT R. AKHMETSHIN

2 did.

3 Q. What -- what interactions did  
4 Mr. Vavilov have with Mr. Egiazaryan in the  
5 1990s?

6 A. Mr. Egiazaryan was Mr. Vavilov's  
7 adversary.

8 Q. And on -- on what issue or  
9 matter?

10 A. On the financial issues, on the  
11 issue of oil company which I used to  
12 represent.

13 Q. What's that company?

14 A. It's called Severnaya Neft,  
15 S-E-V-E-R-N-A-Y-A, Neft, N-E-F-T, which is  
16 also called Northern Oil in Russian. So  
17 Severnaya is northern; Neft means oil.  
18 Northern Oil.

19 Q. Did you work on matters relating  
20 to Northern Oil in the 1990s?

21 A. Correct.

22 Q. What did you do?

23 A. I advised them on their  
24 communication.

25 Q. What does that mean?

1 RINAT R. AKHMETSHIN

2 A. I helped them to tell their  
3 story. This was very difficult time in  
4 Russia at that time.

5 Q. How did you shift from becoming  
6 a chemist to a -- an advisor?

7 A. I think I just have a talent for  
8 media.

9 Q. But how did it come about that  
10 you started working for clients to advise  
11 them on political or business issues?

12 A. Well, living in the  
13 United States, I observed political life,  
14 especially in Washington. And I think I  
15 understand this political system quite well.  
16 And news cycle, I understand it better,  
17 probably, than most Americans.

18 Q. And how -- how did the issue  
19 relating to Northern Oil ultimately resolve?

20 A. It was resolved positively.

21 Q. For?

22 A. For the company.

23 Q. For Mr. Val- -- Val- --  
24 Valvivo -- Vavilov?

25 A. Oh, yes. He did really well on



1 RINAT R. AKHMETSHIN

2 this issue.

3 Q. And what was the nature of the  
4 dispute between Mr. Val- -- Vavilov and  
5 Mr. Egiazaryan in the 1990s?

6 A. I think it was there's something  
7 which went back years and before the oil  
8 company. I know that Mr. Egiazaryan was  
9 constantly harassing Mr. Vavilov for the  
10 lawsuits and frivolous prosecution.

11 THE COURT REPORTER: And for  
12 what? For --

13 THE WITNESS: For frivolous  
14 prosecution.

15 And I -- I think that -- and  
16 Mr. Vavilov believed for physical  
17 violence as well.

18 BY MR. COHEN:

19 Q. Do you have any personal  
20 knowledge of those issues?

21 A. I do know what was told to me by  
22 my client, or his perception of this.

23 Q. Where is Mr. Vavilov now?

24 A. Probably in New York or in  
25 Monaco. I don't know. I haven't spoken with



1 RINAT R. AKHMETSHIN

2 him in a while. Or maybe in Moscow.

3 Q. Do you know where he lived in  
4 New York?

5 A. He had several residences.

6 Q. Do you recall the location of  
7 any of his residences?

8 A. I -- I think I met with him in  
9 The [REDACTED] [REDACTED] and in the hotels,  
10 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED].

11 Q. Is Mr. Vavilov involved in the  
12 Russian Government in any capacity?

13 A. No.

14 Q. And how did -- how did  
15 Mr. Vavilov reach out to you? Phone call?  
16 E-mail?

17 A. I was introduced by -- when they  
18 needed media help, a mutual acquaintance of  
19 ours introduced me.

20 Q. Who was the mutual acquaintance?

21 A. He is an editor of the newspaper  
22 in Moscow --

23 Q. Who is that?

24 A. -- called -- a newspaper called  
25 Novaya Gazata. Novaya, N-O-V-A-Y-A, Gazata,

1 RINAT R. AKHMETSHIN

2 G-A-Z-A-T-A, Gazata, new newspaper.

3 His name is Dmitri Muratov.

4 Dmitri Muratov, M-U-R-T-O-V [sic], Muratov.

5 It's a well-known person here in the

6 United States as well. The New Yorker did a

7 story about him as a opposition journalist.

8 Q. And what -- what

9 was Mr. Muratov's interest in this matter?

10 MR. SPERDUTO: Objection to the

11 form; capacity. He's not a mind

12 reader.

13 THE WITNESS: I do not know.

14 He told me that he know there's these

15 people who -- there are people who

16 need some help with media and would

17 I -- would I meet with them. And I

18 said yes.

19 His newspaper was quite

20 actively writing about your client at

21 that time.

22 BY MR. COHEN:

23 Q. So at that time, he was

24 assisting Mr. Vavilov in -- in finding

25 someone to help him with his public

1 RINAT R. AKHMETSHIN

2 relations --

3 MR. SPERDUTO: Objection --

4 BY MR. COHEN:

5 Q. -- is that correct?

6 MR. SPERDUTO: -- objection to  
7 form; assumes facts; misstates --

8 THE WITNESS: I --

9 MR. SPERDUTO: -- the  
10 testimony.

11 THE WITNESS: -- do not know.

12 To be honest, I cannot tell,  
13 but I know that he -- you know, it  
14 was personal. He knew Mr. Vavilov,  
15 and I think that he probably wanted  
16 to -- I was very glad that he  
17 introduced me, because I needed the  
18 job --

19 BY MR. COHEN:

20 Q. He was trying to help out

21 Mr. Vavi- -- Vavilov --

22 A. He was trying --

23 Q. -- right?

24 A. -- to help out me as a personal  
25 friend.

1 RINAT R. AKHMETSHIN

2 Q. And he was also trying to help  
3 out Mr. Vavi- -- Vavilov, correct?

4 A. I wouldn't know.

5 MR. SPERDUTO: Objection to  
6 form.

7 BY MR. COHEN:

8 Q. Why else would he introduce you  
9 to him?

10 MR. SPERDUTO: Objection to the  
11 form --

12 THE WITNESS: I --

13 MR. SPERDUTO: -- he's not a  
14 mind reader. He -- he doesn't know  
15 what --

16 MR. COHEN: He spoke to him --

17 MR. SPERDUTO: -- his motives  
18 were.

19 THE WITNESS: I spoke with  
20 him and he said --

21 MR. SPERDUTO: -- you can ask  
22 him what did he tell you. You can't  
23 ask him what he was thinking.

24 THE WITNESS: Mr. Muratov is a  
25 good personal friend of mine, and he

1 RINAT R. AKHMETSHIN

2 tried to help me to get an account.

3 He was aware of these difficulties at  
4 that firm, and he told me that, you  
5 know, I should probably go and help  
6 them; they might need some help.

7 BY MR. COHEN:

8 Q. What happened next?

9 A. We met with Mr. Vavilov and his  
10 colleagues.

11 Q. When was that?

12 A. I really, truly don't recall. It  
13 was late '90s. It was before 9/11.

14 Q. How did it come that  
15 Mr. Vavi- -- Vavilov approached you in late  
16 2010 regarding Ashot Egiazaryan?

17 MR. SPERDUTO: I'm sorry. What  
18 was the verb, Jason? I couldn't hear  
19 that.

20 THE WITNESS: I'm sorry.

21 Please repeat.

22 BY MR. COHEN:

23 Q. Yes.

24 How did Mr. Vavilov approach you  
25 in late 2010 regarding Mr. Egiazaryan?

1 RINAT R. AKHMETSHIN

2 A. Mr. Vavilov approached me  
3 regarding Mr. Egiazaryan, I think, before, I  
4 think, 2009.

5 Q. 2009?

6 A. Yes.

7 Q. Did he approach you in person,  
8 by phone or by --

9 A. By phone.

10 Q. What did he say?

11 A. He -- he was very upset because  
12 he -- there was an [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED].

14 Q. And what did he want you to do?

15 A. He asked me to come to Monaco to  
16 talk to him about this matter. His -- and he  
17 and his wife are -- I mean, they're -- [REDACTED]  
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED], and I knew his  
19 wife also quite well. We're friendly.

20 And throughout those years, I  
21 helped him on several different matters. I  
22 worked three, four matters for him.

23 Q. Those were paid matters; is that  
24 correct?

25 A. Correct, yes.

1 RINAT R. AKHMETSHIN

2 Q. He didn't --

3 A. He simply asked me to --

4 MR. SPERDUTO: Wait for a  
5 question.

6 THE WITNESS: Sorry.

7 BY MR. COHEN:

8 Q. What happened next?

9 A. I came down to Monaco, and they  
10 told me the story of [REDACTED]  
11 [REDACTED].

12 Q. And what -- what did they ask  
13 you to do?

14 A. They asked my advice, what should  
15 they do.

16 Q. What did you advise them?

17 A. I told them they should really  
18 pursue this matter for legal channels.

19 Q. Did they do so?

20 A. They did so, yes.

21 Q. Did you do any more work on that  
22 related issue -- on that issue?

23 A. By that time, they asked me --  
24 because, you know, Mr. Vavilov had reasons to  
25 believe that Mr. Egiazaryan was behind that

1 RINAT R. AKHMETSHIN

2 [REDACTED] [REDACTED]. So he asked me to look  
3 into Mr. Egiazaryan's -- you know, his  
4 political activities and maybe try to tell  
5 the story about this person in the West.

6 Q. Did you take that assignment?

7 A. I did. It was not exactly an  
8 assignment, but I tried to -- I researched  
9 this Mr. Egiazaryan at that time.

10 Q. Was this still in 2009?

11 A. I think it was 2009, yes. I  
12 searched his activities, his business  
13 activities. At that time, there was a --  
14 there was a matter of some construction which  
15 went bad, and I think that's the matter that  
16 just really didn't go that far to be honest  
17 at that time.

18 Q. How -- how much time did you  
19 spend on that project in 2009?

20 A. Maybe a week.

21 Q. What did you do with your  
22 research?

23 A. Oh, I shared with some -- some  
24 people, some journalists, tried to bring  
25 their attention to the story.



1 RINAT R. AKHMETSHIN

2 Q. Did you share it with

3 Mr. Vavilov?

4 A. I might have, yes -- of course, I  
5 did.

6 Q. And do -- do you recall what  
7 journalists or other individuals you spoke  
8 to about the -- your research results?

9 A. I think I spoke to a few  
10 reporters, yes.

11 Q. Who did you speak to?

12 A. I talked to New York Times.  
13 There's a reporter who covers business  
14 matters there.

15 Q. Do you recall the name?

16 A. Andrew Kramer.

17 Q. Do you recall if he published  
18 anything on this story?

19 A. Not -- not on this story, but  
20 it -- but he published something in general  
21 about it, yes.

22 Q. Who else -- what other  
23 journalists or individuals did you speak  
24 to regarding --

25 A. There was a --

1 RINAT R. AKHMETSHIN

2 Q. -- your research?

3 A. -- there was a journalist who --  
4 was a journalist who was traveling to Russia  
5 at that time from Washington Times, and I  
6 remember I spoke with him about this matter  
7 as well.

8 Q. Who was that?

9 A. His name is Jason Motlagh.

10 Q. Did he publish an article at  
11 that time?

12 A. I think he did.

13 Q. Did you speak with anybody else?

14 A. I don't remember. I might have.  
15 I spoke -- I spoke to Mr. -- what's his  
16 name? -- Muratov from Novaya Gazata.

17 THE COURT REPORTER:

18 Mr. Muratov what?

19 THE WITNESS: Muratov from  
20 Novaya Gazata, this newspaper editor  
21 who is a friend of mine. They might  
22 have published something. I'm --  
23 I'm -- I'm not aware of it.

24 BY MR. COHEN:

25 Q. Other than discussing the issues

1 RINAT R. AKHMETSHIN

2 with several journalists, is there anything  
3 else that you did with regard to the project  
4 that you were summoned to Monaco for?

5 A. No. I don't remember. It's not  
6 something in particular. It was a small  
7 matter.

8 Q. Then the matter dropped after a  
9 short while --

10 A. I don't think --

11 Q. -- is that correct?

12 A. -- it dropped. I think that, you  
13 know, just -- I think Mr. Vavilov just kind  
14 of didn't want to get involved in this any  
15 further.

16 Q. What was your next involvement  
17 with Mr. Vavilov relating to Mr. Egiazaryan?

18 A. I think sometime, like, around  
19 the new year, like 2011, early 2011, he -- I  
20 think I was in Moscow, and he invited me to  
21 his house. And he told me that  
22 Mr. Egiazaryan is now residing in the  
23 United States, and he was very shocked by  
24 this fact that he -- and that he has now  
25 became a political activist and trying to

1 RINAT R. AKHMETSHIN

2 stay in the United States and get political  
3 asylum. And he was really, I would say,  
4 disgusted by this.

5 Q. Did he ask you to do something?

6 A. He asked me what could be done to  
7 tell the American authorities who -- and  
8 American public, first of all, who  
9 Ashot Egiazaryan is.

10 Q. Did you then continue to work on  
11 this project?

12 A. I discussed this matter with  
13 Mr. Vavilov extensively.

14 Q. And did he -- did you ever enter  
15 into an agreement with him?

16 A. Yes, I was engaged by  
17 Mr. Vavilov.

18 Q. Was there a written engagement  
19 between you and Mr. Vavilov?

20 A. Rarely. Since we know each other  
21 for such a long time, it's -- I don't think  
22 I've ever had a contract with him or anything  
23 to that matter.

24 I might have years ago, but from  
25 now on, it's just kind of he asked me to do

1 RINAT R. AKHMETSHIN

2 something and I did it for him.

3 Q. And what were the terms by which  
4 you agreed to work on a project relating to  
5 Mr. Egiazaryan for him?

6 A. What do you mean "terms"?

7 Q. Were you getting paid?

8 A. I was paid, correct, yes.

9 Q. Did you -- at the time when you  
10 first met, did you agree on an amount?

11 A. You know, he -- he had some cash  
12 around the house, actually. He said that,  
13 you know, just so on, so on and so on. I --  
14 I think he got some -- I don't remember.

15 He -- he -- he said that, you  
16 know, just I got a cash for something,  
17 someone owed him money or something like  
18 that. I don't remember.

19 But I remember there was money  
20 in, like, hundred-dollar bills bags. And,  
21 you know, he said that, you know, just -- I  
22 mean, he said, I would like to -- you to  
23 start this public awareness project in the  
24 United States, and he thought how much -- and  
25 asked me how much would it cost.

1 RINAT R. AKHMETSHIN

2 Q. What did you say?

3 A. I said that, you know, we could  
4 try, you know. I don't know how far it could  
5 go, but, you know, I think that we could try  
6 and maybe start with \$100,000.

7 Q. Did he give you \$100,000 cash  
8 right --

9 A. He did not have --

10 Q. -- then and there?

11 A. -- he did not have \$100,000, but  
12 I think he had something like 70 or something  
13 like that, 70 or 80. I don't remember.

14 Q. Did he give you \$70,000 cash at  
15 that time?

16 A. Cash, correct, yes.

17 I don't remember. 70 or 80,  
18 something like that.

19 Q. Is -- is he a Russian citizen --

20 A. Mr. Vavilov?

21 Q. -- Mr. Vavilov?

22 A. I do believe so, yes.

23 Q. Did you ever register under the  
24 Foreign Agents Registration Act with regard  
25 to this project?

1 RINAT R. AKHMETSHIN

2 A. I did not.

3 Q. Why not?

4 A. Because --

5 MR. SPERDUTO: Objection to the  
6 form.

7 THE WITNESS: Sorry.

8 MR. SPERDUTO: Go ahead.

9 THE WITNESS: -- because it's  
10 not a FARA matter.

11 BY MR. COHEN:

12 Q. Did you have to seek advice of  
13 counsel regarding that?

14 A. I have, yes.

15 Q. Who -- from whom?

16 A. From Baker & Hostetler.

17 May I add something?

18 MR. SPERDUTO: Wait. Hold on.  
19 You can't disclose any communications  
20 between you and your counsel --

21 THE WITNESS: Understood.

22 MR. COHEN: -- so -- so wait  
23 for a question. And when he asks the  
24 next question, you can give your  
25 answer.



1 RINAT R. AKHMETSHIN

2 THE WITNESS: Okay.

3 BY MR. COHEN:

4 Q. Who did you meet with at Baker &  
5 Hostetler? Mr. Cymrot?

6 A. Correct, yes.

7 Can I --

8 (Witness and counsel confer.)

9 THE WITNESS: Okay. This  
10 just -- may -- may -- may I add  
11 something?

12 BY MR. COHEN:

13 Q. If you want to take a short  
14 break, that's fine --

15 A. No, no, no --

16 Q. -- or --

17 A. -- just -- I want to just  
18 assert -- you know, I think that this whole  
19 FARA matter, I -- I've seen this also in the  
20 complaint.

21 The FARA, it's an old law, and  
22 I -- I think -- FARA is this very old law,  
23 and this applies to people who represent  
24 political parties of foreign governments,  
25 which none of this was.



1 RINAT R. AKHMETSHIN

2 Mr. Vavilov is a private citizen,  
3 and he lives in the United States, resident  
4 of the United States and resident of Russia.  
5 So there's absolutely no FARA affiliation.

6 Q. Do you know where Mr. Vavilov  
7 got the cash from?

8 A. I don't know. You should ask  
9 him.

10 Q. Did Mr. Vavilov say whether  
11 there were other individuals or entities who  
12 were participating with him in initiating  
13 this project against Ashot Egiazaryan?

14 MR. SPERDUTO: Objection to the  
15 form.

16 THE WITNESS: Mr. Vavilov hates  
17 your client's guts. You know, he  
18 doesn't need any organizations. He  
19 hates him for --

20 BY MR. COHEN:

21 Q. Did he say --

22 A. -- a dozen years.

23 Q. -- did he say whether he was  
24 cooperating with anybody else?

25 A. I don't think so.

1 RINAT R. AKHMETSHIN

2 Q. He -- did he say -- did he --

3 A. No, he did not. I mean, this was  
4 an ongoing matter for over 12 years. ■ ■

5 ■ ■ ■ ■ ■ ■ ■ ■

6 ■ ■ ■ ■ ■

7 MR. COHEN: Move to strike as  
8 nonresponsive.

9 BY MR. COHEN:

10 Q. Then --

11 A. Do you mind if I get another  
12 water?

13 THE VIDEOGRAPHER: Microphone.

14 Whoa, whoa, whoa, whoa.

15 MR. COHEN: Don't -- don't --  
16 let's just take a few-minute -- let's  
17 take a few-minute break.

18 THE WITNESS: Sorry.

19 MR. SPERDUTO: Let's take --  
20 yeah.

21 MR. COHEN: Let's take a  
22 few-minute break. You can get a  
23 water and --

24 THE WITNESS: Sorry.

25 MR. COHEN: -- we'll resume in

1 RINAT R. AKHMETSHIN

2 a few minutes.

3 THE WITNESS: Sorry.

4 THE VIDEOGRAPHER: The time is  
5 11:43. We're going off the record.  
6 This is the end of Disc Number 1,  
7 going on to Disc Number 2.

8 (Whereupon, a brief recess was  
9 taken from 11:43 a.m. to 12:01 p.m.)

10 THE VIDEOGRAPHER: The time is  
11 12:01 p.m. This is the beginning of  
12 Disc Number 2 in the deposition of  
13 Rinat Akhmetshin.

14 BY MR. COHEN:

15 Q. Welcome back, sir.

16 A. Thank you.

17 Q. You stated that Mr. Vavilov gave  
18 you approximately \$70,000 in cash when you  
19 met with him in Moscow; is that correct?

20 A. That is correct, sir.

21 Q. And that was sometime around the  
22 end of 2010; is that correct?

23 A. Or early 2011. I don't remember  
24 exactly.

25 Q. Did Mr. Vavilov tell you where

1 RINAT R. AKHMETSHIN

2 the 70,000 in cash came from?

3 A. I don't remember. He -- he might  
4 have said something to someone, either they  
5 return it to him -- I -- I don't remember,  
6 sir. It's not -- I did not focus on that.

7 Q. What did -- did you then return  
8 back to Washington?

9 A. Yes, I did.

10 Q. And what did you do next with  
11 regard to your Ashot Egiazaryan project?

12 A. I started researching  
13 Mr. Egiazaryan's persona and his -- his  
14 activities.

15 Q. You had researched him before  
16 that; is that correct?

17 A. Yes; but I never focused on these  
18 political matters. You know, I never looked  
19 into this -- his Duma records or his other  
20 things, activities.

21 I interviewed people.

22 Q. What type of things did you  
23 research when you were researching things  
24 in -- at the earlier period for Mr. Vavilov?

25 MR. SPERDUTO: Form.

1 RINAT R. AKHMETSHIN

2 THE WITNESS: May I answer?

3 It was about this property  
4 which Mr. Egiazaryan was developing,  
5 and he kind of dropped this matter.  
6 And we were trying to find out what  
7 the matters are either or . . .

8 BY MR. COHEN:

9 Q. Does that research exist  
10 anywhere?

11 A. I just asked people around. No.

12 Q. Did you write a memo for  
13 Mr. Vavilov?

14 A. No. He's not a memo kind of guy.

15 Q. Who did you interview during  
16 this earlier period?

17 A. I talked to reporters for Novaya  
18 Gazata newspaper.

19 Q. Do you recall who you spoke  
20 with?

21 A. Mr. Muratov. And there was a  
22 girl who worked for him. I don't remember  
23 her name.

24 And I talked to, I think, some  
25 people in his office. I just -- I remember

1 RINAT R. AKHMETSHIN

2 having a meeting in his office, people in  
3 his -- he -- his -- it's an investigative  
4 newspaper, very well-respected newspaper.

5 Q. Did you speak with anybody else?

6 A. About this matter?

7 I searched a lot of documents on  
8 line, actually. I did a lot of searches.

9 Q. Over the Internet?

10 A. Over the Internet, correct, yes,  
11 Russian and English.

12 Q. Did you prepare a compilation of  
13 the materials or any research results from  
14 that, or you just read?

15 A. I read mostly, yes.

16 Q. And then you said you came back  
17 to -- to D.C. and then you con- -- continued  
18 research regarding Mr. Egiazaryan; is that  
19 correct?

20 A. Correct, that's correct, yes.

21 Q. And did you do that by yourself?

22 A. I contacted Mr. Zalmayev.

23 Q. Is that Peter Zalmayev?

24 A. Peter Zalmayev, correct.

25 Q. Why did you contact

1 RINAT R. AKHMETSHIN

2 Peter Zalmayev?

3 A. Because he -- he's a very  
4 thorough researcher himself, and I asked  
5 for his help in being -- doing this matter.

6 Q. Did you tell him you were going  
7 to pay him?

8 A. Yes, I did.

9 Q. Did you tell him who you were  
10 being paid by?

11 A. I did, yes.

12 Q. What did you tell him?

13 A. I said that -- and he was aware  
14 of Andrey Vavilov. I think he met him  
15 before, too. I said it was Mr. Vavilov, yes.

16 Q. Mr. Zalmayev knew from the  
17 outset -- outset that Mr. Vavilov was  
18 financing this assignment; is that correct?

19 A. That is correct, yes.

20 Q. Did you tell Mr. Zalmayev what  
21 his compensation would be for work on the  
22 project?

23 A. You know, I thought Mr. Zalmayev  
24 could do this project on his own. So I  
25 actually was not really planning on doing it



1 RINAT R. AKHMETSHIN

2 myself. So I told him it will be around

3 \$100,000.

4 Q. That he would get paid?

5 A. He will get paid for the whole

6 project.

7 Q. Is that compensation for him or

8 is that payment to include expenses?

9 A. Of course, expenses, yes, this  
10 whole thing.

11 Q. He would get paid 100,000 plus  
12 expenses?

13 MR. SPERDUTO: Objection.

14 THE WITNESS: I think that, you  
15 know, just -- I arranged for transfer  
16 this cash -- I arranged for transfer  
17 of that cash to Mr. Zalmayev's  
18 account.

19 BY MR. COHEN:

20 Q. You arranged for a transfer of  
21 \$70,000?

22 A. I don't remember. I might have  
23 taken cash myself, because I -- for my  
24 expenses as well --

25 Q. Okay.



1 RINAT R. AKHMETSHIN

2 A. -- from this amount. I do not  
3 remember an exact amount --

4 Q. Okay.

5 A. -- but it was below 100.

6 Q. Did you -- was there anybody  
7 else who you brought on to work on the  
8 project at that time?

9 A. Just Mr. Zalmayev at that time,  
10 yes.

11 Q. What was your -- what was your  
12 understanding of the goal of the project at  
13 that time?

14 A. I think that I'm not -- since I  
15 had my independent knowledge of this matter,  
16 I think that issue was education, public  
17 education, of Mr. Egiazaryan's track record.  
18 It's awareness campaign.

19 The project -- the project was --  
20 is to conduct an awareness campaign about  
21 Mr. Egiazaryan.

22 Q. Why did you decide to have  
23 Mr. Zalmayev prosecute this campaign rather  
24 than do it yourself?

25 A. Because I do not know -- I'm

1 RINAT R. AKHMETSHIN

2 not a -- Mr. Zalmayev is a very  
3 well-accomplished human rights defender. He  
4 worked for very important human rights  
5 organization. Mr. Zalmayev worked against  
6 anti-Semitism, xenophobia, and he had -- he  
7 knew people. I didn't.

8 Q. What human rights organizations  
9 are you referring to that Mr. Zalmayev  
10 worked -- worked for?

11 A. Zalmayev worked for, I think, six  
12 or seven years for International League of  
13 Human Rights, ILHR. It's the oldest U.S.  
14 human rights organization. Eleanor Roosevelt  
15 established it.

16 Q. Do you know  
17 Katherine Fitzpatrick?

18 A. I do know, yes.

19 Q. And -- and who is she?

20 A. She was Mr. Zalmayev's boss.

21 Q. Do you respect her as a human  
22 rights advocate?

23 A. I think she is a very -- I think  
24 she is -- I'm not sharing all of her  
25 opinions, but I respect her as a person. But

1 RINAT R. AKHMETSHIN

2 I may disagree with some of her opinions.

3 But she's a wonderful person and very  
4 dedicated person.

5 MR. COHEN: I'm going to ask  
6 the court reporter to mark as  
7 Exhibit 162 a copy of a document with  
8 Bates Number PZ3317, a December 21,  
9 2010 e-mail from Rinat Akhmetshin to  
10 Peter Zalmayev.

11 There's one for Jim.

12 MR. SPERDUTO: 162?

13 MR. COHEN: Yes.

14 - - -

15 (Whereupon, an e-mail string  
16 was marked, for identification  
17 purposes, as Deposition Exhibit  
18 Number 162.)

19 - - -

20 BY MR. COHEN:

21 Q. Have you seen this document  
22 before?

23 A. I may --

24 MR. SPERDUTO: Can you give me  
25 a minute to review it, please?

1 RINAT R. AKHMETSHIN

2 (Whereupon, counsel reviews the  
3 document.)

4 MR. SPERDUTO: Okay. Thanks.

5 THE WITNESS: Just one second.

6 Yes, sir.

7 BY MR. COHEN:

8 Q. Okay. Have you seen this  
9 document before?

10 A. I -- it appears of my e-mail to  
11 Mr. Zalmayev.

12 Q. And looking at the e-mail that  
13 begins on the top three quarters of the  
14 page, and then there's some information  
15 below that --

16 A. Um-hum.

17 Q. -- do you see that?

18 A. Yes, I do see that.

19 Q. Who drafted that?

20 A. Ashot Gevorkovich Egiazaryan,  
21 correct?

22 Q. Yes.

23 A. Yes, I see that.

24 Q. And who draft -- who drafted  
25 this discussion regarding Ashot Egiazaryan?

1 RINAT R. AKHMETSHIN

2 A. It might have been one of my  
3 summaries.

4 THE COURT REPORTER: Sorry?  
5 Summaries?

6 THE WITNESS: It might have  
7 been one of my summaries.

8 BY MR. COHEN:

9 Q. One of your summaries?

10 A. Correct, yes.

11 Q. Do you recall when this summary  
12 was prepared?

13 A. Probably in 2009 when I was  
14 working on this previous matter.

15 Q. And in 2009, your goal was to  
16 find out anything negative you could find  
17 out about Mr. Egiazaryan; is that correct?

18 A. It was an opposition research,  
19 I'll describe it that way.

20 Q. Okay. Well, you were looking  
21 for information that would paint  
22 Mr. Egiazaryan in a bad light; is that  
23 correct?

24 A. I would not put it that way, sir.

25 Q. How would you put it?

1 RINAT R. AKHMETSHIN

2 A. I would like to do full duties of  
3 Mr. Egiazaryan's political and other  
4 activities.

5 Q. Do you believe that this is a --  
6 is this an attempt at a neutral summary of  
7 Mr. Egiazaryan's life?

8 A. I would say yes. You know, I  
9 just -- I -- I need to review this, sir. I  
10 haven't seen it in a long time, yes.

11 Q. And in --

12 A. But I would -- I would -- I would  
13 say it's just probably very fair description  
14 of his persona.

15 Q. If you had seen something prior  
16 to this time that described him as  
17 anti-Semitic, you would have included that  
18 in here; is that correct?

19 MR. SPERDUTO: Objection to the  
20 form; hypothetical.

21 THE WITNESS: I -- at -- at  
22 that time, I hadn't -- you know, it  
23 crossed my mind that this LDPR, which  
24 is deplorable, that truly disgusting  
25 organization -- but at that time --

1 RINAT R. AKHMETSHIN

2 BY MR. COHEN:

3 Q. Just an -- answer my question,  
4 please, if you had seen something --

5 A. I would have included this.

6 Q. -- if you had seen -- if you had  
7 seen something that -- that characterized  
8 Mr. Egiazaryan or you believed characterized  
9 him as anti-American, you would have  
10 included that in here --

11 MR. SPERDUTO: Same  
12 objection --

13 BY MR. COHEN:

14 Q. -- is that correct?

15 MR. SPERDUTO: Same objection.

16 BY MR. COHEN:

17 Q. That's a yes, right?

18 A. If I -- if I would have -- if I  
19 would had information which reflected that, I  
20 might have included it.

21 Q. If you had information that  
22 reflected that Mr. Egiazaryan was xenophobic  
23 or had taken xenophobic actions or made  
24 xenophobic statements, you would have  
25 included that; is that correct?



1 RINAT R. AKHMETSHIN

2 MR. SPERDUTO: Same objection.

3 THE WITNESS: It's  
4 argumentative. But I -- if I would  
5 have established something at that  
6 time, I would have probably included  
7 that as well --

8 BY MR. COHEN:

9 Q. As -- as --

10 A. -- because I, personally, feel  
11 strongly about those things.

12 Q. If you had established at that  
13 time that Mr. Egiazaryan had committed war  
14 crimes, you would have included that; is  
15 that correct?

16 MR. SPERDUTO: Same objection.

17 THE WITNESS: I'm not sure  
18 about war crimes, sir --

19 BY MR. COHEN:

20 Q. Okay.

21 A. -- he was -- and I -- I'm not  
22 aware of Mr. Egiazaryan's military service  
23 ever.

24 Q. If you had established at that  
25 time that Mr. Egiazaryan had embezzled



1 RINAT R. AKHMETSHIN

2 Government funds, you would have included  
3 that; is that correct?

4 MR. SPERDUTO: Same objection.

5 THE WITNESS: Sir, just  
6 what-if, you know, I just -- if I  
7 would have found something which was  
8 relevant to his case, I would have  
9 definitely included it.

10 BY MR. COHEN:

11 Q. At the time that you prepared  
12 this document that's Exhibit -- marked as  
13 Exhibit 1 -- Number 162, did you have any  
14 information or evidence that Mr. Egiazaryan  
15 was anti-Semitic?

16 A. I do not recall that.

17 Q. And at that time that you  
18 prepared this document that's been marked as  
19 Exhibit 162, did you have any evidence or  
20 information that Mr. Egiazaryan had taken  
21 anti-American actions or made anti-American  
22 statements?

23 A. I was not aware of that.

24 Q. At the time you prepared this  
25 document that's been marked as Exhibit 162,

1 RINAT R. AKHMETSHIN

2 did you have any information or evidence  
3 suggesting that Mr. Egiazaryan had made  
4 xenophobic statements or taken xenophobic  
5 actions?

6 A. I was not aware of such  
7 statements --

8 Q. At the --

9 A. -- or actions.

10 Q. -- at the time you prepared this  
11 document, Number 162, had you -- did you  
12 have any information or evidence in your  
13 possession that Mr. Egiazaryan had committed  
14 war crimes?

15 A. I was not aware of those.

16 Q. At the time you made -- prepared  
17 the summary that's contained in Exhibit 162,  
18 did you have any information or evidence  
19 that Mr. Egiazaryan had stolen Chechnya war  
20 relief funds?

21 A. I think there's something here if  
22 you read it carefully, but there was a  
23 paragraph here about his involvement in  
24 Chechnya matters.

25 Q. And this -- this memo would

1 RINAT R. AKHMETSHIN

2 contain whatever information you collected  
3 on that information; is that correct?

4 MR. SPERDUTO: Objection to the  
5 form.

6 THE WITNESS: I wouldn't --  
7 sir, this memo is reflecting what I  
8 knew at that time --

9 BY MR. COHEN:

10 Q. This memo --

11 A. -- reflects --

12 Q. -- reflects what you knew at  
13 that time?

14 A. In summaries, yes.

15 Q. Yes, thank you.

16 And calling your attention to the  
17 top of the page in your e-mail to  
18 Mr. Zalmayev, you say you need a one-pager  
19 pitch for the project?

20 A. Yes.

21 Q. Well, what did -- what are you  
22 referring to by that?

23 A. I wanted to write a summary for  
24 Mr. Vavilov and for -- for -- relating to our  
25 discussion.

1 RINAT R. AKHMETSHIN

2 Q. And -- and I see you have put in  
3 all caps that -- that you want this relating  
4 to OLD Chechen structures and OLD Russian  
5 Government.

6 Why did you emphasize the OLD  
7 governments?

8 A. I also emphasize NGOs. That just  
9 might have been things that --

10 THE COURT REPORTER: I'm sorry?

11 THE WITNESS: I emphasized

12 NGOs. I also put in caps.

13 BY MR. COHEN:

14 Q. Those are initials. But then,  
15 later, you emphasize old.

16 Why did you emphasize old?

17 A. I don't think it was an emphasis,  
18 sir.

19 Q. Is there any reason why you  
20 didn't want Mr. Zalmayev to investigate  
21 issues relating to the then current Russian  
22 Government?

23 A. I have no reasons to believe so.  
24 I want him to do the --

25 Q. Can you ex- --

1 RINAT R. AKHMETSHIN

2 A. -- as full a job as possible.

3 Q. Can you explain why you asked  
4 him to mention that it's an OLD Chechen  
5 structure and an OLD Russian Government?

6 A. Because I think, if -- if I  
7 remember correctly, Mr. Egiazaryan was not  
8 involved in this matter after new government  
9 came to power, because Mr. Berezovsky was out  
10 by that time.

11 And I think that Mr. Egiazaryan  
12 was involved with Mr. Berezovsky in these  
13 matters. So, therefore, I just didn't want  
14 him to kind of look into something which was  
15 not relevant.

16 It's a very broad area. It was a  
17 brutal war.

18 Q. To what period of time were you  
19 asking Mr. Zalmayev to investigate?

20 A. I would like to bring your  
21 attention to Page Number 4 in this document,  
22 162. And there's a paragraph called AY's  
23 Involvement in Chechen Matters, and I think  
24 that -- you know, that there's the matter of  
25 Berezovsky.

1 RINAT R. AKHMETSHIN

2 And I think that was the -- by  
3 the time Mr. Berezovsky was out, new  
4 government was in. And I had reasons to  
5 believe that Mr. Egiazaryan was in contact  
6 with, at that time, the Yeltsin Government in  
7 these matters.

8 And after these people left,  
9 there was some other people. And  
10 Mr. Egiazaryan -- I was not -- I did not  
11 believe Mr. Egiazaryan was involved any  
12 further in Chechen matters after --

13 Q. After what year --

14 A. -- he went --

15 Q. After what year period? After  
16 what year?

17 A. I -- I don't know. I just --  
18 just know it was when Berezovsky was kicked  
19 out from the country. So -- after Yeltsin  
20 was dismissed, so just when the new  
21 government came in.

22 Q. What year was that?

23 A. I don't remember when -- when did  
24 Yeltsin retire, like in 2000, I think? I --  
25 I -- I'm not -- I don't remember when -- what

1 RINAT R. AKHMETSHIN

2 I mean is that by the time new government  
3 came in, these matters of -- Chechen matters  
4 were kind of brought into some order.

5 It was before that, a lot of  
6 people I interview believed it was just a  
7 kind of trough where the people unleashed  
8 themselves.

9 Q. And later, you state that  
10 eventually, his actions -- referring to  
11 Mr. Egiazaryan -- lead to kidnappings,  
12 torture, stealing of money allocated to help  
13 refugees, and, eventually, became a reason  
14 why the second war started.

15 Do you see that?

16 A. Um-hum. Yes, I see it.

17 Q. And was there anything else in  
18 this prior memo that would lead anyone to  
19 believe that Mr. Egiazaryan's actions led to  
20 kidnappings?

21 A. His actions -- I think that  
22 embezzling money in Chechnya what led to the  
23 Second Chechen War. It's all the Government  
24 in Russia executed these restructuring so  
25 badly that the second war started. So that



1 RINAT R. AKHMETSHIN

2 was --

3 Q. When did the second war start?

4 A. I think around the time when the  
5 new government came in.

6 Q. What year was that?

7 A. Sorry, I do not remember.

8 Q. And what -- at the time you  
9 wrote this memo in December of 2010, what  
10 evidence did you have that Mr. Egiazaryan  
11 had been involved in embezzlement of funds?

12 A. It was widely reported in Russian  
13 media that this restructuring of Chechnya led  
14 to the second war -- the Second Chechen War.  
15 And since Mr. Egiazaryan was the per- --  
16 person entire -- or the person in charge of  
17 this in some ways on the legislative side  
18 overseeing these funds and if it hasn't been  
19 executed properly, that means that I know  
20 that was his role and would -- I would like  
21 Mr. Zalmayev to research that, his role.

22 I -- I do not state that  
23 Mr. Egiazaryan started world war -- Second  
24 Chechen War, but some actions of that  
25 committee, which were, to this day, actually,



1 RINAT R. AKHMETSHIN

2 I -- I think not very well-known.

3 I've -- I -- I do have personal  
4 belief that if, after Che- -- First Chechen  
5 War ended and when this first peace was  
6 achieved, if Russian Government would have  
7 done better job in rebuilding the country and  
8 doing -- helping people, I -- I think the  
9 second war would never have happened --

10 Q. And is it correct --

11 A. -- that's my personal belief.

12 Q. -- that at the time this e-mail  
13 was drafted, you had no evidence in your  
14 possession that Mr. Egiazaryan personally  
15 embezzled funds directed for --

16 MR. SPERDUTO: Objection --

17 BY MR. COHEN:

18 Q. -- the Chechen War?

19 MR. SPERDUTO: -- objection --

20 THE WITNESS: Sir, I have never  
21 stated that --

22 MR. SPERDUTO: -- to the form;  
23 misstates the witness' testimony.

24 THE WITNESS: I never stated  
25 that he embezzled personally, but I

1 RINAT R. AKHMETSHIN

2 know that money were embezzled  
3 because nothing was rebuilt in  
4 Chechnya.

5 So --

6 BY MR. COHEN:

7 Q. Am I --

8 A. -- and money was allocated by the  
9 Russian Government.

10 Q. Am I correct that to this day,  
11 you've never stated -- strike that.

12 To this day, you have no evidence  
13 that Mr. Egiazaryan personally embezzled  
14 Chechen War funds?

15 A. I -- I'm not in a position to  
16 know those facts, sir.

17 Q. You don't know one way or  
18 another?

19 A. I do not know one way or another.

20 Q. Do you have any evidence today,  
21 one way or another, whether Mr. Egiazaryan  
22 was personally involved in torture?

23 A. I do not personally know, sir.

24 Q. Do you have any evidence, one  
25 way or another, whether Mr. Egiazaryan was

1 RINAT R. AKHMETSHIN

2 personally involved in kidnappings?

3 A. I have no idea, sir.

4 Q. Do you have any evidence today,  
5 one way or another, whether Mr. Egiazaryan  
6 was involved in stealing of money allocated  
7 to help refugees?

8 A. He might have. I have no idea,  
9 sir.

10 Q. You don't know one way or the  
11 other?

12 A. I do not know.

13 Q. You have no idea whether he did?

14 A. Sir, I do not know. I have --  
15 just simply cannot answer this question  
16 because I do not know.

17 Q. And do you have any evidence  
18 today that Mr. Egiazaryan's personal actions  
19 are a reason why the Second Chechen War  
20 started?

21 A. I do believe that he had role  
22 in -- in a failure of first disagreement in  
23 Chechnya as a public servant.

24 This is my personal belief.

25 Q. Do you -- do you have any

1 RINAT R. AKHMETSHIN

2 evidence that Mr. Egiazaryan committed  
3 criminal acts as a public servants --  
4 servant with regard to his role on -- on a  
5 Duma oversight committee relating to  
6 Chechnya?

7 A. I do not know, sir.

8 Q. Did you, at -- at -- during the  
9 course of your work on various projects  
10 relating to Mr. Ashot Egiazaryan, seek to  
11 obtain evidence regarding those issues  
12 raised in the first paragraph of your e-mail  
13 dated December 21st, at 7:48 a.m.?

14 A. I did ask Mr. Zalmayev to look  
15 into these issues. And this e-mail is an  
16 instruction to research these matters.

17 Q. Did -- did Mr. Zalmayev find  
18 anything that demonstrated that  
19 Mr. Zalmayev's [sic] actions led to  
20 kidnappings, torture, stealing of money  
21 allocated to help refugees, and, eventually,  
22 became a reason why the second war started?

23 A. I --

24 MR. SPERDUTO: Compound.

25 THE WITNESS: -- don't think

1 RINAT R. AKHMETSHIN

2 Mr. Zalmayev was ever involved in  
3 these matters.

4 BY MR. COHEN:

5 Q. Did Mr. Zalmayev find anything  
6 to support the proposition that you were  
7 asking him to research in the first  
8 paragraph of Exhibit 262 [sic]?

9 A. I'm not sure, sir.

10 Q. If he had found such a thing, he  
11 would have told you; is that correct?

12 MR. SPERDUTO: Objection to  
13 form; hypothetical; assumes facts.

14 THE WITNESS: I -- I do know  
15 that he conducted very thorough study  
16 of these matters, because he,  
17 himself, was involved in Chechen  
18 refugee matters.

19 BY MR. COHEN:

20 Q. And with regard to his research  
21 relating to the Egiazaryan project, he  
22 reported to you the results of his research;  
23 is that correct?

24 A. He was not reporting to me  
25 regularly, but he discussed with me matters,

1 RINAT R. AKHMETSHIN

2 of course.

3 Q. He communicated with you  
4 regularly, didn't he?

5 A. Correct, yes.

6 Q. And -- and -- and he shared with  
7 you numerous memos and e-mails containing  
8 information that he collected; is that  
9 correct?

10 MR. SPERDUTO: Objection to the  
11 form.

12 THE WITNESS: Mr. Zalmayev and  
13 I discussed his work on a regular  
14 basis.

15 BY MR. COHEN:

16 Q. You e-mailed back and forth on a  
17 regular basis, too, correct?

18 A. I would say so, yes.

19 Q. To the extent that Mr. Zalmayev  
20 found something of interest regarding  
21 Mr. Egiazaryan, you would have expected him  
22 to report that to you; is that correct?

23 MR. SPERDUTO: Objection to the  
24 form; hypothetical; capacity; assumes  
25 facts not in evidence.

1 RINAT R. AKHMETSHIN

2 You can answer that if you  
3 understand it.

4 THE WITNESS: Could you please  
5 rephrase it?

6 I'm -- just, you know -- you  
7 know, if -- you know, just because I  
8 am a bit uncomfortable with this "if"  
9 parts.

10 If we are talking about facts  
11 in documents, let's talk about facts  
12 in documents, sir.

13 Could you rephrase it, please?

14 BY MR. COHEN:

15 Q. You testified that Mr. Zalmayev  
16 never --

17 MR. SPERDUTO: No. By the  
18 way --

19 BY MR. COHEN:

20 Q. -- reported to you --

21 MR. SPERDUTO: -- can -- Jason,  
22 can I ask --

23 MR. COHEN: No, no, no. Let me  
24 finish.

25 MR. SPERDUTO: All right.



1 RINAT R. AKHMETSHIN

2 BY MR. COHEN:

3 Q. -- that Mr. Zalmayev never  
4 reported to you that he found evidence  
5 supporting the proposition that you asked  
6 him to research, that the -- his actions --  
7 that Mr. Egiazaryan's actions led to  
8 kidnappings, torture, stealing of money  
9 allocated to help refugees, and, eventually,  
10 became a reason why the second war started?

11 MR. SPERDUTO: All right. I'm  
12 going to object to the form of that.  
13 There's two or three evidentiary  
14 problems with the question as  
15 formulated.

16 Number 1, it's an improper  
17 hypothetical; Number 2, it's based on  
18 foundation not in evidence, because  
19 it's based on whatever research  
20 Mr. Zalmayev may have done; Number 3,  
21 it's based on asking this witness  
22 what Mr. Zalmayev would have done had  
23 he found something that hasn't been  
24 established --

25 MR. COHEN: I think you --



1 RINAT R. AKHMETSHIN

2 MR. SPERDUTO: -- a

3 foundation --

4 MR. COHEN: -- misheard the  
5 question.

6 MR. SPERDUTO: -- for.

7 So there's three or four  
8 different evidentiary objections. We  
9 will assert all of them.

10 You can answer that question  
11 if -- if -- if you think you can do  
12 so truthfully.

13 THE WITNESS: I know that  
14 Mr. Zalmayev conducted very thorough  
15 research, and I know he was very  
16 careful in stating something which --  
17 I -- I don't think he would ever make  
18 statement which were not supported by  
19 facts.

20 So I -- I'm not aware of his  
21 research in great details, but I know  
22 that this Chechen matter has not been  
23 discussed that extensively, to my  
24 knowledge.

25 MR. COHEN: I'm going to ask

1 RINAT R. AKHMETSHIN

2 the court reporter to mark as

3 Exhibit 2673 a copy of an e-mail --

4 MR. SPERDUTO: I'm sorry.

5 What's the exhibit number?

6 MR. COHEN: 2 -- 263.

7 THE WITNESS: 1- --

8 THE COURT REPORTER: 163.

9 MR. COHEN: -- 163 a copy of an  
10 e-mail dated December 21st, bearing  
11 Bates Number 2673.

12 - - -

13 (Whereupon, an e-mail string  
14 was marked, for identification  
15 purposes, as Deposition Exhibit  
16 Number 163.)

17 - - -

18 THE WITNESS: Thank you so  
19 much.

20 BY MR. COHEN:

21 Q. Have you seen this document  
22 before?

23 A. Yes, I have, yes.

24 Q. Just calling your attention to  
25 the memo that begins at the e-mail from

1 RINAT R. AKHMETSHIN

2 6:12 p.m., which starts with Strategy.

3 Do you see that?

4 A. Yes, I do see it, yes.

5 Q. Who -- who prepared that  
6 document?

7 A. It might have been Mr. Zalmayev.

8 Q. Do you know for sure who  
9 prepared that document?

10 A. I do not know for sure, sir.

11 Q. It's -- it's calling your  
12 attention to The Message portion.

13 Do you see that --

14 A. Um-hum.

15 Q. -- towards the bottom of the  
16 page?

17 A. Yes, I do see it.

18 Q. It says, AY should be barred  
19 entry to the United States?

20 A. Correct, yes.

21 Q. Does "AY" refer to  
22 Ashot Egiazaryan?

23 A. I would believe so.

24 THE VIDEOGRAPHER: I'm sorry.

25 Could I ask the witness to --

1 RINAT R. AKHMETSHIN

2 THE WITNESS: I'm sorry.

3 THE VIDEOGRAPHER: Thank you.

4 BY MR. COHEN:

5 Q. Was that the -- the goal of the  
6 campaign against Ashot Egiazaryan, to have  
7 him barred in the United States?

8 A. That is correct, yes.

9 Q. Was that -- who -- who directed  
10 that that be the goal?

11 A. Mr. Vavilov.

12 Q. What did he say with regard to  
13 what he wanted to see happen to  
14 Ashot Egiazaryan?

15 A. He said that he lives in the  
16 United States now, and he doesn't want  
17 this -- I'm sorry -- shit to be around the  
18 United States.

19 Q. And why is that?

20 A. I wouldn't know.

21 Q. Because he was angry at  
22 Mr. Egiazaryan; is that correct?

23 A. As I mentioned to you, they were  
24 adversaries for so many years, and  
25 Mr. Vavilov suffered so much harassment from

1 RINAT R. AKHMETSHIN

2 Mr. Egiazaryan in the past 10, 12 years.

3 It was a case of Schadenfreude on

4 Mr. Vavilov --

5 THE COURT REPORTER: I'm sorry?

6 Just repeat that last part.

7 THE WITNESS: It was a case of

8 Schadenfreude, S-H- --

9 S-C-H-A-D-E-N-F-R-E-U-D-E,

10 Schadenfreude. It's a German word --

11 MR. LUPKIN: It's not a Russian

12 word.

13 THE WITNESS: It's a German

14 word.

15 BY MR. COHEN:

16 Q. Is it fair to say that

17 Mr. Vavilov had a vendetta against

18 Mr. Egiazaryan?

19 MR. SPERDUTO: Objection to the

20 form.

21 THE WITNESS: I wouldn't know,

22 sir. He felt strongly about

23 Mr. Egiazaryan's presence in the

24 United States.

25

1 RINAT R. AKHMETSHIN

2 BY MR. COHEN:

3 Q. And he wanted you to take  
4 actions that would result in Mr. Egiazaryan  
5 being forced to leave the United States; is  
6 that correct?

7 A. He did not want Mr. Egiazaryan in  
8 the United States.

9 Q. And he -- did he direct you to  
10 take actions to assist achieving that goal?

11 A. He asked me to educate American  
12 public about Mr. Egiazaryan's true record.

13 Q. For the purpose of ensuring or  
14 trying to have Mr. Egiazaryan removed from  
15 the United States; is that correct?

16 A. I would not put it in those  
17 words, sir.

18 Q. It says for -- for -- AY should  
19 be barred entry to the United States.

20 A. I -- Mr. Vavilov did not want  
21 Mr. Egiazaryan in the United States.

22 Q. What -- was one of the purposes  
23 for which you were engaging in what you call  
24 an education effort to try to have  
25 Mr. Egiazaryan removed from the

1 RINAT R. AKHMETSHIN

2 United States?

3 A. We looked into that.

4 Q. Would you characterize that as a  
5 goal of the Ashot Egiazaryan project that  
6 you were working on?

7 A. I would not describe the goal of  
8 the project as remove Mr. Egiazaryan.

9 Q. How would you describe the goal  
10 of the project?

11 A. It's public awareness campaign.

12 Q. Do you know what business  
13 interests Mr. Vavilov has now in -- in  
14 Russia?

15 A. I'm not aware of any, actually.

16 Q. What does he do now?

17 A. He's a hedge fund manager.

18 Q. What's the name of the hedge  
19 fund?

20 A. It's IFS -- I -- I would direct  
21 you to The New York Times article. Business  
22 section of The New York Times has published  
23 very extensive piece about him and his hedge  
24 fund.

25 Q. Is it a Russian-based hedge

1 RINAT R. AKHMETSHIN

2 fund?

3 A. No; U.S.-based hedge fund -- or  
4 it was. I think that after this crisis, they  
5 might have withdrew from the United States,  
6 so the best place to do financial matters.

7 Q. Have you ever known Mr. Vavilov  
8 to be involved in the Russian Government in  
9 any capacity?

10 A. He was Deputy Finance Minister of  
11 Russia.

12 Q. Under whose administration?

13 A. Under Yeltsin Administration.

14 Q. Has he had any other Government  
15 positions, to your knowledge?

16 A. I think he was a member of  
17 Russian Senate for a short while.

18 Q. And when was he a member of the  
19 Russian Senate?

20 A. I don't remember, sir. Just -- I  
21 think early 2000s, if I'm not mistaken.

22 Q. Do you know if he currently  
23 operates in any capacity for the Russian  
24 Government?

25 A. No, he is not working for Russian



1 RINAT R. AKHMETSHIN

2 Government in any capacity, as far as I know.

3 Excuse me. Can I talk with my  
4 counsel?

5 MR. SPERDUTO: Can we take a  
6 short break?

7 MR. COHEN: Sure.

8 MR. LUPKIN: Sure.

9 THE VIDEOGRAPHER: The time is  
10 12:43. We're going off the record.

11 (Whereupon, at 12:43 p.m., a  
12 luncheon recess was taken.)

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1 RINAT R. AKHMETSHIN

2 A F T E R N O O N S E S S I O N

3 (1:50 p.m.)

4 - - -

5 RINAT R. AKHMETSHIN

6 was called for continued examination and,  
7 after having been previously duly sworn, was  
8 examined and testified further as follows:

9 - - -

10 THE VIDEOGRAPHER: The time is  
11 1:50 p.m. We are back on the record.

12 - - -

13 EXAMINATION (CONTINUED)

14 - - -

15 BY MR. COHEN:

16 Q. Welcome back, sir.

17 A. Thanks.

18 Q. Do you know who Steve LeVine is,  
19 the journalist?

20 A. He's a journalist, yes, I do know  
21 him.

22 Q. Have you spoken with him from  
23 time to time?

24 A. I do know him well.

25 Q. Has he interviewed you for

1 RINAT R. AKHMETSHIN

2 articles or books?

3 A. Not me directly, but, you know,  
4 we -- we talk about matters frequently.

5 Q. Did you ever read his book, The  
6 Oil and the Glory?

7 A. I've seen the book, yes.

8 Q. And you know that it makes  
9 reference to you in the book?

10 A. It does, very flattering one.

11 Q. All right. It also -- do you  
12 recall that it also refers to you as a  
13 former Soviet Army counterintelligence  
14 officer?

15 A. It does.

16 Q. Okay. And -- and it refers to  
17 you as a lobbyist; is that correct?

18 A. I was a lobbyist at some point,  
19 yes.

20 Q. Okay. And is that a cor- -- is  
21 the statement that you are a former Soviet  
22 Army counterintelligence officer a correct  
23 statement?

24 A. It's not a exactly correct  
25 statement.

1 RINAT R. AKHMETSHIN

2 Q. Do you know what the term  
3 "osobist" means?

4 A. Osobist? Osoby Otdel. Osobist,  
5 yes. It's called Special Service.

6 Q. And is -- is that -- were you an  
7 osobist in the Soviet Army?

8 A. Our service had -- was -- has  
9 been loosely associated with these services.

10 Q. Can you describe for us what you  
11 understand the term "osobist" to mean?

12 A. It's called the special  
13 department, Osoby Otdel, special department.

14 Q. And it -- does it -- it have --  
15 play a role in counterintelligence?

16 A. Some parts of it does -- do, yes.

17 Q. Okay. Is the characterization  
18 of -- of you as a counterintelligence  
19 officer accurate?

20 A. It's not accurate.

21 Q. Did you tell him that you were a  
22 counterintelligence officer?

23 A. I told him I was commandant, this  
24 person.

25 Q. And the book also discusses your

1 RINAT R. AKHMETSHIN

2 work as a lobbyist for Kazhegeldin --

3 A. Kazhegeldin.

4 Q. -- Kazhegeldin; is that correct?

5 A. I have represented

6 Mr. Kazhegeldin.

7 Q. And we discussed earlier that  
8 you're aware that there were warrants for  
9 his arrest?

10 A. Yes, Kazhegeldin, correct.

11 Q. And you're aware also of Red  
12 Notices?

13 A. I'm aware of this -- I was.

14 Q. And how did you become aware of  
15 the Red Notice?

16 A. Because he was arrested, and I  
17 help him to get out of prison twice.

18 Q. Have you seen the INTERPOL Red  
19 Notice for Mr. Kazhegeldin?

20 A. I might have looked it up online  
21 sometime ago -- I mean, 10 years ago.

22 Q. Am I correct that the warrants  
23 for his arrest and the Red Notice did not  
24 give you -- prevent from you representing  
25 him; is that correct?

1 RINAT R. AKHMETSHIN

2 A. That is correct, yes.

3 Q. And -- and you've worked with  
4 Peter Zalmayev for many years; is that  
5 correct?

6 A. I did not work with him for  
7 many years, but I have known him for  
8 many years.

9 Q. Okay. You -- you've been  
10 employing him in various capacities for a  
11 number of years?

12 A. For a few years after he  
13 graduated from the university, graduate  
14 school.

15 Q. When did you first begin to use  
16 him to assist you in projects or assignments  
17 that you had?

18 A. I think, when he was in graduate  
19 school, he was -- he was at the Columbia  
20 graduate school and he needed some money, and  
21 I gave him some translation jobs, some --  
22 some -- some other, like, research jobs.

23 Q. Do you recall how many years  
24 that was -- how -- how long ago that was?

25 A. I -- I could try to construct it.

1 RINAT R. AKHMETSHIN

2 Three years -- it's about five or  
3 six years, probably --

4 Q. Five or six --

5 A. -- but I'm not --

6 Q. -- years from -- ago today?

7 A. Ago from -- from now, yes; five,  
8 six, maybe seven. I don't know.

9 Q. Do you know when he set up the  
10 Eurasia Democracy Initiative?

11 A. I do not know, but -- I do not  
12 know.

13 Q. Did you assist him with that?

14 A. I -- he asked my advice on  
15 whether -- how he should -- he had an idea of  
16 starting a business and starting this  
17 organization. He asked my advice on it.

18 Q. A business kind of like yours;  
19 is that correct?

20 A. I wouldn't describe it that way.  
21 It's --

22 Q. Okay. Does he provide advocacy  
23 services for individuals or countries or  
24 entities?

25 A. I could not answer that, because

1 RINAT R. AKHMETSHIN

2 I know what he does for me. That's the only  
3 thing I can talk about.

4 Q. Would it be fair to say that his  
5 organization, the Eurasia Democracy  
6 Initiative, is not a very serious  
7 organization?

8 MR. SPERDUTO: Objection to  
9 form.

10 THE WITNESS: I would not  
11 describe it like that.

12 BY MR. COHEN:

13 Q. Okay. I will show you a  
14 document that was previously marked as  
15 Exhibit 101.

16 A. I'm sorry.

17 Q. I'm sorry.

18 MR. SPERDUTO: Thank you.

19 BY MR. COHEN:

20 Q. Have you seen this e-mail  
21 before?

22 A. Yes, I did.

23 Q. And -- and you see there's a  
24 3/14/11 at 1:54 p.m. e-mail --

25 A. Yes, I do see that --



1 RINAT R. AKHMETSHIN

2 Q. -- from Rinat Akhmetshin?

3 A. -- I do see it.

4 Q. And it says, I think we should  
5 keep Peter off of this; is that correct?

6 A. Yes.

7 At that time, I had -- I thought  
8 that way.

9 Q. Okay. And you said, his  
10 organization is not very serious; is that  
11 correct?

12 A. It says so here.

13 Q. And that was your position  
14 regarding his organization at this time in  
15 March of 2011; is that correct?

16 A. It appears so.

17 Q. It is so, isn't it?

18 A. Excuse me?

19 Q. You wrote this, correct?

20 A. I did write this, correct.

21 Q. Okay. And this is your e-mail  
22 address; is that correct?

23 A. That is correct, sir.

24 Q. And you sent an e-mail to  
25 Mr. Bloomfield at a -- at around 1:54 p.m.

1 RINAT R. AKHMETSHIN

2 on 3/14 --

3 A. Correct, sir --

4 Q. -- is that correct?

5 A. -- yes. That's what it says.

6 Q. And when you wrote that, you  
7 believed it; is that correct?

8 A. I thought so, yes.

9 Q. Now, you mentioned  
10 earlier that it -- well, let's step back  
11 again -- that you received \$70,000 at the  
12 outset for the project relating to  
13 Ashot Egiazaryan; is that correct?

14 A. Something around that amount. I  
15 do not remember exact amount.

16 Q. What did you do with that money?

17 A. I remember I took some of this  
18 money to reimburse myself for the ticket, and  
19 then I transferred the amount -- and  
20 transferred that money to Mr. Zalmayev's  
21 account.

22 Q. Through what entity did you  
23 transfer the money?

24 A. In Russia, there are services  
25 which you can do it. They mostly work for

1 RINAT R. AKHMETSHIN

2 these Kazak-Latvian between the Russian banks  
3 so they could do money -- wire -- wire  
4 transfers, because I didn't want to carry  
5 cash, and I wanted to be transparent.

6 So . . .

7 Q. Do you recall when it was that  
8 you transferred that money?

9 A. I think during that trip to  
10 Moscow where I -- where I had discussion with  
11 Mr. Vavilov.

12 Q. I'm going to show you --

13 MR. COHEN: Let's mark as  
14 Exhibit 164 a copy of a record of a  
15 wire transfer. I'm sorry. Let me  
16 save one for the court reporter.

17 - - -

18 (Whereupon, a [REDACTED] [REDACTED]  
19 [REDACTED] N.A. wire transfer, January 27,  
20 2011 was marked, for identification  
21 purposes, as Deposition Exhibit  
22 Number 164.)

23 - - -

24 BY MR. COHEN:

25 Q. It's marked with Bates Number

1 RINAT R. AKHMETSHIN

2 PZ3857, and it's from a [REDACTED] [REDACTED] [REDACTED]

3 [REDACTED] [REDACTED] [REDACTED] document.

4 A. Um-hum.

5 THE WITNESS: Um-hum. Thank

6 you.

7 BY MR. COHEN:

8 Q. I'll call your attention to the  
9 bottom right-hand corner --

10 A. Um-hum.

11 Q. -- and the \$70,000 amount.

12 A. I do see this.

13 Q. And then if you look over to the  
14 left, there's a date of 1/27.

15 Do you see that?

16 A. January, yes.

17 Q. Do you believe that this  
18 represents a payment that you made to  
19 Mr. Zalmayev for work regarding  
20 Ashot Egiazaryan?

21 A. Yes, I think it appears that way.

22 Q. And you see there's a reference  
23 on the first line under the word "Redacted"  
24 to Avitek Limited.

25 Do you see that?

1 RINAT R. AKHMETSHIN

2 A. Yes, I see it.

3 Q. Do you know what that is?

4 A. I have no idea.

5 Q. Do you know who Martin Bonders  
6 is?

7 MR. SPERDUTO: I'm sorry?

8 BY MR. COHEN:

9 Q. Do you know Martin Bonders,  
10 B-O-N-D-E-R-S?

11 A. I do not recall that name, sir.

12 Q. Do you know Vladimir Antonov?

13 A. I do not recall that name, sir.

14 Q. So explain to me what you did --  
15 you had \$70,000 of cash with you in Moscow?

16 A. Yes.

17 Q. What did you do with that?

18 A. I asked a friend, and he  
19 recommended me this service where which you  
20 could wire the money.

21 Q. And was that a Moscow service?  
22 Was it in Moscow or when you --

23 A. Right --

24 Q. -- came back to the States?

25 A. -- the friend was in Moscow, yes.

1 RINAT R. AKHMETSHIN

2 Q. Okay. You didn't bring

3 70,000 --

4 A. No, no.

5 Q. -- on the plane back --

6 A. No.

7 Q. -- to -- to the United States?

8 A. I brought, like, probably

9 10 grand.

10 Q. Why is it that you believe that  
11 this wire transfer reflects the \$70,000 that  
12 came from you?

13 A. I doubt he could get anything  
14 from anyone else.

15 Q. Why is that?

16 A. Because it was around the time  
17 when he started working on this project.

18 I cannot tell that this is  
19 exactly this amount of money, but it -- the  
20 dates appear to reflect that.

21 Q. Okay. You're not -- you  
22 can't -- can you state with certainty that  
23 there's not another 70,000 payment -- or  
24 approximately \$70,000 payment that  
25 Mr. Zalmayev received around this time?

1 RINAT R. AKHMETSHIN

2 A. I do not know, sir.

3 Q. Okay. Do you know what other  
4 payments were made to support the campaign  
5 against Ashot Egiazaryan?

6 MR. SPERDUTO: Campaign?

7 I'll object to the form.

8 THE WITNESS: Excuse me, sir?

9 BY MR. COHEN:

10 Q. Did Mr. Vav- -- Vavilov make any  
11 other payments to support the campaign  
12 against Ashot Egiazaryan?

13 A. He did, yes.

14 Q. What other payments did he make?

15 A. He made payments for me, for my  
16 organization.

17 Q. How much in payments did you  
18 receive for your work on the campaign  
19 against Ashot Egiazaryan?

20 MR. SPERDUTO: Form.

21 THE WITNESS: I do not -- how  
22 much did I initiate for myself for my  
23 personal compensation for work on  
24 this thing, right --

25

1 RINAT R. AKHMETSHIN

2 BY MR. COHEN:

3 Q. Yes.

4 A. -- is that what you're trying to  
5 say, sir?

6 Q. Yes.

7 A. 30-, \$40,000, maybe a bit more,  
8 but around that amount -- 50 maybe.

9 Q. And how did you receive that  
10 money?

11 A. Through wires to my account.

12 Q. Did you receive any amounts from  
13 anyone other than Mr. Vavilov for your work  
14 on the campaign against Mr. Egiazaryan?

15 A. Yes.

16 MR. SPERDUTO: Form with  
17 "campaign." I'll just -- if I can  
18 have a standing objection to  
19 "campaign," I won't interrupt.

20 BY MR. COHEN:

21 Q. Okay. Is -- is that a phrase  
22 that you've used --

23 A. I -- I'm not comfortable. See, I  
24 think it was this awareness project.

25 Q. You call it sometimes the Ashot



1 RINAT R. AKHMETSHIN

2 project?

3 A. For short purposes, just like we  
4 call IEI, International Eurasian Institute.

5 Q. And in some documents, you refer  
6 to it as a campaign; is that correct?

7 A. It could have been. I do not  
8 remember, sir.

9 Q. Did you receive any payments  
10 from anyone else for your work regarding  
11 Ashot Egiazaryan?

12 A. Anywhere else from whom?

13 Q. From -- from anyone other than  
14 Vavilov?

15 A. No; only Mr. Vavilov.

16 Q. Did Mr. Vavilov make any  
17 payments in addition to the 70,000 that was  
18 transferred to Mr. Zalmayev and the 30- or  
19 40,000 that was wired directly to you?

20 MR. SPERDUTO: Capacity.

21 THE WITNESS: I do not know.

22 BY MR. COHEN:

23 Q. Did you arrange for any  
24 additional payments above the 70,000 that  
25 was -- that you forwarded to Mr. Zalmayev

1 RINAT R. AKHMETSHIN

2 and the 30- or 40,000 that you received  
3 directly?

4 A. I did, sir.

5 Q. What other payments did you  
6 arrange for?

7 A. Mr. Vavilov is paying  
8 Mr. Zalmayev's legal bills in this matter.

9 Q. Is Mr. Vavilov paying your legal  
10 bee -- bills?

11 A. I hope he will.

12 Q. What?

13 A. When this thing is over, I hope  
14 he will.

15 I'm paying it myself right now.

16 Q. Have you arranged for any other  
17 payments relating to your work regarding  
18 Ashot Egiazaryan?

19 A. I did pay Mr. Zalmayev myself as  
20 well.

21 Q. Other than the 70,000 you paid  
22 him?

23 A. I did, yes.

24 Q. How much did you pay him?

25 A. I do not remember now, but

1 RINAT R. AKHMETSHIN

2 probably 20 -- 10 -- \$20,000, something like  
3 that.

4 Q. Why did -- why did you pay him?

5 A. Because he was doing more  
6 research on this matter.

7 Q. Why didn't Mr. Vavilov pay him  
8 for that?

9 A. It was -- Mr. Vavilov was paying  
10 me, and then -- from that amount for the  
11 project. And from that amount, I was paying  
12 Mr. Zalmayev.

13 Q. Do you know of any amounts that  
14 were paid by Mr. Vavilov other than the  
15 70,000 and the 30 -- that you received in  
16 Moscow and the 30- to 40,000 that you  
17 received in a wire transfer?

18 A. I did receive more. This 30,000  
19 reflects my amount --

20 Q. Okay. How much more --

21 A. -- so the amount is --

22 Q. -- how much more did you  
23 receive?

24 A. Probably another \$100,000, I  
25 guess. I do not remember exact amount, sir.

1 RINAT R. AKHMETSHIN

2 Q. Am I correct that you would have  
3 bank records that would reflect all the  
4 payments that you've received --

5 A. I -- I should --

6 Q. -- from Mr. Vavilov?

7 A. I -- I think I would, yes.

8 Q. Let me show you a document that  
9 has Bates number PZ3858. That's another  
10 record from [REDACTED] [REDACTED]. We'll have it  
11 marked as Exhibit 165.

12 - - -

13 (Whereupon, a [REDACTED] [REDACTED]  
14 [REDACTED] [REDACTED] wire transfer, April 4, 2011  
15 was marked, for identification  
16 purposes, as Deposition Exhibit  
17 Number 165.)

18 - - -

19 THE WITNESS: Yes, sir.

20 BY MR. COHEN:

21 Q. Have you seen this before?

22 A. No, I have not.

23 Q. I'll refer you to the bottom,  
24 and it refers to an ATM check deposit of  
25 \$20,000.

1 RINAT R. AKHMETSHIN

2 A. Um-hum. Yes.

3 Q. Are you aware of a \$20,000  
4 payment that was made to Mr. Zalmayev on or  
5 around April 4, 2011?

6 A. It might have been the payment I  
7 gave him. It might have been my check. I'm  
8 not aware of the exact check.

9 If you have a copy of the check,  
10 I'm happy to look at it.

11 Q. No, we haven't been produced a  
12 copy of the check.

13 When you sent the \$70,000 to  
14 Mr. Zalmayev, who did you tell him it was  
15 from?

16 MR. SPERDUTO: Objection;  
17 assumes facts not in evidence.

18 Go ahead.

19 THE WITNESS: What did I tell  
20 him?

21 I said it was for the payment  
22 for this project.

23 BY MR. COHEN:

24 Q. Did you tell him what the source  
25 of the money was?

1 RINAT R. AKHMETSHIN

2 A. I do not recall at that point,  
3 but . . .

4 Q. You previously testified that  
5 you told Mr. Zalmayev that Mr. Vavilov was  
6 the one who had -- was the client; is that  
7 correct?

8 A. My client, correct, yes.

9 Q. "Client," is that a fair word?

10 A. It is a fair word, yes.

11 Q. Okay. And -- and Mr. Zalmayev  
12 knew during the course of your work together  
13 on this project that Mr. Vavilov was the  
14 client; is that correct?

15 MR. SPERDUTO: Objection;  
16 capacity and ambiguous.

17 But go ahead.

18 THE WITNESS: I do think that  
19 he was under that impression, and --

20 BY MR. COHEN:

21 Q. Because --

22 A. -- because that was which was  
23 told to him many, many times.

24 Q. By you?

25 A. By me, yes.

1 RINAT R. AKHMETSHIN

2 Q. Did he ever communicate directly  
3 with Mr. Vavilov?

4 MR. SPERDUTO: Capacity.

5 Go ahead --

6 THE WITNESS: I was -- I was --

7 MR. SPERDUTO: -- if you know.

8 THE WITNESS: -- I was -- I was  
9 in meetings with Vavilov and  
10 Mr. Zalmayev, yes.

11 BY MR. COHEN:

12 Q. Where were those meetings?

13 A. New York.

14 Q. Do you recall when the first  
15 meeting was when -- was there anyone else at  
16 those meetings?

17 MR. SPERDUTO: Can I just  
18 object to the represent -- excuse  
19 me -- represent -- object to any  
20 characterization of the meeting that  
21 he testified about?

22 THE WITNESS: I know that they  
23 met. I was present there, and I  
24 think Mr. Ryan was present as well.

25

1 RINAT R. AKHMETSHIN

2 BY MR. COHEN:

3 Q. When was the first time that  
4 there was a meeting among you, Mr. Vavilov,  
5 Peter Zalmayev and Andrew Ryan?

6 A. I do not recall exactly, but it  
7 was probably in the spring of 2011.

8 Q. So before the lawsuit was filed;  
9 is that correct?

10 A. Correct, yes. I do not remember,  
11 but I think so, yes.

12 Q. What was the subject of the  
13 meeting?

14 MR. SPERDUTO: Well, to --  
15 well --

16 BY MR. COHEN:

17 Q. Without describing the con- --  
18 the specific content, can you tell me what  
19 the subject matter of the meeting was?

20 A. I think Mr. Egiazaryan.

21 Q. What was Mr. Ryan's role at the  
22 meeting?

23 MR. SPERDUTO: I'm going to  
24 instruct the witness not to answer to  
25 the extent that that answer requires



1 RINAT R. AKHMETSHIN

2 disclosure of communications between

3 Mr. Ryan and his client.

4 To the extent you can answer

5 that question without such

6 disclosure, you're free to do so.

7 THE WITNESS: From what I

8 remember, he just provided the space

9 for this meeting at his office.

10 BY MR. COHEN:

11 Q. Did -- did -- was he physically

12 present during the meeting with Mr. Vavilov?

13 A. I do not recall. Might have not.

14 The conversation was in Russian, so I would

15 say no --

16 Q. And -- all right.

17 A. -- not throughout the meeting,

18 I'm sure.

19 Q. What was the purpose of the

20 meeting among you, Mr. Zalmayev and

21 Mr. Vavilov in the spring of 2011 before the

22 lawsuit was brought?

23 A. Just discussion of -- I think

24 Mr. Vavilov shared his personal recollection

25 of Mr. Egiazaryan.

1 RINAT R. AKHMETSHIN

2 Q. Was he angry at Mr. Egiazaryan?

3 A. I wouldn't describe anger, but I  
4 think he took -- I do not remember details of  
5 this meeting, but I remember that it was  
6 educational for Mr. Vavilov. It was personal  
7 experiences.

8 Q. Was the meeting, in part, to  
9 discuss the status of the Ashot Egiazaryan  
10 project?

11 A. I think that discussion of the  
12 project took place, to the best of my  
13 recollection.

14 Q. Did Mr. Vavilov give any  
15 instruction regarding the project at the  
16 meeting?

17 A. I would not call it instructions.  
18 He is not that kind of person.

19 But I -- I think he might have  
20 given some suggestions.

21 Q. What suggestions do you recall  
22 that he gave at the meeting in the spring of  
23 2011?

24 A. I think -- I think he talked  
25 something about the LDPR. I think that was

1 RINAT R. AKHMETSHIN

2 the big discussion. And I think he has  
3 personal view and distaste for that party.  
4 And I think he expressed that to  
5 Mr. Zalmayev.

6 Q. Do you recall anything else that  
7 was discussed at the meeting?

8 A. I do not.

9 Q. Do you recall if anyone else was  
10 present that -- during any periods of the  
11 meeting?

12 A. I do not remember, sir.

13 Q. Do you recall if there was any  
14 conclusion or agreement at the meeting to  
15 proceed in any particular way?

16 A. I do not remember details, sir,  
17 but there was a discussion for -- for sure.

18 Q. Have you ever been paid by  
19 Mr. Zalmayev -- by Mr. Zalmayev?

20 A. I have --

21 MR. SPERDUTO: Form.

22 THE WITNESS: -- yes, I have.

23 BY MR. COHEN:

24 Q. What have you been paid by  
25 Mr. Zalmayev for?

1 RINAT R. AKHMETSHIN

2 A. We do many things together, and I  
3 think that he paid for working on this  
4 project as well.

5 MR. COHEN: Let me ask the  
6 court reporter to mark as Exhibit 166  
7 a copy of the 2010 tax returns for  
8 the Eurasia Democracy Initiative,  
9 which begins with Bates Number PZ584.

10 - - -

11 (Whereupon, Eurasia Democracy  
12 Initiative 2010 tax returns was marked,  
13 for identification purposes, as  
14 Deposition Exhibit Number 166.)

15 - - -

16 MR. COHEN: You ready?

17 BY MR. COHEN:

18 Q. All right. I'll call your --

19 A. And you see the --

20 Q. -- to the final page.

21 A. This one, right (indicating)?

22 Yes, sir.

23 Q. Yes.

24 And you see the second check down  
25 from the top?

1 RINAT R. AKHMETSHIN

2 A. Correct, yes.

3 Q. That's made out to you; is that  
4 correct?

5 A. Correct, yes.

6 Q. And for an amount of \$10,000; is  
7 that correct?

8 A. Correct, yes.

9 Q. Without a date as far as I can  
10 tell; is that correct?

11 A. Yeah. That's what I'm trying to  
12 find here, yes.

13 Q. Do you know what this \$10,000  
14 check was for?

15 A. I do not recall, sir.

16 Q. Do you recall engaging in any  
17 projects with Mr. Zalmayev in 2010 before  
18 the Ashot Egiazaryan project in which you  
19 were paid --

20 A. I have --

21 Q. -- by him?

22 A. -- I -- I have been engaged with  
23 Zalmayev on other projects --

24 Q. And --

25 A. -- in the past, yes.

1 RINAT R. AKHMETSHIN

2 Q. -- do you recall what you might  
3 have been engaged in at this time that  
4 resulted in a \$10,000 payment?

5 A. Something of Central Asia,  
6 probably.

7 Q. Do you remember seeing --  
8 receiving payments directly from  
9 Mr. Akhmetshin in 2011?

10 A. I am Mr. Akhmetshin.

11 Q. I'm sorry.  
12 With Mr. Zalmayev in 2011?

13 A. He -- I -- I -- I know for a fact  
14 he paid me for doing something on the  
15 Egiazaryan matter.

16 Q. Do you recall the amount?

17 A. 10- or \$20,000.

18 MR. COHEN: I'll ask the court  
19 reporter to mark a copy of a check  
20 with Bates Number PZ3856.

21 Give it to counsel.

22 THE WITNESS: Sir.

23 - - -

24 (Whereupon, a copy of check  
25 was marked, for identification

1 RINAT R. AKHMETSHIN  
2 purposes, as Deposition Exhibit  
3 Number 167.)

4 - - -

5 MR. SPERDUTO: Jason, this is  
6 167?

7 THE WITNESS: 167, yes.

8 THE COURT REPORTER: Yes.

9 MR. COHEN: 167, yes.

10 THE WITNESS: Thank you.

11 BY MR. COHEN:

12 Q. I assume you've seen this check  
13 before?

14 A. I've seen it. I -- I hope I  
15 cashed it.

16 Q. It's made out to you?

17 A. Yes.

18 Q. And it's from the Eurasia  
19 Democracy Initiative?

20 A. Correct.

21 Q. It says ■■■■■; is that  
22 correct?

23 A. That's what it --

24 Q. Have you --

25 A. -- it says.

1 RINAT R. AKHMETSHIN

2 Q. -- have you ever seen an office  
3 that Eurasia Democracy Initiative has at  
4 [REDACTED] [REDACTED]?

5 A. I do not remember, sir.

6 Q. Why did you receive this check?

7 A. It was -- I think it's in  
8 connection to this Egiazaryan matter, yes.  
9 It says expenses and consultancy.

10 Q. Why was Mr. Zalmayev paying you  
11 on a project that you said you -- that you  
12 brought him on to?

13 A. Because this was stuff which I  
14 have contributed as being from my expenses  
15 and contribution.

16 Q. So sometimes you pay  
17 Mr. Zalmayev, and sometimes he pays you?

18 A. When he has a project and he  
19 wants me to do something on it, he pays me.  
20 When I have a project and I have something  
21 for him to do, the same, I pay him.

22 Q. Would you characterize the  
23 Ashot Egiazaryan project as Peter Zalmayev's  
24 project?

25 A. I would say so, yes.



1 RINAT R. AKHMETSHIN

2 Q. More so than it was your  
3 project?

4 A. It's hard for me to say, but I  
5 assisted him in that project for sure.

6 Q. Is it your position that he was  
7 the lead person on the Ashot -- strike that.

8 MR. SPERDUTO: Form --

9 BY MR. COHEN:

10 Q. Was --

11 MR. SPERDUTO: -- I'm sorry.

12 Withdrawn.

13 BY MR. COHEN:

14 Q. -- was Peter Zalmayev the lead  
15 person on the Ashot Egiazaryan project?

16 A. It's hard for me to make this  
17 distinction, sir. He was working on that  
18 project.

19 Q. A key person; is that correct?

20 A. He knew more about this thing.

21 Q. Who was -- who was in charge of  
22 the project from your perspective?

23 A. I don't think, sir, it was who  
24 was in charge and giving orders and stuff  
25 like that.

1 RINAT R. AKHMETSHIN

2 Q. Fair to say that you and  
3 Mr. Zalmayev collaborated on the project?

4 A. I did assist him on that project,  
5 yes.

6 Q. Did you ever receive any money  
7 on the Ashot Egiazaryan project from anyone  
8 other than Mr. Vavilov?

9 A. I don't remember, sir.

10 Q. Do you know whether Mr. Zalmayev  
11 received money on the Ashot Egiazaryan  
12 project from anyone other than Mr. Vavilov?

13 A. I think you asked me already, and  
14 I said that I do not know, but I would doubt  
15 it.

16 Q. Were there other individuals who  
17 were paid to assist you and Mr. Zalmayev on  
18 the Ashot Egiazaryan project?

19 A. Yes.

20 Q. Who?

21 A. Mr. Bloomfield.

22 Q. Is that Douglas Bloomfield?

23 A. Douglas Bloomfield, correct.

24 Q. Who paid Douglas Bloomfield?

25 A. I don't remember.

1 RINAT R. AKHMETSHIN

2 I know that he was paid for his  
3 expertise on this matter.

4 Q. Was anyone else paid to work on  
5 the Ashot Egiazaryan project?

6 A. I do not remember, sir --

7 Q. Do you know who Leonid --

8 A. -- might -- might --

9 Q. -- Komarovsky is?

10 A. -- might -- might be Mr. Zalmayev  
11 did something, but I didn't do anything.

12 Q. Do you know who Leonid Kom- --  
13 Komarovsky is?

14 A. I've heard the name, yes.

15 Q. Where do you know him from?

16 MR. SPERDUTO: Objection;  
17 characterization.

18 THE WITNESS: I heard of him,  
19 sir. I do not know him.

20 BY MR. COHEN:

21 Q. Where have you heard of him  
22 from?

23 A. He was detained in  
24 Turkmenistan -- in country called  
25 Turkmenistan.

1 RINAT R. AKHMETSHIN

2 THE COURT REPORTER: He was

3 what?

4 THE WITNESS: He was detained  
5 there by the regime there, and there  
6 was a campaign to release him.

7 BY MR. COHEN:

8 Q. Have you ever had any  
9 communications with him?

10 A. Never personally, no.

11 I -- I take that back, I  
12 think I -- we also had a mutual acquaintance,  
13 who I think still is in prison there, and I  
14 think, after he was released --  
15 Mr. Komarovsky was released from prison  
16 there, I might have spoken with him.

17 Q. Do you know if Mr. Komarovsky  
18 was paid for his assistance on the  
19 Ashot Egiazaryan project?

20 A. I might have known that, but I do  
21 not remember.

22 Q. Who would authorize payments --  
23 who was responsible for authorizing payments  
24 for work on the Ashot Egiazaryan project?

25 MR. SPERDUTO: Objection to

1 RINAT R. AKHMETSHIN

2 form; assumes facts.

3 THE WITNESS: What do you mean  
4 "authorize"?

5 BY MR. COHEN:

6 Q. Who would be in charge of making  
7 payments to the people who were working on  
8 the project?

9 A. Whoever writes the check or makes  
10 the wire transfer.

11 Q. Do you know who  
12 Lyudmila Alexeyeva is?

13 A. Excuse me?

14 Q. Do you know who  
15 Lyudmila Alexeyeva is?

16 A. She is -- if -- if -- if that's  
17 the person's common name in Russia, but if  
18 you refer to this human rights activist in  
19 Russia, I -- I heard of her, yes.

20 Q. Do you know if she played a role  
21 in the Ashot Egiazaryan project?

22 A. I know she was approached by  
23 Mr. Zalmayev on this matter, yes. He  
24 discussed with me.

25 Q. Do you know whether she was paid

1 RINAT R. AKHMETSHIN

2 for -- paid on this project?

3 A. I'm not sure, sir.

4 Q. Do you know who Lev Ponomarev  
5 is?

6 A. I've heard the name.

7 Q. And where do you know the name  
8 from?

9 A. I think it was also in connection  
10 with this matter. I know that Mr. Zalmayev  
11 mentioned to me that he approached them.

12 Q. Do you know if he -- if -- do  
13 you know if Lev Ponomarev was paid any money  
14 for assistance in the Ashot Egiazaryan  
15 project?

16 A. I did not pay him and -- but he  
17 might have or not.

18 Q. Did Mr. Zalmayev ever report to  
19 you that he paid money to Mr. Ponomarev?

20 A. I think Mr. Ponomarev -- if I  
21 remember correctly, he might have mentioned  
22 to me that Mr. Ponomarev asked him for some  
23 payments.

24 Q. And do -- did Mr. Zalmayev ever  
25 tell you that he made payments to

1 RINAT R. AKHMETSHIN

2 Lev Ponomarev?

3 A. I do not remember.

4 Q. Did Mr. Zalmayev tell you that  
5 he made payments to Lyudmila Alexeyeva?

6 A. I do not remember.

7 Q. Did Mr. Zalmayev tell you that  
8 he made payments to the American Jewish  
9 Committee?

10 A. I do not know, sir.

11 Q. Did Mr. Zalmayev --

12 A. Yeah, I know he's a member of  
13 American Jewish Committee.

14 Q. Did Mr. Zalmayev tell you that  
15 he made payments to Zhanna Snelbecker?

16 A. Snelbecker, yes, he did.

17 Q. Who is Zhanna Snelbecker?

18 A. He's an attorney.

19 I asked him to make that payment.

20 Q. You -- you asked him to make the  
21 payment to Zhanna Snelbecker?

22 A. Correct.

23 MR. COHEN: I'll ask the court  
24 reporter to mark as Exhibit 168 a  
25 document with the Bates range -- with

1 RINAT R. AKHMETSHIN

2 the Bates Number PZ1273.

3 - - -

4 (Whereupon, informational  
5 documents were marked, for  
6 identification purposes, as Deposition  
7 Exhibit Number 168.)

8 - - -

9 THE WITNESS: Thank you.

10 BY MR. COHEN:

11 Q. Have you ever seen this document  
12 before?

13 A. I might have, yes.

14 Q. Let me call your attention to  
15 the second page, PZ1274.

16 A. Um-hum.

17 Q. This reflects a travel schedule  
18 from New York to Moscow and back?

19 A. That's what it appears to be,  
20 yes.

21 Q. And do you know whose travel  
22 schedule that is?

23 A. I don't know.

24 Q. Do you recall whether  
25 Mr. Zalmayev was in Moscow at the end of



1 RINAT R. AKHMETSHIN

2 Mosc- -- at -- at the end of January 2011?

3 A. He might have been. He went  
4 there quite a few times, actually.

5 Q. And calling your attention to  
6 the next page, there's a statement, From  
7 Ruben.

8 Do you know who --

9 MR. SPERDUTO: I'm sorry.

10 Just --

11 MR. COHEN: I'm sorry.

12 Page 1275, the next page.

13 MR. SPERDUTO: Thank you.

14 Thank you.

15 THE WITNESS: I do see it, sir,  
16 yes, From Ruben.

17 BY MR. COHEN:

18 Q. Okay. Who is that referring to?

19 A. I do not know, sir.

20 MR. GOLDEN: I'm sorry.

21 What -- what -- what did you ask?

22 THE WITNESS: From Ruben.

23 MR. GOLDEN: Oh, From Ruben in  
24 the middle.

25 Thank you.

1 RINAT R. AKHMETSHIN

2 BY MR. COHEN:

3 Q. Do you know Ruben Markarian?

4 A. Oh, yes, yes. That's Ruben.

5 Q. Who -- who is that?

6 A. He is -- he's an attorney for a  
7 person whom Mr. Egiazaryan defrauded for  
8 large amounts of money. Ruben Markarian.  
9 Ruben Markarian.

10 Q. And is that an issue that you've  
11 personally investigated, a dispute between  
12 Mr. Markarian's client and Mr. Egiazaryan?

13 A. Oh, we definitely looked into  
14 this, sir. I did not personally investigate,  
15 but I think that we did everything -- we did  
16 very thorough due diligence.

17 And, actually, I would like to  
18 point out to the exhibit --

19 Q. Just -- let's just -- if you  
20 could just answer my questions.

21 A. I -- I -- we did investigate all  
22 aspects of Mr. Egiazaryan's activities, yes.

23 Q. Calling your attention to the  
24 next page of the expense report.

25 A. Okay.

1 RINAT R. AKHMETSHIN

2 Q. Have you seen that before?

3 A. Okay. Let's see.

4 I might have been, yes.

5 Q. Does the 20,000 refer to the

6 20 -- 20,000 that has an (R) next to it?

7 A. Yes.

8 Q. That would refer to you; is that

9 correct?

10 MR. SPERDUTO: Objection to the  
11 form.

12 THE WITNESS: It's hard for me  
13 to say, but it -- it -- it makes  
14 sense, actually, it was to me. If  
15 it's payments and there was a \$20,000  
16 payment to me, correct, yes.

17 This seems so. I do not know  
18 for a fact. I did not write this.

19 BY MR. COHEN:

20 Q. Was anyone else directly  
21 involved in the Ashot Egiazaryan project  
22 other than you, Mr. Zalmayev,  
23 Mr. Bloomfield, Mr. Vavilov?

24 A. I don't remember, sir. I think  
25 these are pretty much the people.

1 RINAT R. AKHMETSHIN

2 Q. Is there anybody else who -- who  
3 you or Mr. Zalmayev coordinated with to  
4 develop facts or information relating to the  
5 Ashot Egiazaryan project?

6 MR. SPERDUTO: Could you read  
7 that back for me, please? Please.

8 THE COURT REPORTER: I'll do  
9 it.

10 Do you want --

11 MR. COHEN: I'll -- I'll do it.

12 THE COURT REPORTER: Okay.

13 MR. SPERDUTO: All right,  
14 thanks.

15 BY MR. COHEN:

16 Q. Let me -- I'll withdraw the  
17 question.

18 MR. SPERDUTO: I just didn't  
19 hear it. I don't --

20 MR. COHEN: I understand.

21 MR. SPERDUTO: Okay.

22 BY MR. COHEN:

23 Q. Is there anyone else who you,  
24 Mr. Zalmayev or Mr. Bloomfield coordinated  
25 with on the Ashot Egiazaryan project?

1 RINAT R. AKHMETSHIN

2 A. What do you mean "coordinate"?

3 Q. Worked with to develop  
4 information or strategy.

5 A. We did do very thorough due  
6 diligence.

7 If I might point out to this  
8 Document Number 163 --

9 Q. I -- no. I'm asking you who --  
10 who else --

11 A. I just like -- sir, I would  
12 like -- can I please make my point?

13 Q. I -- I -- I'd like you to answer  
14 my question --

15 A. Yes, sir.

16 Q. -- about the name --

17 MR. SPERDUTO: I think this is  
18 his answer --

19 THE WITNESS: It's my answer --

20 MR. SPERDUTO: -- let him  
21 answer.

22 THE WITNESS: -- so we did  
23 this -- we made sure that everything  
24 that was said in this project  
25 reflected facts, not allegations.

1 RINAT R. AKHMETSHIN

2 So, therefore, we conducted very  
3 thorough due diligence.

4 And we interviewed, I think --  
5 I, personally, interviewed some  
6 people. Mr. Zalmayev went to Russia  
7 to talk to countless number of people  
8 to establish facts, interviewing  
9 people, doing research online,  
10 doing -- gathering documents. And  
11 there are many people who were  
12 interviewed on this matter, yes, sir.

13 BY MR. COHEN:

14 Q. Did you interview  
15 Mr. Egiazaryan?

16 A. No. We couldn't get him.

17 Q. Did you -- did you, personally,  
18 reach out to him?

19 A. I do not remember that effort,  
20 sir.

21 Q. Did you speak with  
22 Mr. Egiazaryan's representatives?

23 A. I do not remember, sir. I --

24 Q. Do --

25 A. -- personally, did not.

1 RINAT R. AKHMETSHIN

2 Q. Do you recall, did you,  
3 personally, reach out to Mr. Egiazaryan's  
4 representatives?

5 A. I did not.

6 Q. Back to my earlier question,  
7 were -- you -- other than people whom you  
8 interviewed with -- interviewed, was there  
9 anyone who you collaborated with to develop  
10 a strategy or approach?

11 A. We did talk to people who were a  
12 victim of Mr. Egiazaryan's actions, and we  
13 did try to find out from them their stories.  
14 And we tried to utilize them if -- to the  
15 extent they were applicable to our effort.

16 Q. Do you recall who you spoke  
17 with?

18 A. On what -- on what matter, sir?

19 Q. Excuse me?

20 A. On what matter, sir?

21 Q. Relating to Mr. Egiazaryan.

22 A. I spoke with many people.

23 Q. Who did you speak to?

24 A. Many people. I do not remember  
25 the names. I met with people in Russia. I



1 RINAT R. AKHMETSHIN

2 met with people in Washington, D.C. on these  
3 matters.

4 Q. Is there anyone who stands out  
5 who you spoke to whose name you can recall?

6 MR. SPERDUTO: Objection to the  
7 form; ambiguous; asked and answered.

8 I assume you mean in addition  
9 to everybody he's already talked  
10 about?

11 BY MR. COHEN:

12 Q. Can you identify the names of  
13 individual witnesses who you spoke to?

14 A. Mr. Markarian is probably the  
15 most helpful person on this matter.

16 Q. Okay. Anybody else other than  
17 Mr. Markarian who comes to mind?

18 A. He introduced us to many people,  
19 actually, who were victims of Mr. Egiazaryan.

20 Q. And Mark- -- and Mr. Markarian  
21 is an adversary of Mr. Egiazaryan's?

22 A. I think he's -- I think he's a  
23 lawyer for a person who was a victim of  
24 Mr. Egiazaryan's laundering.

25 Q. And -- and any -- is there



1 RINAT R. AKHMETSHIN

2 anyone else who you can recall speaking  
3 with?

4 A. I don't remember. He introduced  
5 us to many people, to journalists.

6 Q. Do you recall if you spoke with  
7 anyone who either did not have -- who did  
8 not have a dispute with Mr. Egiazaryan or  
9 did not represent someone who had a dispute  
10 with Ms. -- Mr. Egiazaryan?

11 A. I spoke to journalists who were  
12 just in general covering this issue.

13 Q. So journalists and -- you spoke  
14 with journalists; you spoke with people who  
15 are in a dispute or represented people with  
16 a dispute with Mr. Egiazaryan.

17 Anybody else?

18 A. That's pretty much people who  
19 could be helpful on this project.

20 Q. Did you speak with  
21 Suleiman Kerimov?

22 A. No, I did not.

23 Q. Do you know who he is?

24 A. I heard of him. He's a rich man.

25 Q. Did you speak with any

1 RINAT R. AKHMETSHIN

2 representatives of Suleiman Kerimov?

3 A. I do not recall. I -- I might  
4 have spoken -- I know that he has dispute  
5 with Mr. Egiazaryan, and I know that there  
6 might have been some people who represented  
7 him; but I do not remember, sir.

8 Q. Did you communicate with people  
9 who represented or worked for  
10 Suleiman Kerimov?

11 A. I might have talked to his lawyer  
12 here, his PR person here.

13 Q. Who is that?

14 A. Greg Hitt.

15 Q. You said you might have?

16 A. I -- I -- I did talk to him. I  
17 met him for a couple of times -- met him.

18 Q. I'm sorry. What was --

19 A. I met him. I met Greg Hitt.

20 Q. Greg Hitt?

21 A. Yes.

22 Q. Where did you meet him?

23 A. I met him first at the offices of

24 Akin Gump. It's a law firm here in D.C.

25 Q. And in New York or in D.C.?

1 RINAT R. AKHMETSHIN

2 A. Here, in D.C.

3 Q. And you said that you met him  
4 first.

5 On how many times did you meet  
6 with Greg Hitt?

7 A. Two, three times, maybe. I  
8 had -- I remember I had tea with him a couple  
9 of times.

10 Q. What was the purpose of your  
11 meeting with Greg Hitt?

12 A. I was trying to find a little bit  
13 more. I know that he had a client who had  
14 issue with Mr. Egiazaryan. I wanted to find  
15 out what their story is.

16 Q. Who was his client?

17 A. I think it was one of the  
18 businesses which were hurt by Mr. Egiazaryan.

19 Q. Other than the couple of -- two  
20 or three meetings, did you have any other  
21 meetings or communications with Greg Hitt or  
22 anyone at Public Strategies?

23 MR. SPERDUTO: Hold on. Just a  
24 minute. Give me a second.

25 Other than the meetings you had

1 RINAT R. AKHMETSHIN

2 with Greg Hitt, did you have  
3 anybody -- any other meetings with  
4 Greg Hitt or other people at?

5 MR. COHEN: Public Strategies.

6 THE WITNESS: I met -- yes, in  
7 the first meeting, I met Greg Hitt  
8 and his colleagues. I don't remember  
9 their names. That was one meeting of  
10 people, and then, you know, just --  
11 and then Greg and I, we met a few  
12 times.

13 BY MR. COHEN:

14 Q. Did you --

15 A. We asked Mr. Zalmayev to  
16 interview him or just work -- to talk to him,  
17 because he had some questions also I think  
18 that he -- I think that the -- there was some  
19 communication between Mr. Zalmayev.

20 Q. Did you have other  
21 communications with Greg Hitt or people at  
22 his organization other than the couple -- or  
23 few meetings you described?

24 A. I might have -- might have spoke  
25 on the phone or exchanged e-mails. I do not

1 RINAT R. AKHMETSHIN

2 remember. It was not very helpful.

3 Q. Did -- did Mr. Hitt provide you  
4 with information regarding Ashot Egiazaryan?

5 A. He summarized his matter just to  
6 me.

7 Q. In a meeting?

8 A. In a meeting, yes.

9 Q. Did he provide you with  
10 information by e-mail or give you documents?

11 A. I do not remember. I -- as I  
12 mentioned to you, I did not find those  
13 meetings particularly helpful.

14 Q. You didn't find the information  
15 you received from Mr. Hitt --

16 A. It was --

17 Q. -- very helpful?

18 A. -- it was some commercial matter,  
19 and we had very little ability to take  
20 position one way or another.

21 Q. I'll show you a document  
22 containing Bates Number PZ1705. It will be  
23 Exhibit 168.

24 - - -

25 (Whereupon, an e-mail string

1 RINAT R. AKHMETSHIN  
2 was marked, for identification  
3 purposes, as Deposition Exhibit  
4 Number 169.)

5 - - -

6 THE WITNESS: -69.

7 MR. COHEN: 169.

8 Okay.

9 BY MR. COHEN:

10 Q. Have you seen this document  
11 before?

12 A. I might have received this, yes.

13 Q. If you turn to the last page,  
14 was this forwarded to you by Jeff Eller of  
15 Public Strategies?

16 A. I think it was this  
17 Peter Zalmayev message.

18 Q. Well, how did you -- do you see,  
19 at the back, there's a -- the address and  
20 telephone information?

21 A. Yes, I do see this, a signature  
22 file.

23 Q. Excuse me?

24 A. Signature file, yes --

25 Q. Yes.

1 RINAT R. AKHMETSHIN

2 A. -- whereby for Jeff Eller, vice  
3 chairman of Public Strategies.

4 Q. And then you forwarded that  
5 e-mail to Mr. Zalmayev; is that correct?

6 A. Oh, yes. Yes, that's correct.  
7 Okay.

8 Yes, thank you.

9 Yes, I did. He -- he sent it to  
10 me, yes, definitely.

11 Q. And you sent it to Mr. Zalmayev  
12 on February 6th, 2011; is that correct?

13 A. Correct, yes. It appears so.

14 Q. And that's your e-mail address;  
15 is that correct?

16 A. That is correct, yes. So I might  
17 have received this article from Mr. Eller and  
18 then forwarded it to Mr. Zalmayev, because it  
19 was an irrelevant article, I guess.

20 THE COURT REPORTER: I'm sorry.

21 What was the last part?

22 THE WITNESS: Because it was a  
23 irrelevant article.

24 BY MR. COHEN:

25 Q. Do you know who Levan Zgenti is?

1 RINAT R. AKHMETSHIN

2 A. Who?

3 Q. Levan, L-E-V-A-N, Z-G-E-N-T-I.

4 A. Levan Zgenti. I don't know the  
5 person, but it's a Georgian name.

6 MR. SPERDUTO: I'm sorry. It's  
7 what kind of name?

8 MR. LUPKIN: Georgian.

9 MR. SPERDUTO: Thank you.

10 THE WITNESS: Georgian, from  
11 Georgia.

12 MR. COHEN: I'll ask the court  
13 reporter to mark as Exhibit 170 a  
14 document with the  
15 Bates Number PZ1080.

16 THE WITNESS: Okay. I know who  
17 he is.

18 THE COURT REPORTER: Hold on,  
19 sir.

20 - - -

21 (Whereupon, an e-mail string  
22 was marked, for identification  
23 purposes, as Deposition Exhibit  
24 Number 170.)

25 - - -



1 RINAT R. AKHMETSHIN

2 MR. SPERDUTO: You need to wait

3 for a question.

4 (Sotto voce.)

5 THE WITNESS: Okay.

6 Thank you.

7 BY MR. COHEN:

8 Q. Do you see on the -- the bottom  
9 e-mail from Levan Zgenti --

10 A. Yes.

11 Q. -- March 23, 2011 to Greg Hitt,  
12 Jeff Eller, Rinat Akhmetshin?

13 A. Yes, I do see it.

14 Q. Do you recall receiving this  
15 e-mail?

16 A. Yes, I -- and I do know who --  
17 it's not -- Levan Zgenti, it's not a person.

18 Q. It's not a person?

19 A. No.

20 Q. What is it?

21 A. It's just an e-mail address.

22 Q. Do you know whose -- whose  
23 e-mail address it is?

24 A. It's for a gentleman named  
25 Viktor, is --

1 RINAT R. AKHMETSHIN

2 Q. You see Viktor's name is on the  
3 bottom; is that correct?

4 A. Yes, yes. And I met him,  
5 actually.

6 Q. Who is Viktor?

7 A. He's their local counsel in  
8 Moscow -- not counsel, but he's someone who  
9 works with them.

10 Q. Works with Public Strategies?

11 A. With -- with Greg Hitt, yes,  
12 Public Strategies.

13 Q. How did you first come to learn  
14 that Greg Hitt was representing an alleged  
15 victim of Kerimov?

16 A. Because it's -- I think it came  
17 the other way around. I met Viktor in  
18 Moscow, and he referred me to Greg Hitt, he  
19 or his colleagues. I don't remember.

20 Q. And it says Dear colleagues and  
21 is addressed to you.

22 A. Well, it's -- I -- I'm not a  
23 colleague since I haven't been paid from him.

24 Q. You -- you -- you were working  
25 together in some capacity with Mr. Hitt and

1 RINAT R. AKHMETSHIN

2 Mr. Eller; is that correct?

3 A. No, that's not correct, sir.

4 Q. You both have an interest in --  
5 with Ashot Egiazaryan; is that correct?

6 A. I -- I would say yes, we -- we're  
7 both interested in -- or we were interested  
8 in Ashot Egiazaryan matter. That is an  
9 accurate statement.

10 Q. And you're sharing information  
11 among each other between you and Public  
12 Strategies; is that correct?

13 A. Yes, I -- I -- I think Peter  
14 shared some information with them, and I got  
15 some information from them as well, just  
16 discussed these things with them. And their  
17 person was foreign media in Russia.

18 MR. COHEN: I'll ask the court  
19 reporter to mark as Exhibit 171 an  
20 e-mail dated March 24, bearing Bates  
21 Number PZ1082.

22 - - -

23 (Whereupon, an e-mail was  
24 marked, for identification purposes, as  
25 Deposition Exhibit Number 171.)

1 RINAT R. AKHMETSHIN

2 - - -

3 BY MR. COHEN:

4 Q. It's an e-mail from  
5 Rinat Akhmetshin to Peter Zalmayev.

6 As you'll see, at the bottom --

7 THE COURT REPORTER: Hold on a  
8 second. He doesn't have it yet.

9 Wait, wait, wait, wait.

10 THE WITNESS: Thanks so much.

11 Yes, sir.

12 BY MR. COHEN:

13 Q. This is -- you're also  
14 forwarding information received from  
15 Greg Hitt on this occasion; is that correct?

16 A. Correct, yes.

17 MR. COHEN: And I will ask the  
18 court reporter to mark as Exhibit 172  
19 an e-mail bearing Bates Number PZ2855  
20 from Rinat Akhmetshin to  
21 Peter Zalmayev.

22 - - -

23 (Whereupon, an e-mail was  
24 marked, for identification purposes, as  
25 Deposition Exhibit Number 172.)

1 RINAT R. AKHMETSHIN

2 - - -

3 BY MR. COHEN:

4 Q. Have you seen this --

5 THE COURT REPORTER: Wait.

6 BY MR. COHEN:

7 Q. -- e-mail before?

8 MR. COHEN: I'm sorry.

9 THE COURT REPORTER: No, he  
10 hasn't.

11 THE WITNESS: Not formally, I  
12 guess.

13 THE COURT REPORTER: Here you  
14 go.

15 THE WITNESS: I'll say that  
16 I've seen this, yes.

17 BY MR. COHEN:

18 Q. What -- what is the content of  
19 this e-mail?

20 A. It's written in Russian. So it  
21 says, Rinat, hello. I'm sending two memos  
22 about -- I mean, ironically, just heroic  
23 actions --

24 Q. Well, let me -- let me just ask  
25 you a different question.

1 RINAT R. AKHMETSHIN

2 A. Yes.

3 Q. Does it say in this e-mail that  
4 to -- when transcribed the stories, to  
5 forward them along with --

6 A. Greg and Jeff.

7 Q. -- links of photos to Greg and  
8 Jeff?

9 A. Correct, yes.

10 Q. And that Greg and Jeff is Greg  
11 and Jeff of Public Strategies; is that  
12 correct?

13 A. That is correct, yes.

14 Q. This document was sent on or  
15 around March 15th, 2011 at 6:35 p.m.; is  
16 that correct?

17 A. That's what the date says.

18 Q. And it was sent from -- from you  
19 to Peter Zalmayev?

20 A. Correct, yes.

21 Q. I'm going to start asking some  
22 questions about the confidential Public  
23 Strategies documents.

24 MR. SPERDUTO: Okay. Is now a  
25 convenient time for a break? I need

1 RINAT R. AKHMETSHIN

2 a very short break.

3 MR. COHEN: Sure, absolutely.

4 MR. SPERDUTO: Be right back.

5 THE VIDEOGRAPHER: The time is

6 2:56. We're going off the record.

7 This is the end of Disc Number 2,

8 going on to Disc Number 3.

9 (Whereupon, a brief recess was  
10 taken from 2:56 p.m. to 3:06 p.m.)

11 THE VIDEOGRAPHER: The time is

12 3:06 p.m. This is the beginning of

13 Disc Number 3 in the deposition of

14 Rinat Akhmetshin.

15 BY MR. COHEN:

16 Q. Just going back to Exhibit 170  
17 for a second.

18 A. Yes, sir.

19 Q. And that's the one that has the  
20 Dear colleagues?

21 A. Yes.

22 Q. And -- and you said that you  
23 don't consider yourself colleagues with the  
24 Public Strategies people; is that correct?

25 A. I did not -- I do not --

1 RINAT R. AKHMETSHIN

2 Q. And that's not --

3 A. -- consider myself a colleague.

4 Q. -- a phrase that you would

5 use --

6 A. Definitely not.

7 Q. -- strike that.

8 That's not a phrase that you  
9 would use to describe your relationship with  
10 them?

11 A. Oh, definitely not.

12 Q. And -- and you wouldn't refer to  
13 Mr. Hitt or Mr. Eller or Mr. Laurence as a  
14 colleague; is that correct?

15 A. I definitely would not.

16 Q. By the way, who's -- who's --  
17 there's an A. Laurence.

18 A. I have no idea --

19 Q. Do you know who --

20 A. -- I never met him --

21 Q. -- do you know who Hilland --  
22 Hilland Knowlton is?

23 A. -- I know the firm, actually. I  
24 employed them years ago.

25 Q. Do you know them as relating to



1 RINAT R. AKHMETSHIN

2 any Ashot Egiazaryan issue?

3 A. I'm not aware of it, but I know  
4 the firm -- I heard the name -- I know the  
5 firm, actually. I used to know people there  
6 before.

7 Q. Do you know who Andrew Laurence  
8 is?

9 A. Never, never met him.

10 MR. COHEN: Ask the court  
11 reporter to mark as Exhibit 173 an  
12 e-mail from Rinat Akhmetshin to  
13 Levan Zgenti, who is not a person.

14 Yeah, we have lots of copies.

15 - - -

16 (Whereupon, an e-mail was  
17 marked, for identification purposes, as  
18 Deposition Exhibit Number 173.)

19 - - -

20 MR. SPERDUTO: Oh, thank you.

21 MR. COHEN: And we'll get  
22 another one.

23 BY MR. COHEN:

24 Q. Okay. Do you know who  
25 Paul Butler is?

1 RINAT R. AKHMETSHIN

2 A. He's a lawyer there.

3 Q. He's a lawyer for who?

4 A. For -- I don't know. He's a  
5 lawyer at Akin Gump. He works for one of  
6 those interests which were hit by  
7 Mr. Egiazaryan.

8 Q. He's a lawyer for  
9 Suleiman Kerimov-related interests; is that  
10 correct?

11 A. I -- I think so, yes.

12 Q. Is that something --

13 A. He's a lawyer for the firm, I  
14 think, for the company which is -- some way  
15 there.

16 Q. And this is an e-mail from you  
17 to Levan Zgenti --

18 A. Um-hum.

19 Q. -- is that correct?

20 A. Yes.

21 Q. And -- and that's Russian -- is  
22 that -- is that a company or --

23 A. It's -- it's just a name, I  
24 think. It's not the name of the person;  
25 it's, like -- the name of the person is

1 RINAT R. AKHMETSHIN

2 Viktor.

3 Q. It's just an e-mail address?

4 A. It's an e-mail address, yes --

5 Q. Okay.

6 A. -- the name of the person is

7 Viktor.

8 Q. And -- and what is the subject  
9 of this e-mail?

10 A. Let me just read it.

11 MR. SPERDUTO: You should use  
12 this.

13 THE WITNESS: Um-hum.

14 (Whereupon, the witness reviews  
15 the document.)

16 BY MR. COHEN:

17 Q. You copied Jeff Eller on this as  
18 well, right?

19 A. Correct, yes.

20 Q. And Greg Hitt?

21 A. Correct.

22 Q. And Paul Butler, who we just  
23 discussed; is that correct?

24 A. They were -- correct, yes.

25 Q. And you refer to all of those

1 RINAT R. AKHMETSHIN

2 individuals as colleagues; is that correct?

3 A. Yes, an unfortunate turn of  
4 phrase.

5 Q. At that point, you felt that  
6 they were colleagues?

7 A. I did not feel that way, but I  
8 think that since this was -- was it before or  
9 after this other colleague matter? Maybe  
10 it's something in this spirit.

11 But they were never my  
12 colleagues, sir, for the record.

13 Q. This e-mail is before the e-mail  
14 from Viktor referring to you as a colleague;  
15 is that correct? If I can ask you to  
16 compare --

17 A. Is this 15 --

18 Q. -- Exhibit 170 with 173.

19 A. One second.

20 March 23rd. February 25th.

21 Yes, it appears that way, sir.

22 Q. Why were you passing along this  
23 information to the -- these individuals and  
24 entities who work for Suleiman Kerimov?

25 A. Just to make them aware, because

1 RINAT R. AKHMETSHIN

2 they shared some information with us, and I  
3 shared with them our strategy. And this is  
4 exactly the strategy which we employed, as  
5 you could see further down the line. It was  
6 an exchange of information.

7 Q. You were coordinating on --  
8 in -- with -- with these individuals --

9 A. Yeah, I think I --

10 Q. -- and developing information  
11 regarding Ashot Egiazaryan --

12 A. -- I think I --

13 Q. -- is that correct?

14 A. -- I think I informed them on our  
15 strategies.

16 Q. Did you consult with them on  
17 your strategies?

18 A. No. I don't think they're people  
19 who could be helpful in this situation.

20 Q. Did you ever seek the input of  
21 Public Strategies or other representatives  
22 of Suleiman Kerimov on your strategy?

23 MR. SPERDUTO: Objection to  
24 form, "other representatives."

25 THE WITNESS: Do I have to

1 RINAT R. AKHMETSHIN

2 answer?

3 MR. SPERDUTO: Pardon me?

4 THE WITNESS: Do I have to  
5 answer this?

6 MR. SPERDUTO: You get to  
7 answer.

8 THE WITNESS: Oh, I get to  
9 answer. Okay.

10 Yes, I -- I ran it by them.  
11 You know, it's always good to run  
12 certain things by people. You know,  
13 they might advise something.

14 BY MR. COHEN:

15 Q. I'm going to show you a document  
16 we're going to have marked as Exhibit 174.

17 - - -

18 (Whereupon, an e-mail was  
19 marked, for identification purposes, as  
20 Deposition Exhibit Number 174.)

21 - - -

22 THE WITNESS: Thank you.

23 BY MR. COHEN:

24 Q. This is another e-mail from you  
25 to Greg Hitt, Paul Butler and Jeff Eller; is

1 RINAT R. AKHMETSHIN

2 that correct?

3 A. Yes.

4 Q. It was sent by you on March 21;  
5 is that correct?

6 A. It does appear that way, sir.

7 Q. And it says that -- and it says  
8 let's discuss; is that correct?

9 A. Yes, it says.

10 Q. Do you have regular  
11 communications and discussions with  
12 Mr. Hitt, Mr. Butler or Mr. Eller?

13 A. I think I just -- my discussion  
14 with Mr. Hitt, you know, or other people just  
15 kind of were in the -- just in the loop, I  
16 guess.

17 Q. Was Mr. Hitt your main contact  
18 at Public Strategies?

19 A. It was the only person in  
20 Washington whom I talk about these matters,  
21 yes.

22 Q. It says that the Russian  
23 Government is placing him on a Red Notice  
24 shortly?

25 A. Yes.

1 RINAT R. AKHMETSHIN

2 Q. I assume you're referring to  
3 Mr. Egiazaryan; is that correct?

4 A. I think so, yes.

5 Q. And -- and how did you come to  
6 learn what the Russian Government would be  
7 doing?

8 A. Mr. Markarian informed me about  
9 it.

10 Q. What did he tell you?

11 A. He said that, you know, just  
12 there's a Red Notice alert, I think, already  
13 out. It's in connection to his client's  
14 matter.

15 Q. Did he say how he came to learn  
16 that a Red Notice would be coming out  
17 shortly?

18 A. I think it was in connection --  
19 direct connection to his client, so he was  
20 aware of it, yes.

21 Q. Did he say how he came to be  
22 aware of it?

23 A. I do not remember him saying  
24 that.

25 MR. SPERDUTO: I just -- all



1 RINAT R. AKHMETSHIN

2 these things say Confidential. The  
3 extra copies I'm handing back to you  
4 so you can deal with the protective  
5 order. I'm just going to keep one  
6 set.

7 MR. COHEN: Okay, that's fine.

8 MR. SPERDUTO: Thank you for  
9 the extra one.

10 MR. COHEN: Just --

11 MR. SPERDUTO: Okay.

12 MR. COHEN: -- leave them in a  
13 pile and we'll --

14 MR. SPERDUTO: Yes, sir.

15 MR. COHEN: -- I'll ask the  
16 court reporter to --

17 MR. SPERDUTO: Is this one or  
18 is this several?

19 MR. COHEN: That's -- that's  
20 several of the same.

21 MR. SPERDUTO: Okay.

22 MR. COHEN: So you can  
23 circulate those.

24 MR. SPERDUTO: I'm sorry.

25 MR. COHEN: -- the court

1 RINAT R. AKHMETSHIN

2 reporter to mark this document,

3 PSI2107, as Exhibit 175.

4 - - -

5 (Whereupon, an e-mail string

6 was marked, for identification

7 purposes, as Deposition Exhibit

8 Number 175.)

9 - - -

10 THE WITNESS: Thank you.

11 BY MR. COHEN:

12 Q. Is this e-mail -- an e-mail from  
13 you?

14 A. It does appear that way, sir.

15 Q. And is this an e-mail from you  
16 on April 13th, 2011?

17 A. That's what it says.

18 Q. Is it to Sarah Hale?

19 A. I think so, yes.

20 Q. Do you know who Sarah Hale is?

21 A. I think she's one of the lawyers  
22 for that matter, for a matter of Kerimov,  
23 yes.

24 Q. Do you know what Denoro  
25 Industries is?

1 RINAT R. AKHMETSHIN

2 A. That's the company which I think  
3 that had the dispute with Mr. Egiazaryan.

4 Q. And that's a -- that's a  
5 Suleiman Kerimov company, correct?

6 A. I think so, yes. I believe so,  
7 yes.

8 Q. Do you know who the  
9 Gadzhiev Nariman is?

10 A. It's someone who works in Moscow  
11 for this Denoro company.

12 Q. I'm sorry. Works for who?

13 A. For this Denoro company.

14 Q. And why are you sending him  
15 e-mails or copying him on e-mails?

16 A. Because he approached me on this  
17 matter of story investigation, and I said  
18 that I would do this -- I will talk to the  
19 airport about it.

20 MR. LUPKIN: Can you speak up  
21 just a little bit? I'm having --

22 THE WITNESS: Sure, no problem.

23 MR. LUPKIN: Thanks.

24 THE WITNESS: So I -- I think  
25 that he -- I met him in Moscow for

1 RINAT R. AKHMETSHIN

2 Mr. Markarian, and they -- he asked  
3 me to help them on one issue.

4 BY MR. COHEN:

5 Q. What was that issue?

6 A. It was an issue of the inquiry  
7 from the reporter whom I know.

8 Q. What -- what reporter and what  
9 inquiry?

10 A. It was a reporter from Radio Free  
11 Europe. It was an inquiry about something  
12 about Mr. Kerimov and Mr. Egiazaryan.

13 Q. And -- and who is the one who  
14 approached you to assist them in responding  
15 to a press inquiry?

16 A. I think Mr. Nariman asked me to  
17 help.

18 Q. Did you know him to be a -- a  
19 relative of Mr. Kerimov?

20 A. I'm not sure. I know he works  
21 for him.

22 Q. Were you paid to assist?

23 A. I did not.

24 Q. Why not?

25 A. Because it's very easy. I met

1 RINAT R. AKHMETSHIN

2 the guy and talked to him, but --

3 Q. So you --

4 A. -- it wasn't --

5 Q. -- were doing this --

6 A. -- it wasn't difficult for me.

7 Q. -- you were doing this as a  
8 favor?

9 A. I did this as a favor, yes.

10 Q. You did this because you were  
11 sharing information back and forth between  
12 Public Strategies and -- you and  
13 Peter Zalmayev; is that correct?

14 A. We did share information, and  
15 I -- I thought it was in a good faith to help  
16 these people, because they were treated  
17 unfairly by that story.

18 MR. GOLDEN: It's not the  
19 music; it's a conference call.

20 BY MR. COHEN:

21 Q. Do you know who J. Martin is at  
22 pstrategies [REDACTED]?

23 A. J. Martin? No, I don't think --  
24 I don't remember meeting him.

25 Q. Do you know who Jim Langdon is?

1 RINAT R. AKHMETSHIN

2 A. I do not know, sir.

3 Q. You knew enough to include them  
4 as cc's?

5 A. I think it was this -- something  
6 which I replied to something.

7 Q. Well, the e-mail below is also  
8 an e-mail from you; is that correct?

9 A. Yes. Yes, it appears that way.

10 MR. SPERDUTO: Jason, can I  
11 just ask you a question? I mean,  
12 honestly, this document has been  
13 redacted. I don't know who redacted  
14 it or why.

15 But do you know whether this  
16 document is a stand-alone or if this  
17 string of e-mails goes further than  
18 the two we see from Rinat?

19 MR. COHEN: This is all we  
20 have. I don't know anything further.

21 MR. SPERDUTO: I mean, does  
22 2108 look like it's the same string  
23 in terms of Bates numbers?

24 MR. COHEN: I don't know  
25 offhand.

1 RINAT R. AKHMETSHIN

2 MR. SPERDUTO: Okay.

3 MR. COHEN: If it was, we would  
4 have included it together.

5 I'll ask the court reporter to  
6 mark as Exhibit 176 a document with  
7 the Bates Number PSI2102.

8 - - -

9 (Whereupon, an e-mail string  
10 was marked, for identification  
11 purposes, as Deposition Exhibit  
12 Number 176.)

13 - - -

14 THE WITNESS: I find it  
15 mysterious.

16 MR. SPERDUTO: Redact  
17 everything except you.

18 MR. COHEN: 176.

19 BY MR. COHEN:

20 Q. Have you seen Exhibit 176  
21 before?

22 A. It looks like an e-mail from me,  
23 sir.

24 Q. Is it an e-mail from you to  
25 Jeff Eller?

1 RINAT R. AKHMETSHIN

2 A. Correct, yes.

3 Q. On February 4th, 2011?

4 A. Correct, sir.

5 Q. And it's refer -- refresh --  
6 referencing an AP inquiry?

7 A. Yes.

8 Q. Do you know what AP inquiry  
9 that's referring to?

10 A. It was a -- I would assume it's  
11 Associated President inquiry.

12 Q. Excuse me?

13 A. AP, Assoc- -- Associated Press.

14 Q. Yes.

15 Do you know who -- who -- what  
16 the inquiry was?

17 A. I think it was something about  
18 the Egiazaryan matter.

19 Q. Do you recall any inquiries from  
20 Doug Birch?

21 A. Not to me, personally. I know  
22 Peter talked to him.

23 Q. And the e-mail towards the  
24 bottom includes a cc to Eliot Lauer?

25 A. Yes.



1 RINAT R. AKHMETSHIN

2 Q. Do you know who Eliot Lauer is?

3 A. I think he's one of the lawyers.

4 Q. For Denovo -- Denoro, I mean?

5 A. The -- the -- for the same

6 people, actually --

7 Q. For -- for Kerimov's company --

8 A. -- for -- yes --

9 Q. -- is that correct?

10 A. -- Kerimov company, I think so,  
11 yes.

12 Q. Is this another e-mail where  
13 you're providing some assistance to the  
14 Denoro people?

15 A. It's not assistance, rather, but,  
16 you know, if -- if I could refer to message  
17 from April 13, Drop SK angle, and -- and the  
18 story, really, is about an asylum matter in  
19 the United States. So, therefore, my focus  
20 was on this asylum matter, which was paid by  
21 my client.

22 And I really, to be honest, did  
23 not want all those people running around and  
24 trying -- trying to put all these stories  
25 about murky business deals which I really

1 RINAT R. AKHMETSHIN

2 have no idea about and something which would  
3 have really muddled up the issue which I was  
4 working on.

5 So it was just the angle of my  
6 story always was the asylum matter in the  
7 United States for Mr. Egiazaryan.

8 And these -- I view these people  
9 as people who are trying to dilute our punch  
10 by having these stories about business  
11 disputes. And this is such a murky matter,  
12 no one wants to take sides on these matters.  
13 You know, just business deals went wrong and  
14 then they're, like, 20 law firms involved in  
15 this thing.

16 And here, this Mr. Egiazaryan  
17 matter, as far as I'm concerned, is about  
18 being -- providing support for message of  
19 hatred in Russia and why -- and should a  
20 person like that be admitted to the  
21 United States.

22 So, therefore, all these  
23 communication with these people, which did  
24 not last for much longer, was trying to  
25 dissuade them from muddying up my matter.

1 RINAT R. AKHMETSHIN

2 Q. And -- and you're trying to  
3 persuade them to focus on the asylum matter?

4 A. To the effect which -- to the  
5 extent which they could have focused on this  
6 thing. I wish they did, but they -- they had  
7 their own interests.

8 Q. And -- and have you seen -- you  
9 mentioned to a message of hatred in Russia?

10 A. I have seen message of hatred  
11 being propagated by LDPR.

12 Q. Have you seen Mr. Egiazaryan  
13 making any personal statements that reflect  
14 the message of hatred?

15 A. I have seen Mr. Egiazaryan being  
16 an associate of this party and --

17 Q. Have you seen --

18 A. -- serving on their --

19 Q. -- okay. I'll ask you the  
20 question again.

21 Have you seen Mr. Egiazaryan --  
22 any statements from Mr. Egiazaryan expressing  
23 hatred for anyone?

24 A. I haven't seen many statements  
25 with Mr. Egiazaryan because I do not believe

1 RINAT R. AKHMETSHIN

2 he was a politician, per se. But he was a  
3 supporter. That's why I very carefully said  
4 about support of this message, because he  
5 lended his name to that message.

6 Q. Did you ever see him -- any  
7 statements from him -- any anti-Semitic  
8 statements from Mr. Egiazaryan?

9 A. I don't have seen any statements  
10 from Mr. Egiazaryan, except for him being a  
11 member -- or an associate of that party.

12 Q. Have you seen any statements  
13 from him supporting any positions of the  
14 LDPR?

15 A. No, but by his -- I saw him  
16 supporting LDPR by lending them their name --  
17 his own personal name, which is -- I think  
18 it's quite significant, in my view.

19 Q. Did you see any -- any  
20 position -- any statement by Mr. Egiazaryan  
21 in favor of any position of the LDPR that  
22 you find reprehensible or inappropriate?

23 A. I think him being serving on the  
24 list of that party within Russian Duma,  
25 whereas he could have joined any of the

1 RINAT R. AKHMETSHIN

2 parties. There's a Communist party; there's  
3 the Fair Russia party; there's -- there's  
4 several parties.

5 He chose year after year for  
6 nearly 10 years to -- to be associate -- if  
7 you associate with Hamas, it's the same way.  
8 You know, they -- they want to destroy  
9 Israel. And anything that's having to do  
10 with Hamas is deplorable. It just -- just --  
11 in the same way, that's how I feel about this  
12 matter, sir.

13 Q. Do you understand that  
14 Mr. Egiazaryan was an independent and not a  
15 member of the LDPR?

16 A. He served --

17 MR. SPERDUTO: Objection to the  
18 form.

19 THE WITNESS: -- I -- sir, as  
20 far as I'm concerned, he was a  
21 supporter of that party by lending  
22 them his name.

23 BY MR. COHEN:

24 Q. But going back to the previous  
25 question you didn't answer, you've not seen

1 RINAT R. AKHMETSHIN

2 any statements by him supporting any  
3 position of the LDPR --

4 A. Not until now --

5 Q. -- that you think is  
6 inappropriate?

7 A. -- not until now -- I'm not aware  
8 by now whether he made any -- any statements,  
9 per se, actually --

10 Q. You've re- --

11 A. -- statements by him.

12 Q. -- you've researched the matter  
13 thoroughly; is that correct?

14 A. I think so, yes.

15 Q. And -- and by -- in your efforts  
16 with -- in providing support to Public  
17 Strategies, you were also assisting  
18 Suleiman Kerimov; is that correct?

19 MR. SPERDUTO: Objection to the  
20 form; assumes facts; mischaracterizes  
21 testimony.

22 Go ahead.

23 THE WITNESS: I don't think it  
24 was Mr. Kerimov. When I -- I  
25 remember my first meeting with Public

1 RINAT R. AKHMETSHIN

2 Strategies, and the very first thing  
3 I told them what my stand on this  
4 issue is. I said that I'm a  
5 representative of Mr. Vavilov.

6 And I have -- I told  
7 Mr. Vavilov's story in connection to  
8 their adversary. And, you know, in a  
9 way, there's a Russia saying,  
10 adversary of my adversary is my  
11 friend. So that's -- that's, I  
12 think, best describe my attitude  
13 towards these people.

14 BY MR. COHEN:

15 Q. And so your attitude towards the  
16 Kerimov people who you were communicating  
17 with on a regular basis was they were your  
18 friend?

19 A. I -- I view them as a friendly  
20 force.

21 Q. And -- and you understood, by  
22 providing information and advice, that you  
23 were assisting them in some way or hoping  
24 to?

25 MR. SPERDUTO: Objection to the



1 RINAT R. AKHMETSHIN

2 form.

3 Go ahead.

4 THE WITNESS: The same way as I  
5 assisted Mr. Smagan, like the same  
6 way I assisted some other people. So  
7 we were trying to kind of share these  
8 notes with people who have interest  
9 in this issue.

10 BY MR. COHEN:

11 Q. You had the same -- you had the  
12 same interests?

13 MR. SPERDUTO: Objection to the  
14 form --

15 THE WITNESS: This person --

16 MR. SPERDUTO: --  
17 mischaracterizes prior testimony.

18 Sorry.

19 THE WITNESS: -- as --

20 MR. SPERDUTO: Ambiguous.

21 Go ahead now.

22 THE WITNESS: -- say same --  
23 we -- we -- we -- we are interested  
24 in the same person. That's the  
25 extent at which we kind of joined.



1 RINAT R. AKHMETSHIN

2 But our interests were quite  
3 opposite as which, in this case, of  
4 them trying to tell their story,  
5 which would have undercut my story.

6 BY MR. COHEN:

7 Q. And -- and you felt that by  
8 providing them with some information, they  
9 might be able to tell a more effective  
10 story?

11 A. I thought maybe they could  
12 amplify our story, but they had no interest  
13 in doing that.

14 Q. And you felt if they amplified  
15 your story, that would be helpful for you?

16 A. That would have been helpful for  
17 my client.

18 Q. And it would have been helpful  
19 for Mr. Kerimov?

20 A. I don't think so.

21 Q. And you com- -- as we've seen,  
22 you were regularly communicating with  
23 Mr. Kerimov's colleagues; is that correct?

24 MR. SPERDUTO: Objection;  
25 characterization.

1 RINAT R. AKHMETSHIN

2 But go ahead.

3 THE WITNESS: I would not  
4 describe it "regularly," but I -- I  
5 have exchanged quite a few e-mails.  
6 I would say probably 10, 20, at most.  
7 It might be less than that. I don't  
8 know how many you have.

9 BY MR. COHEN:

10 Q. And did you -- and you knew that  
11 Mr. Kerimov was a member of the LDPR; is  
12 that correct?

13 MR. SPERDUTO: I'm sorry. I  
14 didn't hear the beginning.

15 BY MR. COHEN:

16 Q. Did you know that Mr. Kerimov  
17 was a member of the LDPR?

18 A. I did know, and I know that he  
19 left that party in disgust.

20 Q. And -- and you, nonetheless,  
21 continued to provide support for Mr. Kerimov  
22 and Kerimov's position, notwithstanding the  
23 fact that he was a member of the LDPR?

24 A. I think he publicly left that  
25 party. He disassociated himself from that

1 RINAT R. AKHMETSHIN

2 message.

3 Good enough for me.

4 Q. But he was not -- he was a  
5 member for a period of time; is that  
6 correct?

7 A. I believe so, yes.

8 Q. You know so; is that correct?

9 A. I think so, yes. I established  
10 that.

11 MR. COHEN: Mark as

12 Exhibit 176 --

13 THE WITNESS: 177.

14 MR. COHEN: -- 177 an e-mail  
15 dated February 5th, bearing  
16 Bates Number PSI2227.

17 THE WITNESS: Thank you.

18 MR. COHEN: Let me keep one for  
19 the court reporter.

20 MR. SPERDUTO: Sorry.

21 - - -

22 (Whereupon, an e-mail string  
23 was marked, for identification  
24 purposes, as Deposition Exhibit  
25 Number 177.)

1 RINAT R. AKHMETSHIN

2 - - -

3 THE WITNESS: Thanks.

4 BY MR. COHEN:

5 Q. Have you seen this e-mail  
6 before?

7 A. Yes, I do -- I did. I think so.

8 Q. It's an e-mail from you to  
9 various people who work for Suleiman Kerimov  
10 or his companies?

11 A. Correct. I'm writing this was --  
12 yes.

13 Q. You sent this e-mail on or about  
14 February 5th, 2011; is that correct?

15 A. That's what it says, sir.

16 Q. And you're updating them on the  
17 status of -- of an Associated Press piece;  
18 is that correct?

19 A. I think this was in follow up  
20 with the previous e-mail, yes.

21 Q. And you're describing an effort  
22 to insert an alternative narrative into the  
23 story; is that correct?

24 A. Correct. I wanted to have a  
25 rounded story, not a one-way -- not a

1 RINAT R. AKHMETSHIN

2 one-sided story.

3 Q. And did the Kerimov people  
4 support your efforts to do this?

5 A. I think they were the ones who --  
6 they're the ones who alerted me to this  
7 story --

8 Q. They alerted you to --

9 A. -- the stories coming -- excuse  
10 me?

11 Q. Who -- who alerted you that the  
12 AP was writing this story about  
13 Ashot Egiazaryan?

14 A. I think it might have been  
15 Jeff Eller --

16 Q. Jeff Eller?

17 A. -- so he -- Jeff Eller, yes --  
18 issued this AP inquiry. So this was, like,  
19 leading up to this thing.

20 Q. Why did Jeff Eller alert you to  
21 the A -- the inquiry from AP?

22 A. Because he wanted to let me know  
23 that there's a story coming out and give me  
24 an opportunity to insert my story in this.

25 Q. Did you share your conversation

1 RINAT R. AKHMETSHIN

2 with Mr. -- that you had with Mr. Eller with  
3 Mr. Zalmayev?

4 A. I might have, yes, because I ask  
5 him to approach AP correspondent trying to  
6 provide additional information on the  
7 story --

8 Q. And --

9 A. -- yes.

10 Q. -- and the reference to the  
11 friendly human rights NGO person from  
12 New York in the second line is Mr. Zalmayev;  
13 is that correct?

14 A. Yes, I think so, yes.

15 Q. Do you recall that he met  
16 Mr. Birch in D.C.?

17 A. I -- if I remember correctly,  
18 yes, sir.

19 Q. Do you recall if Mr. Zalmayev  
20 met with Mr. Birch before the story came  
21 out -- his first AP story came out?

22 A. I think that was the purpose to  
23 meet Mr. Birch.

24 MR. COHEN: I'll ask the court  
25 reporter to mark as Exhibit 178 a

1 RINAT R. AKHMETSHIN

2 copy of an e-mail from

3 Rinat Akhmetshin to Greg Hitt bearing

4 Bates Number PSI2084.

5 - - -

6 (Whereupon, an e-mail was  
7 marked, for identification purposes, as  
8 Deposition Exhibit Number 178.)

9 - - -

10 THE WITNESS: Thank you.

11 BY MR. COHEN:

12 Q. Have you seen this e-mail  
13 before?

14 A. Yes, I have, sir.

15 Q. Did you send this e-mail to  
16 Mr. Hitt on or around February 25th, 2011?

17 A. That's what it says.

18 Q. Does this contain a draft  
19 of an -- of an article?

20 A. Correct. That's the director of  
21 the op-ed.

22 Q. Why were you sharing with  
23 Mr. Hitt drafts of an -- of an article that  
24 you were hoping to place?

25 A. I hoped maybe he could help me

1 RINAT R. AKHMETSHIN

2 with this.

3 Q. Did he help you with it?

4 A. No.

5 Q. Did he provide comments or edits  
6 to it?

7 A. No.

8 Q. How do -- how do you -- why do  
9 you recall that?

10 A. I -- I think I talked to him  
11 about that, and he said that, really, he had  
12 no ability to help me.

13 Q. Did he help you place the  
14 article?

15 A. No, he didn't.

16 Q. Who placed the article?

17 A. I'm not sure whether the -- has  
18 it ever run?

19 THE COURT REPORTER: I'm sorry?

20 THE WITNESS: Yeah. I -- I'm  
21 not sure whether this article has  
22 ever run. So we were shopping it.

23 I thought maybe he could --

24 BY MR. COHEN:

25 Q. Do --



1 RINAT R. AKHMETSHIN

2 A. -- help --

3 Q. -- do --

4 A. -- me to find the place for it.

5 Q. -- do you know who drafted this  
6 article in the first place?

7 A. It could be Peter Zalmayev,  
8 Mr. Zalmayev.

9 Q. I'm sorry. I didn't catch the  
10 answer.

11 A. It could have been Mr. Zalmayev.

12 Q. Do you know whether or not it  
13 was Mr. Zalmayev?

14 A. I do not remember, sir. Probably  
15 Mr. Zalmayev.

16 Did it ever run?

17 Q. I'll show you in a second.

18 A. Sure.

19 MR. COHEN: I'll ask the court  
20 reporter to mark as Exhibit 179 a  
21 e-mail from Rinat Akhmetshin bearing  
22 Bates Number PSI2030.

23 - - -

24 (Whereupon, an e-mail string  
25 was marked, for identification

1 RINAT R. AKHMETSHIN

2 purposes, as Deposition Exhibit

3 Number 179.)

4 - - -

5 THE WITNESS: Thank you.

6 BY MR. COHEN:

7 Q. Have you -- have you seen this  
8 e-mail before?

9 A. Yes, I have.

10 Q. Did you send this e-mail to  
11 someone at Public Strategies on or around  
12 March 13th, 2011?

13 A. Probably, yes.

14 Q. And you sent this to -- it  
15 doesn't have a To on it; is that correct?  
16 An addressee?

17 A. I don't see it, yes, sir.

18 Q. You sent this to a group of --  
19 did you send this to a group of people?

20 A. I don't remember, sir. It looks  
21 weird, because you always have bcc at least  
22 if you send to the group.

23 Q. I'm sorry. I couldn't hear you.

24 A. Yeah. If you send to the group,  
25 it will appear a bcc tag, but it -- there's

1 RINAT R. AKHMETSHIN

2 nothing here.

3 Q. And at the end of the first  
4 paragraph, it says ra, right, on the first  
5 page?

6 A. Sir.

7 Q. At the end of the first  
8 paragraph, it says --

9 A. Uh-huh --

10 Q. -- louder than --

11 A. -- all right --

12 Q. -- 1000 words --

13 A. -- that's me, yes.

14 Q. Yeah.

15 A. Yes, the picture -- there's a  
16 wonderful cartoon, yes.

17 Q. And do you recall sending this  
18 to Public Strategies?

19 A. I might've sent it to them, yes.

20 Q. And this is an article that  
21 stated that it's authored by  
22 Leonid Komarovsky; is that correct?

23 A. Yes, it does say so.

24 Is that the same one?

25 MR. COHEN: I'll ask the court

1 RINAT R. AKHMETSHIN

2 reporter to mark as Exhibit 180 an  
3 e-mail bearing Bates Number PSI2035.

4 - - -

5 (Whereupon, an e-mail was  
6 marked, for identification purposes, as  
7 Deposition Exhibit Number 180.)

8 - - -

9 BY MR. COHEN:

10 Q. Have you seen this before?

11 A. Yes, it looks like I sent it.

12 Q. And you sent this to

13 Mr. Nariman; is that correct?

14 A. Correct, yes.

15 Q. He's who you previously  
16 described as someone who works for Kerimov's  
17 company?

18 A. I know that there's a  
19 company Denoro, yes.

20 THE COURT REPORTER: It's a  
21 company what?

22 THE WITNESS: It's a company  
23 called Denoro or something like that.

24 BY MR. COHEN:

25 Q. And is he reporting on various

1 RINAT R. AKHMETSHIN

2 efforts of -- that you and Peter are taking  
3 regarding Ashot Egiazaryan; is that correct?

4 A. Not correct, sir, no.

5 Q. What is -- what is this report?

6 A. It's informing them.

7 Q. Is informing something

8 different --

9 A. -- informing is sharing --

10 Q. -- than report?

11 A. -- but it's -- report -- "report"

12 assumes relationship. "Information" means  
13 sharing.

14 Q. I'm going to show you Document  
15 Number PSI2029, which will be marked as  
16 Exhibit 181.

17 - - -

18 (Whereupon, an e-mail was  
19 marked, for identification purposes, as  
20 Deposition Exhibit Number 181.)

21 - - -

22 THE WITNESS: Thank you.

23 BY MR. COHEN:

24 Q. Are you -- is this your e-mail?

25 A. It says that's my e-mail, yes,

1 RINAT R. AKHMETSHIN

2 correct.

3 Q. And -- and is it -- is this an  
4 e-mail that you sent to Greg Hitt and  
5 Jeff Eller on or around March 14th, 2011?

6 A. It does say so, sir.

7 Q. And it says it's attaching two  
8 letters?

9 A. Correct.

10 Q. Do you recall what two letters  
11 those were?

12 A. I think it was some group letters  
13 on Ashot Egiazaryan's matters.

14 Q. Why were you sending that along?

15 A. Just to inform them so they would  
16 know that.

17 MR. COHEN: I'll ask the court  
18 reporter to mark as Exhibit 182 a  
19 March 23 e-mail from Rinat Akhmetshin  
20 bearing Bates Number PSI2062.

21 - - -

22 (Whereupon, an e-mail was  
23 marked, for identification purposes, as  
24 Deposition Exhibit Number 182.)

25 - - -

1 RINAT R. AKHMETSHIN

2 BY MR. COHEN:

3 Q. Have you seen this e-mail  
4 before?

5 A. I did.

6 Q. Did you send this e-mail on or  
7 around March 23, 2011?

8 A. Yes, it does appear that way,  
9 sir.

10 Q. It says that it looks like our  
11 friend Ashot is in Washington next week.

12 Do you see that?

13 A. Yes, I do.

14 Q. Where did you learn information  
15 about Mr. Egiazaryan's travel plans?

16 A. I think that the people in the  
17 NGO informed me about it.

18 Q. Who?

19 A. It was their -- there's this -- I  
20 think that they got request for meetings with  
21 Mr. Egiazaryan.

22 Q. Do you recall who -- who --

23 A. I --

24 Q. -- notified you that  
25 Ashot Egiazaryan was going to be in

1 RINAT R. AKHMETSHIN

2 Washington the following week?

3 A. I think someone from  
4 Freedom House.

5 Q. Sam Patten?

6 A. Correct, yes.

7 Q. And why was he sharing that  
8 information with you?

9 A. Because we approached him  
10 describing the impression of Mr. Egiazaryan  
11 matter, and he thought that it's good to let  
12 us know that Mr. Egiazaryan is coming to  
13 Washington. That's the nature of courtesy.

14 Q. Let me show you a document that  
15 is marked as PSI2188, which we will mark as  
16 Exhibit 183.

17 - - -

18 (Whereupon, an e-mail was  
19 marked, for identification purposes, as  
20 Deposition Exhibit Number 183.)

21 - - -

22 MR. SPERDUTO: -4.

23 THE WITNESS: -3.

24 MR. SPERDUTO: You're right.

25



1 RINAT R. AKHMETSHIN

2 BY MR. COHEN:

3 Q. Have you seen this document  
4 before?

5 A. Correct, I -- I've seen it.

6 Q. Is this an e-mail that you sent  
7 to Greg Hitt, Jeff Eller and Paul Butler on  
8 or around March 9th, 2011?

9 A. Yes, sir, it does appear that  
10 way, yes.

11 Q. You're notifying Greg Hitt,  
12 Jeff Eller and Paul Butler that a published  
13 item requires an -- an immediate response;  
14 is that correct?

15 A. Correct, I suggested them.

16 Q. You suggested that they  
17 provide a -- provide a response?

18 A. Correct; media --

19 Q. Why did --

20 A. -- opportunity.

21 Q. -- why did you suggest that they  
22 provide a response?

23 A. Because I would hate to see  
24 absolutely made-up story to go without having  
25 another side of this story.

1 RINAT R. AKHMETSHIN

2 Q. Why didn't you respond?

3 A. I had absolutely no expertise  
4 to -- to say about this. You could say that  
5 permanent legal expert to -- to talk about  
6 these matters.

7 Because I'm not an expert on  
8 these matters, but I see an opportunity and I  
9 know an opportunity when I see it. And this  
10 was a perfect media opportunity.

11 Unfortunately, I'm not sure they  
12 ever used it.

13 Q. And it says, No doubt this will  
14 go into Ashot's asylum file. We should have  
15 another one that will invalidate it?

16 A. Correct, yes. This is cynical  
17 attempt to portray himself as a victim, which  
18 he never was. So, therefore, it's important  
19 to set the record straight.

20 Q. Do you know who Kirill Kabanov  
21 is?

22 A. I've heard the name, sir.

23 Q. What -- what do you know  
24 about --

25 A. I know --

1 RINAT R. AKHMETSHIN

2 Q. -- Kirill Kabanov?

3 A. -- he's -- I think he's one of  
4 the, like, Russian activists for  
5 transparency, anticorruption efforts.

6 Q. Have you coordinated with him in  
7 any capacity with regard to the  
8 Ashot Egiazaryan project?

9 A. I did not. I never -- I heard of  
10 him. I never met him. I know some --  
11 someone might've, but not me.

12 Q. The foregoing only constitutes a  
13 portion of your communications with Public  
14 Strategies and other people who work for  
15 Kerimov; is that correct?

16 A. These are the ones which I could  
17 tell for sure that happened, but I'm not sure  
18 whether there are more.

19 Q. You know you had  
20 communications -- other communications with  
21 them from time to time; isn't that correct?

22 A. For the short period of time, you  
23 know, if you could look into this thing,  
24 because the -- the answers were different  
25 from mine.

1 RINAT R. AKHMETSHIN

2 Q. And you spoke with them on the  
3 telephone from time to time, in addition to  
4 exchanging e-mails --

5 A. I spoke --

6 Q. -- is that correct?

7 A. -- to Mr. Hitt, yes --

8 Q. And then --

9 A. -- three, four times.

10 Q. -- and, as you said, you had  
11 meetings with them from time to time; is  
12 that correct?

13 A. I had meetings with Mr. Hitt, but  
14 not just on this matter. We had mutual  
15 acquaintances.

16 Q. And -- and I believe you stated  
17 that your team and the Kerimov team had  
18 unanimity of purpose?

19 MR. SPERDUTO: Objection;  
20 mischaracterizes prior testimony --

21 THE WITNESS: I did not state  
22 that --

23 (Multiple speakers; record  
24 unattainable.)

25 BY MR. COHEN:

1 RINAT R. AKHMETSHIN

2 Q. Okay. Do -- do --

3 A. -- I did not ever say that.

4 Q. -- did your team and

5 Mr. Kerimov's team have unanimity of  
6 purpose?

7 MR. SPERDUTO: Asked and  
8 answered.

9 THE WITNESS: I said that we  
10 both were focusing on the same  
11 individual for different purposes.

12 BY MR. COHEN:

13 Q. And you're focusing on the same  
14 result; is that correct?

15 A. That's not correct, sir.

16 Q. What result were you seeking?

17 A. As I mentioned in this  
18 previous answers -- as we discussed in the  
19 previous my -- of my answers, my issue was  
20 the asylum issue. It's something which I was  
21 paid for and I was retained for.

22 Their interest was the commercial  
23 matter which had -- and, at one point, I  
24 realized hindered and overshadowed my issues.  
25 So that comparison -- comparing notes or

1 RINAT R. AKHMETSHIN

2 exchange of information has stopped by the  
3 time when we realized that, you know, just  
4 there's nothing else to discuss or compare.

5 Q. Your issue -- was your issue to  
6 have Mr. Egiazaryan deported?

7 A. No. My issue, as my client asked  
8 me to do, to not -- to allow my client not to  
9 see Mr. Egiazaryan in the United States. I  
10 will put it that way.

11 Q. Did you participate in the  
12 securing of letters from Lev Ponomarev and  
13 Lyudmila Alexeyeva?

14 A. I did not. I do not know.

15 Q. Did you play any role in the  
16 drafting of those letters?

17 A. I might have seen some -- I'm not  
18 sure, sir. No, I --

19 Q. Did you --

20 A. -- the answer probably is no. I  
21 do not remember.

22 Q. You don't remember or you did  
23 not?

24 A. I do not remember, sir.

25 Q. Did you play a role in drafting

1 RINAT R. AKHMETSHIN

2 or developing the message that would be in  
3 the letters that were signed by Ponomarev or  
4 Alexeyeva?

5 A. I might have had input into those  
6 matters.

7 Q. In what way?

8 A. Well, I discussed Mr. Zalmayev.  
9 I think he was -- he knew those people for  
10 his previous work on Chechnya issue and human  
11 rights, and I might have suggested him  
12 certain approaches.

13 Q. Did you conduct research that  
14 was incorporated into letters that were  
15 prepared for Mr. Ponomarev and  
16 Ms. Alexeyeva?

17 A. I conducted a lot of research,  
18 sir. I'm not sure whether it was applicable  
19 to those letters, but very thorough due  
20 diligence has been done on those matters.

21 MR. COHEN: I'll ask the court  
22 reporter to mark as Exhibit 184 a  
23 document containing Bates Number  
24 PZ1327.

25

- - -



1 RINAT R. AKHMETSHIN

2 (Whereupon, a collection of  
3 letters was marked, for identification  
4 purposes, as Deposition Exhibit  
5 Number 184.)

6 - - -

7 THE WITNESS: Thank you.

8 BY MR. COHEN:

9 Q. Have you seen this document  
10 before?

11 A. I have, sir.

12 Q. What?

13 A. I -- I have seen this document  
14 before, sir.

15 Q. Do you know who drafted it?

16 A. I think it was drafted -- I don't  
17 know, sir. It's signed by Mr. Ponomarev.

18 Q. It was not signed at all; is  
19 that correct?

20 A. There's a name there. I'm not  
21 sure whether it was signed, but I'm familiar  
22 with these letters. I've seen it.

23 Q. Do you know who signed it?

24 A. It's signed by Mr. Ponomarev.

25 Q. Do you know who drafted it?



1 RINAT R. AKHMETSHIN

2 A. I do not know, sir. Maybe you  
3 should ask Mr. Ponomarev.

4 Q. Do you know if -- did you play a  
5 role in drafting this?

6 A. I do not remember, sir.

7 Q. Did Mr. Zalmayev, to your  
8 knowledge, play a role in drafting this?

9 A. He might have. I don't know.  
10 You should ask him, sir. They're all the  
11 same --

12 Q. Addressed to different people?

13 A. -- except -- except, sir, there's  
14 the last one is by Ms. Gannushkina which is  
15 different. The same --

16 Q. These are all --

17 A. -- it's a different letter. The  
18 last page, it's different letter by a  
19 different person.

20 Good letter.

21 Q. Did you do research that  
22 supported this -- any information in this  
23 letter?

24 A. I did not write this letter, sir.

25 Q. Did you do research that

1 RINAT R. AKHMETSHIN

2 support -- that supported the information in  
3 this letter?

4 A. My research was similar to -- my  
5 conclusion was similar to the conclusions of  
6 this letter.

7 Q. Did you do research on the  
8 committee that's referenced in this letter?

9 A. I might have, sir. I've done a  
10 lot of research.

11 Q. Do you have any research that  
12 shows that the committee was entrusted with  
13 funds?

14 A. I think it was -- to the best of  
15 my recollection, it was subject of scrutiny  
16 by Russian journalists, this committee. And  
17 that's my knowledge about this committee  
18 should be based on those articles.

19 Q. And your knowledge is based upon  
20 newspaper articles?

21 A. Correct, sir.

22 Q. Did you read committee reports?

23 A. I'm sorry?

24 Q. Did you read committee reports?

25 A. I did not see committee reports,

1 RINAT R. AKHMETSHIN

2 sir.

3 Q. Did you meet with members of the  
4 committee?

5 A. Sir, I did not write this letter,  
6 so why are you asking me?

7 Q. Did you meet with members of the  
8 committee?

9 A. I do not know members of the  
10 committee, sir. I do not represent this  
11 either?

12 Q. I'm sorry?

13 A. The committee -- which committee  
14 are you saying.

15 Q. The committee that's discussed  
16 in the letter.

17 A. There are two committees: the  
18 Helsinki Security and Cooperation Committee  
19 in Europe, and the Committee for Assistance  
20 in Political Regulation and Observance of  
21 Human Rights in Chechnya.

22 Q. Did you meet with the Chechen  
23 committee?

24 A. I did not, sir. I don't think  
25 it's --

1 RINAT R. AKHMETSHIN

2 Q. Did you --

3 A. -- in existence.

4 Q. -- did you look at their books  
5 and records?

6 A. I -- not personally, no.

7 Q. Did you audit any financial  
8 records from the Russian Government  
9 regarding Chechnya?

10 A. I did not, sir.

11 Q. Was your -- was your research  
12 regarding Chechnya lim- -- limited to  
13 newspaper articles?

14 A. I do not remember, sir.

15 Q. I'm going to show you a document  
16 bearing the Bates number PZ1553.

17 MR. COHEN: This will be marked  
18 as Exhi- --

19 THE WITNESS: 185.

20 MR. COHEN: -- Exhibit 184 --

21 THE WITNESS: 185.

22 MR. SPERDUTO: -5.

23 MR. COHEN: 185.

24 - - -

25 (Whereupon, letters from

1 RINAT R. AKHMETSHIN  
2 Lyudmila Alexeyeva, Chairperson, Moscow  
3 Helsinki Group were marked, for  
4 identification purposes, as Deposition  
5 Exhibit Number 185.)

6 - - -

7 THE WITNESS: Yes, sir.

8 BY MR. COHEN:

9 Q. Have you seen this --

10 A. I have seen this --

11 Q. -- these documents before?

12 A. I have seen, sir, yes.

13 Q. And is this -- these documents a  
14 product of the project that you were working  
15 on with Peter Zalmayev?

16 A. I could not tell, sir. I did not  
17 write this letter. I did not sign it.

18 Q. Did you have a -- did you play  
19 any role in the development or drafting of  
20 these letters?

21 A. I did not -- I was not involved  
22 in the drafting or development of these  
23 letters.

24 I -- I -- I have -- I might have  
25 suggested the need for attention from human

1 RINAT R. AKHMETSHIN

2 rights organizations.

3 Q. But you didn't provide research  
4 to support this letter; is that correct?

5 A. I did not, to the best of my  
6 recollection, sir.

7 Q. Your -- it's your position that  
8 you had nothing to do with these letters  
9 other than perhaps suggesting Mr. Zalmayev  
10 reach out to Russian human rights  
11 organizations?

12 A. That is correct, sir, yes.

13 Q. But you've seen these letter --  
14 have you seen the letters that have been  
15 marked as Exhibit 185 before?

16 A. I have seen it, yes.

17 Q. How did they come to -- into  
18 your possession?

19 A. Mr. Zalmayev --

20 MR. SPERDUTO: Objection to  
21 form.

22 BY MR. COHEN:

23 Q. Did you ever have a copy of  
24 these letters?

25 A. Maybe Mr. Zalmayev may have

1 RINAT R. AKHMETSHIN

2 mentioned to me, and I might have had copies,  
3 yes.

4 Q. It's possible you never even saw  
5 it before?

6 A. No, no. I saw them, definitely.

7 Q. It's possible you never had a  
8 copy before?

9 A. I think I did have copies. I  
10 should, probably. That's how I saw them.

11 Q. I'm going to show you a document  
12 that bears the Bates range -- or starts with  
13 the Bates Number PZ1559, and it will be  
14 marked as Exhibit 186.

15 - - -

16 (Whereupon, letters from  
17 Lev Ponomarev, Executive Director,  
18 All-Russian Public Movement "For Human  
19 Rights" were marked, for identification  
20 purposes, as Deposition Exhibit  
21 Number 186.)

22 - - -

23 THE WITNESS: Thank you.

24 MR. SPERDUTO: Here's the  
25 original.

1 RINAT R. AKHMETSHIN

2 THE WITNESS: Yeah.

3 BY MR. COHEN:

4 Q. Have you seen these letters  
5 before?

6 A. The same as 184.

7 Q. Excuse me?

8 A. The same letter as 184. You  
9 asked me about it already, sir.

10 Q. Okay. That was in the draft  
11 form is 184?

12 A. I think so, yes --

13 Q. And this is the final form --

14 A. -- the same -- same guy from --

15 Q. -- in 186?

16 A. Correct, yes --

17 Q. Okay. And --

18 A. -- it appears that way. I --  
19 I -- I did not do word-by-word check, but it  
20 does appear that way.

21 Q. Did you have anything to do with  
22 writing the -- the -- the -- this letter,  
23 186?

24 A. I do not remember, sir. I doubt  
25 it.



1 RINAT R. AKHMETSHIN

2 Q. Did you play -- play a role, as  
3 far as you can recall, in providing  
4 information to support the statements in  
5 Exhibit 186?

6 A. I do not remember, sir. I do  
7 not -- I do not think so.

8 Q. I will show you a document  
9 that's been previously marked as Exhibit 14.

10 A. Thank you.

11 Q. Have you seen this set of  
12 documents before?

13 A. I'm not sure I did, sir.

14 Q. You see -- calling your  
15 attention -- and I know it's a little  
16 difficult to read -- on the third line --

17 A. Uh-huh.

18 Q. -- it says, Recently, I got new  
19 information about Mr. Egiazaryan's activity,  
20 which was mentioned in my letter and which  
21 was the point of my concern. And this  
22 information has been called by me into  
23 questions.

24 Do you see that?

25 A. Yes, I do see it, sir.

1 RINAT R. AKHMETSHIN

2 Q. Do you remember ever hearing or  
3 reading that?

4 A. I -- sir, I don't remember seeing  
5 this letter.

6 Q. Do you remember hearing that  
7 Ms. Alexeyeva retracted her letters?

8 A. I -- I heard about it, yes, sir.

9 Q. And what did you hear about  
10 that?

11 A. Mr. Zalmayev told Ms. Alexeyeva  
12 retracted her letter.

13 Q. Did you reach out to  
14 Ms. Alexeyeva to find out why?

15 A. As I mentioned to you, I do not  
16 know her, sir.

17 Q. Okay.

18 A. I never met her. I never  
19 probably will.

20 Q. But you could have called her if  
21 you wanted to; is that correct?

22 A. I have no idea who she is, sir.  
23 I mean, I know who she is, but I do not know  
24 even how to reach her. And there's no reason  
25 for her to take a phone call from me.

1 RINAT R. AKHMETSHIN

2 Q. You have lots of contact in  
3 Russia, don't you?

4 A. If I wanted to, I probably could  
5 find her and contact, but --

6 Q. And she's a --

7 A. -- I didn't.

8 Q. -- it's a prom- -- she works for  
9 a prominent --

10 A. I know it's --

11 Q. -- human rights organization --

12 A. -- a very --

13 Q. -- correct?

14 A. -- respectful lady, and I know  
15 that she after -- after that retraction, she  
16 retracted that retraction, too, as you may  
17 know. I don't know if you're aware of that.

18 She made a statement about  
19 Mr. Egiazaryan in very unflattering terms.

20 Q. But she didn't -- she did not  
21 withdraw her -- what -- do you have a -- she  
22 did not withdraw her retraction, did she --

23 A. No. She made --

24 Q. -- she made com- --

25 A. -- she made another --

1 RINAT R. AKHMETSHIN

2 Q. -- she made additional

3 comments --

4 A. -- she made additional --

5 THE COURT REPORTER: Wait,

6 wait.

7 She made additional?

8 BY MR. COHEN:

9 Q. She made additional comments,  
10 correct?

11 A. To the best of my knowledge,  
12 Ms. Alexeyeva, again, reviewed this case, and  
13 she made the comments which are not  
14 flattering to Mr. Egiazaryan. And she really  
15 questions his track record as a position --  
16 politician and his -- I -- I do not remember  
17 verbally, but it's in a way, the fact was the  
18 retraction of her retraction; so a  
19 restatement of her first statement, if you  
20 could say that.

21 Q. And let me call your attention  
22 to the next page and Leonid --  
23 Lev Ponomarev?

24 A. As I mentioned to you, I never  
25 met the guy, but I've heard of him, yes.

1 RINAT R. AKHMETSHIN

2 Q. Did you reach out to him after  
3 seeing this retraction?

4 A. I did not, sir. I never met him  
5 in person and really have no reason to  
6 contact him.

7 Q. Did it cause you to have any  
8 concern about the truthfulness of the  
9 initial letters that both Ms. Ponomarev --  
10 Mr. Ponomarev and Ms. Alexeyeva had  
11 retracted their statements?

12 A. No. I think that it caused me  
13 concern about Mr. Ponomarev's integrity.  
14 It's --

15 Q. Do you know --

16 A. -- to me -- to me -- to me it  
17 looks --

18 Q. Do you -- do you know Ms. --

19 A. -- ridiculous.

20 Q. -- Ms. Pono- -- Mr. Ponomarev  
21 and Ms. Alexeyeva to be respected human  
22 rights activists in the Soviet Union for  
23 many years; is that correct?

24 A. I believe so, yes. I know at  
25 least for Ms. Alexeyeva. I know

1 RINAT R. AKHMETSHIN

2 Mr. Ponomarev was also human rights person.

3 Q. And you know Ms. Alexeyeva was  
4 nominated for a Nobel Peace Prize; is that  
5 correct?

6 A. I'm sure she was, yes.

7 Q. And you know that she -- both of  
8 them have operated in the human rights  
9 sphere in Russia for many years; is that  
10 correct?

11 A. I've heard rumors.

12 Q. And -- and you know that you  
13 have to have a lot of backbone to do that in  
14 the Soviet Union; is that correct?

15 A. I would agree with you, sir, yes.  
16 Therefore, these statements is out of  
17 ordinary.

18 Q. And you -- you know that  
19 Mr. Zalmayev paid Ms. Ponomarev [sic] cash;  
20 is that correct?

21 A. On the request of Mr. Ponomarev,  
22 yes.

23 Q. And you know that Mr. Zalmayev  
24 paid Ms. Alexeyeva cash --

25 A. Yes --

1 RINAT R. AKHMETSHIN

2 Q. -- prior to --

3 A. -- I -- I --

4 Q. -- the statement?

5 A. -- I heard afterwards. And I  
6 also heard rumors that Mr. Egiazaryan's legal  
7 representatives paid cash to --

8 Q. And --

9 A. -- both of this.

10 Q. -- I'm not asking you for your  
11 knowledge of rumors --

12 A. I'm just --

13 Q. -- or speculation.

14 A. -- trying to state it for the  
15 record, sir.

16 MR. SPERDUTO: Jason, he's just  
17 trying to finish his answer, that's  
18 all.

19 MR. COHEN: He was adding  
20 something that was not asked -- in  
21 response to something that wasn't  
22 asked.

23 MR. SPERDUTO: Well, if you use  
24 this in Court, you can make your  
25 motion to strike. But just as a

1 RINAT R. AKHMETSHIN

2 matter of professional courtesy, let  
3 him finish his question -- his  
4 answer, sir.

5 BY MR. COHEN:

6 Q. I'm going to hand you what's  
7 been previously marked as Exhibit 85.

8 This is a Voice of America  
9 article.

10 Have you seen this before?

11 A. I must have, yes, sir.

12 Q. You like to read almost  
13 everything about --

14 THE VIDEOGRAPHER: Whoa, I'm  
15 sorry. I couldn't hear --

16 BY MR. COHEN:

17 Q. -- Mr. Egiazaryan, right?

18 THE COURT REPORTER: Yeah,  
19 yeah, we couldn't hear you.

20 MR. COHEN: Okay. I'm sorry.

21 BY MR. COHEN:

22 Q. What was your answer?

23 A. Yes, I must have seen this, sir.

24 THE VIDEOGRAPHER: I didn't  
25 hear the question. You -- you were



1 RINAT R. AKHMETSHIN

2 talking.

3 BY MR. COHEN:

4 Q. Have you seen this article  
5 before?

6 A. I -- I have.

7 Q. Is this the article that you  
8 believe reflects a retraction of the  
9 attraction -- retraction?

10 A. I'm not sure. Let me read the  
11 whole thing. It's a long one.

12 Q. I think -- I'll just -- you can  
13 skip or read what you want --

14 A. Tell me what needs to be  
15 important.

16 Q. -- but I take it the last  
17 paragraph --

18 A. Yes.

19 Q. -- is the paragraph that --

20 A. Okay.

21 Q. -- addresses the issue at hand.

22 (Whereupon, the witness reviews  
23 the document.)

24 THE WITNESS: Yes, sir, I've  
25 read it.

1 RINAT R. AKHMETSHIN

2 BY MR. COHEN:

3 Q. Okay. And is -- did you read  
4 this at around the time that this article  
5 was published?

6 A. I must have if I forwarded it  
7 to -- I -- I -- I would say yes.

8 Q. And -- and am I correct that  
9 this is further support for her retraction  
10 of the letter?

11 A. It's just an opinion of a person.  
12 It's just a media article, sir.

13 Q. And -- and it says she was led  
14 in deception; is that correct?

15 A. I would not -- that's her  
16 opinion, yes, sir. If she says that, that's  
17 what Ms. Alexeyeva believes --

18 Q. You -- you --

19 A. -- I do not have this -- I do not  
20 share this opinion. I do not know enough  
21 about this case to have an opinion.

22 That's the -- I'm sharing an  
23 article with people I work with. That's what  
24 it means. It's an op-ed. I did not write  
25 it; I did not edit it. I just shared with my

1 RINAT R. AKHMETSHIN

2 colleagues.

3 Q. Because you thought it was  
4 important for them to read --

5 A. I --

6 Q. -- is that correct?

7 A. -- shared a lot of articles about  
8 Mr. Egiazaryan. This is one of probably 100.  
9 It has no significance --

10 Q. And --

11 A. -- whatsoever.

12 Q. -- did you share this article  
13 with people other than Mr. Zalmayev and  
14 Mr. Bloomfield?

15 A. I do not remember, sir.

16 Q. Did you send this article to  
17 Mr. Bloomfield and Mr. Zalmayev on around  
18 February 13th, 2011?

19 A. That's how it appears, sir, yes.

20 Q. Did you share the retraction  
21 that we previously discussed, Exhibit 14,  
22 with anyone other than Mr. Bloomfield and  
23 Mr. Zalmayev?

24 A. I do not remember, sir.

25 Q. And were you interested in

1 RINAT R. AKHMETSHIN

2 educating people about Mr. Egiazaryan?

3 A. I think I was interested and I'm  
4 still interested, sir.

5 Q. And -- and are you interested in  
6 doing so fairly?

7 A. Absolutely, sir.

8 Q. And in doing so, would you be  
9 interested in circulating information and  
10 opinions from people who disagreed with  
11 Peter Zalmayev --

12 A. I --

13 Q. -- and you?

14 A. Why not, sir? Yes.

15 Q. And did you circ- -- so who --  
16 who else did you circulate this to to make  
17 sure they were well educated about issues  
18 relating to Mr. Egiazaryan?

19 MR. SPERDUTO: Objection to the  
20 form; argumentative --

21 THE WITNESS: I do not  
22 remember, sir --

23 MR. SPERDUTO: -- assumes facts  
24 not in evidence --

25 THE WITNESS: -- but I -- I --

1 RINAT R. AKHMETSHIN

2 MR. SPERDUTO: --

3 mischaracterizes prior testimony.

4 Go ahead.

5 THE WITNESS: Yes, I -- I do  
6 not remember, sir, but I'm sure this  
7 was this su- -- subject of public  
8 knowledge. I'm not the only one who  
9 reads this article, so whoever is  
10 interested in Mr. Egiazaryan's story  
11 might have known about this.

12 BY MR. COHEN:

13 Q. I know. You said you were in  
14 the business of educating people about  
15 Mr. Egiazaryan --

16 A. Correct, and --

17 Q. -- is that fair?

18 A. -- I might have -- I might have  
19 shared with people --

20 Q. Oh. Do you have any --

21 A. -- I cannot remember correctly,  
22 sir.

23 Q. -- do you have any record of  
24 having shared this with anybody?

25 A. I do not remember, sir.

1 RINAT R. AKHMETSHIN

2 Q. Do you have any record of having  
3 shared the --

4 A. I might have discussed it in --  
5 with someone, so --

6 Q. Just -- I didn't finish my  
7 question.

8 A. Sure.

9 Q. Do you have any record of having  
10 shared the retractions that are Exhibit 14  
11 with anybody?

12 A. Sir, these retraction have never  
13 been sent to me. I never received them.

14 Q. Did -- Mr. Zalmayev never sent  
15 you the retractions?

16 A. Why should he --

17 Q. So --

18 A. -- I -- I doubt he ever get them.

19 I do not know, sir, but this  
20 thing I do not remember.

21 I knew that letters were -- these  
22 people -- two individuals were coerced into  
23 rephrasing their concern about  
24 Mr. Egiazaryan, but I did not get these  
25 original copies.

1 RINAT R. AKHMETSHIN

2 Q. What's your basis for your  
3 belief that Ms. Alexeyeva and Mr. Ponomarev  
4 were coerced?

5 A. I think I've heard the rumors  
6 about it. If -- if they were able to take  
7 money at the first place, what would prevent  
8 them from taking money -- much more money in  
9 the second place?

10 Q. Is there anything of -- any  
11 reason other than your speculation that they  
12 were co- -- coerced into changing their --  
13 into retracting the original letters?

14 A. I think Mr. Zalmayev might have  
15 mentioned to me that there was pressure from  
16 Mr. Egiazaryan's representatives.

17 Q. And who did -- and what did the  
18 source of Mr. Zalmayev's information?

19 A. Colleagues of Mr. -- of those two  
20 individuals.

21 Q. You know this for a fact?

22 A. It was mentioned to me by  
23 Mr. Zalmayev.

24 Q. Do you know if Mr. Zalmayev --

25 A. I do not know this for a fact,

1 RINAT R. AKHMETSHIN

2 sir.

3 Q. -- did you know if Mr. Zalmayev  
4 had -- had evidence of that or was  
5 speculating that he believed that --

6 MR. SPERDUTO: Objection to  
7 form --

8 BY MR. COHEN:

9 Q. -- might be the case?

10 A. I do not know, sir --

11 MR. SPERDUTO: -- objection to  
12 form --

13 THE WITNESS: -- I told you  
14 what I know --

15 MR. SPERDUTO: -- capacity --

16 THE WITNESS: -- I -- I --

17 MR. SPERDUTO: -- assumes  
18 facts.

19 BY MR. COHEN:

20 Q. Do you know if the retractions  
21 were provided to Douglas Bloomfield?

22 A. I do not know, sir.

23 Q. I'm going to show you a copy of  
24 Exhibit 114.

25 This is an e-mail from



1 RINAT R. AKHMETSHIN

2 Douglas Bloomfield to Rinat Akhmetshin --

3 A. Um-hum.

4 Q. -- dated May 5, 2011; is that  
5 correct?

6 A. That's what it says, sir.

7 Q. And do you recall receiving this  
8 e-mail on around that time?

9 A. Probably.

10 Q. Do you -- do you recall that  
11 Mr. Bloomfield said, Unlike what Peter told  
12 me, the letters from two Russian parties,  
13 the All-Russia Public Movement and Lyudmila  
14 Alexeyeva have retracted their letters?

15 A. That's what it reads, sir, yes.

16 Q. Do you know what Mr. Bloomfield  
17 was referring to at that time?

18 A. I think this -- to what he  
19 writes.

20 Q. Did he -- did you ever  
21 investigate whether Peter Zalmayev provided  
22 the retraction letters to Mr. Bloomfield?

23 A. I did not, sir --

24 Q. Did that concern --

25 A. -- I know they had this -- I know

1 RINAT R. AKHMETSHIN

2 they had direct line of communication.

3 Q. I'm sorry. I didn't catch the  
4 last words.

5 A. They do -- they did have direct  
6 line of communication, and I've -- you know,  
7 I've been busy with many other matters as  
8 well, sir. I travel extensively, so I did  
9 not forward every single document.

10 Q. Do you know who David Whiddon --  
11 Whiddon is?

12 A. Yes, I do, sir.

13 Q. Who is he?

14 A. He's working for International  
15 Relations Committee on the House of  
16 Representatives.

17 Q. He's a Congressional staffer?

18 A. He is a fellow, Congressional  
19 fellow, yes. He works for the committee.

20 Q. Did you know -- did you ever  
21 reach out to him --

22 A. I have --

23 Q. -- with regard --

24 A. -- I did, sir.

25 Q. -- to the Egiazaryan matter?

1 RINAT R. AKHMETSHIN

2 A. I did, sir.

3 Q. And for what purpose?

4 A. To educate him.

5 Q. And did -- have you ever seen  
6 this -- this e-mail -- I'm sorry. We should  
7 mark this.

8 A. Yes.

9 MR. COHEN: Let me ask the  
10 court reporter to mark as  
11 Exhibit 3 -- PZ -- strike that.

12 Exhibit --

13 MR. SPERDUTO: 187 is the next  
14 in sequence.

15 MR. COHEN: -- 187 a document  
16 with the Bates stamp PZ3505.

17 - - -

18 (Whereupon, an e-mail string  
19 was marked, for identification  
20 purposes, as Deposition Exhibit  
21 Number 187.)

22 - - -

23 THE WITNESS: Thank you.

24 BY MR. COHEN:

25 Q. Have you seen this e-mail

1 RINAT R. AKHMETSHIN

2 before?

3 A. I might have, yes. If it's sent  
4 to me, I might've, yes.

5 Q. Did you receive a bcc of  
6 Peter Zalmayev's e-mail of March 29, 2011?

7 A. If it's addressed to me, it was  
8 probably sent to me, yes.

9 Q. I would call your attention to  
10 the second e-mail on the page --

11 A. Um-hum.

12 Q. -- from David Whiddon to  
13 Peter Zalmayev.

14 A. Correct, I see it.

15 Q. Do you see where it says, Are  
16 folks having a change of heart over  
17 Egiazaryan?

18 A. Correct, I see it.

19 Q. And then it says, Perhaps  
20 because they, and Lyudmila, spoke with  
21 Egiazaryan's lawyers and have heard facts  
22 relevant to the case that made them con- --  
23 reconsider?

24 Do you see that?

25 A. I do see that.

1 RINAT R. AKHMETSHIN

2 Q. Did you ever investigate whether  
3 Mr. Ponomarev or Mr. Alexeyeva heard facts  
4 relevant to the case that made them  
5 reconsider?

6 MR. SPERDUTO: Objection to the  
7 form.

8 THE WITNESS: Sorry. I could  
9 not speak on their behalf.

10 BY MR. COHEN:

11 Q. Did you ever seek to find out  
12 what they heard that made them issue the  
13 retraction?

14 A. Sir, I'll refer you to Page 4 of  
15 this. And it's a Russian article which I  
16 think Mr. Zalmayev shared with Congressional  
17 staffer on March 28th.

18 And they -- it says that -- I  
19 don't know if you have a translation --  
20 Alexeyeva, quote, Egiazaryan was never human  
21 rights defender nor person who --  
22 who provided charitable --

23 THE COURT REPORTER: Sorry.

24 Who what?

25 THE WITNESS: Alexeyeva, quote,

1 RINAT R. AKHMETSHIN

2 Egiazaryan is not a human rights  
3 defender, and he was never person who  
4 provided charitable contributions.

5 And the first line says --  
6 headliner says, Head of Moscow  
7 Helsinki Group, Lyudmila Alexeyeva,  
8 considers that ex-member of Russian  
9 Duma from LDPR party,  
10 Ashot Egiazaryan, does not deserve  
11 the status of political asylum.

12 That's the story.

13 So I think that this is the --  
14 this is the response of Mr. Zalmayev  
15 to Mr. Whiddon's concerns about this  
16 alleged retraction.

17 BY MR. COHEN:

18 Q. Did you discuss with Mr. Whiddon  
19 his question that perhaps they heard facts  
20 relevant to the case that made them  
21 reconsider?

22 A. I don't think Mr. Whiddon  
23 directed this question at me, sir.

24 Q. Okay. Do you know if  
25 Mr. Zalmayev had that conversation?

1 RINAT R. AKHMETSHIN

2 A. I would assume he did, and that  
3 was his response that's --

4 Q. His response was --

5 A. -- in the text.

6 Q. -- was one article?

7 A. Correct, yes.

8 Q. Do you know if he had any other  
9 response?

10 A. I do not know, sir. Please ask  
11 him.

12 Q. And there's a reference on the  
13 page to an op-ed in the -- on the bottom of  
14 the first e-mail, in the Moscow Times by  
15 Kirill Kabanov --

16 A. Kabanov, yes.

17 Q. -- do you see that?

18 A. Yes.

19 Q. Is it --

20 MR. SPERDUTO: I'm sorry. I  
21 don't see it.

22 Where are you?

23 MR. COHEN: The last paragraph  
24 of the first e-mail.

25 MR. SPERDUTO: I'm sorry.

1 RINAT R. AKHMETSHIN

2 Okay.

3 Thank you.

4 BY MR. COHEN:

5 Q. Did -- did you or Mr. Zalmayev  
6 arrange for that op-ed by -- by  
7 Kirill Kabanov?

8 A. No, I did not, and I -- I do not  
9 know about Mr. Zalmayev. But he's a very  
10 well-respected person and well-known to  
11 American authorities and human rights  
12 defenders. Former policeman.

13 Q. And while you're talking about a  
14 well-respected and a former policeman,  
15 you're talking about Mr. Kabanov, right?

16 A. Correct, sir, yes.

17 MR. COHEN: I'm going to ask  
18 the court reporter to mark as  
19 Exhibit 188 an e-mail bearing the  
20 Bates Number PZ2708.

21 - - -

22 (Whereupon, an e-mail was  
23 marked, for identification purposes, as  
24 Deposition Exhibit Number 188.)

25 - - -



1 RINAT R. AKHMETSHIN

2 THE WITNESS: Thank you.

3 BY MR. COHEN:

4 Q. Is this an e-mail from you to  
5 Mr. Zalmayev -- I'm sorry -- from  
6 Mr. Zalmayev to you?

7 A. It does appear that way, sir,  
8 yes.

9 Q. And it's dated February 9th,  
10 2011?

11 A. Correct.

12 Q. You received this e-mail on  
13 around February 9th, 2011?

14 A. That's what it states, yes.

15 Q. And I'll call your attention to  
16 the bottom.

17 And it says, the Chechnya thing  
18 event -- evidently backfired on us --

19 A. Correct.

20 Q. -- do you see that?

21 A. Yes, I see that, sir.

22 Q. What did you understand  
23 Mr. Zalmayev to mean by that?

24 A. I do not know, sir. I think that  
25 he probably refers to the fact that, you

1 RINAT R. AKHMETSHIN

2 know, there's research on Chechen matter. We  
3 couldn't find any credible information.

4 And I think that was the time  
5 when discussion of Mr. Egiazaryan's Chechen  
6 record was suspended, because we couldn't say  
7 with certainty about his Chechen activity.  
8 We're very careful to say only facts.

9 Q. And -- and the information  
10 regarding what happened in Chechnya was  
11 murky at best; is that correct?

12 MR. SPERDUTO: I'm sorry.  
13 The -- the information -- can you  
14 read it back? I beg your pardon.

15 MR. COHEN: I -- I'll -- I'll  
16 say it -- I'll ask the question  
17 again.

18 Just give me a second.

19 (Pause.)

20 MR. COHEN: All right. Can we  
21 take a few-minute break?

22 THE WITNESS: Absolutely.

23 MR. COHEN: Thank you.

24 THE VIDEOGRAPHER: The time is  
25 4:37. We're going off the record.

1 RINAT R. AKHMETSHIN

2 (Whereupon, a brief recess was  
3 taken from 4:37 p.m. to 4:50 p.m.)

4 THE VIDEOGRAPHER: The time is  
5 4:50. We are back on the record.

6 BY MR. COHEN:

7 Q. Welcome back, sir.

8 A. Thank you.

9 Q. Do you know who Vladimir Burkov  
10 is?

11 A. Say it again.

12 Q. Vladimir Burkov?

13 A. The name does not appear familiar  
14 to me.

15 MR. COHEN: I'll mark as  
16 Exhibit 188 --

17 THE COURT REPORTER: -9.

18 MR. COHEN: -- 189 -- I'm  
19 always one behind -- the -- a  
20 document bearing Bates Number PZ527,  
21 which appears to be a draft affidavit  
22 of Vladimir Burkov.

23 - - -

24 (Whereupon, a draft affidavit  
25 of Vladimir Burkov was marked, for

1 RINAT R. AKHMETSHIN

2 identification purposes, as Deposition

3 Exhibit Number 189.)

4 - - -

5 THE WITNESS: Thank you.

6 BY MR. COHEN:

7 Q. Have you ever seen this document  
8 before?

9 A. I cannot say I have.

10 Q. Do you recall ever having  
11 received or forwarded this to Mr. Zalmayev?

12 A. I do not remember, sir.

13 MR. COHEN: I'm going to ask  
14 the court reporter to mark as  
15 Exhibit 190 a document with  
16 Bates number RA134.

17 MR. SPERDUTO: No, that's mine.

18 - - -

19 (Whereupon, Witness Statement  
20 of Artem Egiazaryan on Behalf of the  
21 Claimants (CW2) was marked, for  
22 identification purposes, as Deposition  
23 Exhibit Number 190.)

24 - - -

25

1 RINAT R. AKHMETSHIN

2 BY MR. COHEN:

3 Q. This is a document that bears  
4 the header, London Court of International  
5 Arbitration, LCIA Case Numbers 101689 and  
6 101691.

7 Have you seen this document  
8 before?

9 A. I might have, sir, yes. I might  
10 have.

11 Q. Do you recall how the  
12 document -- how you came to see the document  
13 if, in fact, you saw it?

14 A. No. I talked to many -- when I  
15 was in Russian, I talked to many journalists  
16 who were looking into this issue. I know  
17 that Novaya Gazeta newspaper has shared with  
18 me some documents which I, personally, found  
19 irrelevant, because this is too much of a --

20 Q. And -- and this --

21 A. -- commercial dispute.

22 Q. -- this is a document that was  
23 in your possession; is that correct?

24 A. I think so, yes.

25 Q. It bears your Bates number,

1 RINAT R. AKHMETSHIN

2 RA134, meaning that it came from your files;  
3 is that correct?

4 MR. SPERDUTO: We'll stipulate  
5 that my law firm produced this  
6 document in this litigation.

7 MR. COHEN: Okay, thank you.

8 BY MR. COHEN:

9 Q. And -- and it was produced  
10 because you located it somewhere in your  
11 offices and gave it to your counsel; is that  
12 correct?

13 A. That's how appears to be, yes,  
14 sir.

15 Q. Okay. And do you have a  
16 specific recollection of how it came into  
17 your possession?

18 A. I do not have specific  
19 recollection, sir; but I do remember that  
20 there was very unpleasant process of -- I  
21 don't know whether it was you or someone else  
22 tried to serve me, which was, in a way,  
23 borderline harassing. And my wife was  
24 harassed by whatever this subpoena server and  
25 was threatened with police.

1 RINAT R. AKHMETSHIN

2 And I think that, you know, for a  
3 while there's this whole bunch of legal  
4 documents were lying in front of my door for,  
5 I think, over a week. And this might have  
6 been among those documents. Or, as well, you  
7 know, I might -- I did receive some -- some,  
8 like, business-related documents in Moscow  
9 from Novaya Gazeta newspaper.

10 I do not -- I do not have a  
11 direct recollection of how I came into  
12 possession of this document, sir.

13 Q. Did you ever receive any  
14 litigation documents from Greg Hitt or  
15 anyone at Public Strategies?

16 A. I have not, sir.

17 Q. You have not? You're saying  
18 that definitively?

19 A. I might have got some -- I know  
20 that they were involved in some matter in  
21 Los Angeles or somewhere in California. I  
22 might have. I do not remember, sir.

23 Q. Do you recall if you received it  
24 from any of the Kerimov attorneys with whom  
25 you corresponded from time to time?



1 RINAT R. AKHMETSHIN

2 MR. SPERDUTO: I'm sorry.

3 Antecedent to the pronoun now is  
4 what?

5 MR. COHEN: The Kerimov  
6 attorneys.

7 MR. SPERDUTO: You said "it."

8 MR. COHEN: Okay.

9 BY MR. COHEN:

10 Q. If you received Exhibit 190?

11 A. I definitely did not receive it  
12 from the attorneys. I would have remembered  
13 that, because I think they -- I specifically  
14 told them I don't want to know those stuff,  
15 because it was really muddying up my  
16 narrative. So --

17 Q. Who -- who -- did you tell --  
18 tell Sarah Hale that?

19 A. I don't think I ever received  
20 anything from her. They were -- asked me to  
21 handle one matter as a favor, and I did that  
22 for them. That was my extent of relationship  
23 with those people.

24 Q. Well, other than -- you had --  
25 certainly had a number of e-mail



1 RINAT R. AKHMETSHIN

2 communications --

3 A. On the --

4 Q. -- with them?

5 A. -- same matter, I would say.

6 Sir, just one matter which was discussed and  
7 was resolved.

8 I did not receive anything from  
9 Sarah. I never even met her in person. I  
10 talked to her on the phone.

11 Q. Have you ever spoken with  
12 Eliot Lauer?

13 A. I do not remember, sir.

14 Q. You don't remember one way or  
15 the other?

16 A. I don't remember one way or the  
17 other, because I spoke with many people.

18 Who -- who is he? He's one of  
19 the lawyers also.

20 Akin Gump person?

21 Q. He's another lawyer for  
22 Mr. Kerimov's companies.

23 A. I do not remember, sir.

24 Q. Curtis Mallet, are you familiar  
25 with that law firm?

1 RINAT R. AKHMETSHIN

2 A. I heard the name. I have a  
3 friend who joined that firm recently.

4 Q. Have you had any communication  
5 with Curtis Mallet with regard to  
6 Ashot Egiazaryan?

7 A. I have handled -- I think that  
8 Sarah was a lawyer with that firm. And I  
9 handled one matter, media matter, as a favor  
10 to someone in Russia. That was my extent of  
11 cooperation with those people.

12 Q. So is it -- is it -- some --  
13 some of your testimony is you -- you're not  
14 sure how this document, Exhibit 190, came  
15 into your possession?

16 A. I am not sure how it came to my  
17 possession, but I felt compelled to produce  
18 everything we had to do with Mr. Egiazaryan.  
19 And I turn it over to my attorney and -- I  
20 don't know. They produced it, actually.

21 I had it around the house, I  
22 think.

23 Q. You have what around the house?

24 A. This document --

25 Q. You --

1 RINAT R. AKHMETSHIN

2 A. -- I should have had it. I do  
3 not -- I do not specifically remember this,  
4 because now, every time, you know, you open  
5 this, like, LLC, JL, Limited, it's just -- it  
6 has absolutely no relevance to what I do,  
7 sir.

8 Q. I'm going to show you another  
9 document from the London Court of  
10 International Arbitration, RA146, and ask if  
11 you've seen this before.

12 MR. COHEN: Let me have one to  
13 mark.

14 - - -

15 (Whereupon, Witness Statement  
16 of Ashot Gevorgovich Egiazaryan on  
17 Behalf of the Claimants (CW1) was  
18 marked, for identification purposes, as  
19 Deposition Exhibit Number 191.)

20 - - -

21 THE WITNESS: Thank you.

22 MR. SPERDUTO: Is this 191 --

23 MR. COHEN: Yes.

24 MR. SPERDUTO: -- Jason?

25 MR. COHEN: Yes, it is.

1 RINAT R. AKHMETSHIN

2 BY MR. COHEN:

3 Q. Have you seen this document  
4 before?

5 A. I might've. It looks  
6 suspiciously similar to -- ah, this is CW2,  
7 CW1.

8 I might have. I do not have  
9 direct recollection.

10 Q. Do you recall where you found  
11 these LCIA documents, 190 and 191?

12 A. I do not -- now I know what you  
13 refer to, LCIA. But I -- this might have  
14 been, once again, placed together with  
15 similar documents or I might have gotten it  
16 in Moscow from some journalists.

17 I do not remember exactly to say  
18 one way or another, sir.

19 Q. Do you know who Larry Weist is?

20 A. The name does not sound familiar  
21 to me.

22 Q. Did you ever arrange for any  
23 private investigators to tail or do any  
24 work --

25 A. No.

1 RINAT R. AKHMETSHIN

2 Q. -- related to Ashot Egiazaryan?

3 A. No.

4 Q. Did Mr. -- did -- did

5 Mr. Zalmayev?

6 A. I would be very surprised,  
7 because it's very expensive. We had no money  
8 to do that, sir.

9 Q. You got a lot of money from --  
10 from Russia on this case, didn't you?

11 A. From Mr. Vavilov?

12 Q. Yes.

13 A. I think it's -- I would be in  
14 pain describing it a lot of money. I think  
15 it's what probably you guys make in a few  
16 days.

17 Q. Did -- let me --

18 A. The answer is we did not hire any  
19 surveillance of -- of any sort, because just  
20 it's -- it was absolutely not necessary.

21 Q. I'm going to show you what we'll  
22 mark as Exhibit 192.

23 I'm going to ask you to read it.

24 - - -

25 (Whereupon, an investigative

1 RINAT R. AKHMETSHIN

2 report by Larry Weist was marked, for  
3 identification purposes, as Deposition  
4 Exhibit Number 192.)

5 - - -

6 THE WITNESS: It's not very  
7 easy to read.

8 BY MR. COHEN:

9 Q. No.

10 A. Do you have a better copy,  
11 please?

12 Q. No, but it's -- it's an  
13 investigative report by Larry Weist  
14 involving Ashot Egiazaryan.

15 And have you ever seen this  
16 before?

17 A. Let me look at this, sir.

18 Thank you.

19 I remember seeing something about  
20 lavish lifestyle, yes. It could have been --

21 Q. You could have seen this before?

22 A. I could have, yes.

23 Q. Do you recall where you got it  
24 from?

25 MR. SPERDUTO: Objection.

1 RINAT R. AKHMETSHIN

2 BY MR. COHEN:

3 Q. Do you recall where you've seen  
4 it?

5 A. I do not -- maybe online  
6 somewhere.

7 MR. SPERDUTO: Jason, I just --  
8 just for my information, it is hard  
9 to read this thing, but I don't see  
10 any reference to -- I think you  
11 called him Larry Weist?

12 MR. COHEN: Yes.

13 MR. SPERDUTO: Where -- could  
14 you just point out where that is?

15 MR. COHEN: I'm not sure  
16 it's -- it's referenced on here, but  
17 from other sources.

18 MR. SPERDUTO: But are you  
19 making a representation on the  
20 record, then, that this is a document  
21 you obtained from Larry Weist?

22 MR. COHEN: I'm making a  
23 representation on the record that  
24 this is a -- a document that was  
25 created by Larry Weist.

1 RINAT R. AKHMETSHIN

2 MR. SPERDUTO: I'm sorry. You

3 are making that representation?

4 BY MR. COHEN:

5 Q. Putting aside who -- who it's  
6 from, the -- the -- the question that I'm  
7 interested in having answered is whether you  
8 received this or seen it and, if so, where  
9 from?

10 A. I might have seen this online. I  
11 know that there was a great discussion of  
12 Mr. Egiazaryan's excessive lifestyle.  
13 Russian Internet's full of those stories.

14 Q. Do you recall where you saw it  
15 online?

16 A. I do not, sir.

17 Q. Have you ever seen this -- I  
18 mean --

19 A. This --

20 Q. -- the document itself?

21 A. -- this e-mail, it does not --  
22 I -- I -- I know that I heard about cars. I  
23 do not -- never owned a car, so I did not  
24 know much about cars. But I had to ask a  
25 friend of mine about some of those cars, and



1 RINAT R. AKHMETSHIN

2 they told me they're quite expensive and  
3 rare.

4 MR. SPERDUTO: Is -- is this,  
5 in fact, the best copy of the  
6 document you have, sir?

7 MR. COHEN: It -- it is.

8 MR. SPERDUTO: All right.

9 BY MR. COHEN:

10 Q. I show you a document that was  
11 previously marked as Exhibit 111.

12 THE COURT REPORTER: It's  
13 already marked.

14 THE WITNESS: Oh, I'm sorry.

15 BY MR. COHEN:

16 Q. It's an e-mail from  
17 Douglas Bloomfield to Peter Zalmayev.

18 Do you recall if you've ever seen  
19 this e-mail?

20 A. I do not recall that, sir, no.

21 Q. And -- and it states that We've  
22 received confirmation that  
23 Vladimir Zhirinovsky's acolyte,  
24 Ashot Egiazaryan, whose case we discussed  
25 when we met recently, has formally applied

1 RINAT R. AKHMETSHIN

2 for political asylum.

3 Do you see that?

4 A. Yes, I do see this sentence.

5 Q. And that's a -- that's a  
6 statement from Douglas Bloomfield; is that  
7 correct?

8 A. It does appear that way.

9 Q. Did you ever come to learn how  
10 Mr. Bloomfield came in possession -- or came  
11 to believe that Mr. Egiazaryan had formally  
12 applied for political asylum?

13 A. I do not know whether he formally  
14 applied for political asylum. So I think  
15 that -- but I do know that we kind of put  
16 numbers together, because there's only  
17 limited number of days -- I do remember  
18 discussion with Mr. Bloomfield about this  
19 political asylum matter, and that's --

20 Q. Did -- did Mr. Bloomfield ever  
21 tell you that he had learned that  
22 Mr. Egiazaryan had formally applied for  
23 political asylum?

24 A. I don't think he could possibly  
25 know about this with certainty.

1 RINAT R. AKHMETSHIN

2 Q. Do you know if anyone told him  
3 that -- did he ever tell you that anyone  
4 told him that Mr. Egiazaryan applied for  
5 political -- political asylum?

6 A. I doubt anyone could have tell  
7 him, but I do -- I did commission a study on  
8 the political asylum procedure in the  
9 United States, and I had asked someone with  
10 expertise on these immigration matters to  
11 look into this.

12 And I do remember, according to  
13 that person, we assumed that Mr. Egiazaryan  
14 must have -- he had to somehow adjust his  
15 status in the United States, because -- I do  
16 not remember details, but I think that was  
17 the issue. And I think that it was discussed  
18 in a publication somewhere.

19 Q. Who did you have conduct that  
20 study?

21 A. I did commission a memo by an  
22 immigration lawyer.

23 Q. Who was that?

24 A. Ms. Snelbecker.

25 Q. And that was paid for, correct?

1 RINAT R. AKHMETSHIN

2 A. It was paid for, yes.

3 Q. All right. I'm going to show  
4 you a document we're going to mark as  
5 Exhibit 193.

6 - - -

7 (Whereupon, an e-mail string  
8 was marked, for identification  
9 purposes, as Deposition Exhibit  
10 Number 193.)

11 - - -

12 THE WITNESS: Thank you.

13 BY MR. COHEN:

14 Q. Have you ever seen this document  
15 before?

16 A. I can't say I have.

17 Q. Do you know who Nikola Krastev  
18 is?

19 A. Yes, I do, sir.

20 Q. Who is that?

21 A. He's a reporter. I know him  
22 well.

23 Q. For what organization?

24 A. He's reporter for RFE/RL.

25 Q. Say it again.

1 RINAT R. AKHMETSHIN

2 A. He's a reporter for Radio Free  
3 Europe/Radio Liberty, RFE/RL.

4 Q. Did you have any communications  
5 with him regarding Ashot Egiazaryan?

6 A. I might have discussed with him.  
7 He's someone I've known -- got to know over  
8 the years. He covers a Southern District  
9 Court for our firm.

10 Q. He covers what?

11 A. He covers a court in Southern  
12 District --

13 Q. Of New York?

14 A. -- for the court in Southern  
15 District of New York, yes.

16 I had client matter in that court  
17 for many, many years, so I -- that's how I  
18 got to know him.

19 Q. And I'll call your attention to  
20 the top line of Exhibit 193 in which  
21 Mr. Zalmayev says, Forgot to add an  
22 important detail: I have confirmation from  
23 sources that Egiazaryan has, indeed, applied  
24 for asylum.

25 Did Mr. Zalmayev ever tell you

1 RINAT R. AKHMETSHIN

2 that he had received confirmation from  
3 sources that Egiazaryan has, indeed, applied  
4 for asylum?

5 A. I do not recall him saying it.  
6 But he -- I know he was aware of that  
7 memorandum, legal memorandum, which pretty  
8 much concludes that a asylum application must  
9 be done in -- around some period of time. I  
10 do not remember exact time.

11 I'm seeing this March 22nd,  
12 March 24th, so it should have been around  
13 that time, yes.

14 Q. And it says he has confirmation  
15 from sources.

16 Do you know what sources he's  
17 referring to?

18 A. I do not know, sir.

19 Q. And you testified earlier that  
20 you couldn't know for sure whether he had  
21 applied for asylum?

22 A. I did not. I -- to this point,  
23 I'm not sure whether he did, but I would  
24 assume that he did, because he had to;  
25 otherwise, he would be kicked out of here

1 RINAT R. AKHMETSHIN

2 earlier.

3 Q. And this e-mail says, he has,  
4 indeed, applied for asylum.

5 Mr. Zalmayev never told you that?

6 A. I do not remember, sir. But I --  
7 I would assume that it's based on this -- I  
8 remember discussions about this thing. It's  
9 a memorandum, and I think that it was -- the  
10 date was kind of projected. It's like  
11 pregnancy, you know, it's just someone is  
12 nine months pregnant, and you have, like, a  
13 few days when it happens.

14 Q. And you don't know for sure  
15 what -- what the basis for Mr. Zalmayev's  
16 information is; is that correct?

17 A. I do not, sir.

18 Q. I'm going to call your attention  
19 to a document with the Bates number  
20 Freedom House 22, which we'll mark as  
21 Exhibit 194.

22 MR. SPERDUTO: Can you repeat  
23 the Bates, please?

24 MR. COHEN: Yes.  
25 Freedom House 22.



1 RINAT R. AKHMETSHIN

2 - - -

3 (Whereupon, an e-mail string  
4 was marked, for identification  
5 purposes, as Deposition Exhibit  
6 Number 194.)

7 - - -

8 THE WITNESS: Thank you.

9 BY MR. COHEN:

10 Q. And you previously mentioned  
11 that you know Sam Patten; is that correct?

12 A. I do know Sam. Yes, I do know  
13 Sam Patten.

14 Q. And you communicated with  
15 him on -- with regard to Ashot Egiazaryan;  
16 is that correct?

17 A. I have brought this case to his  
18 attention, correct.

19 Q. And you've discussed the matter  
20 with him; is that right?

21 A. I have, yes.

22 Q. And -- and --

23 A. Do you mind if I just read this  
24 e-mail a minute?

25 Q. Yes, of course.



1 RINAT R. AKHMETSHIN

2 (Whereupon, the witness reviews  
3 the document.)

4 THE WITNESS: Yes, sir. Thank  
5 you.

6 BY MR. COHEN:

7 Q. Have you ever seen this e-mail  
8 before?

9 A. I have not, sir.

10 Q. And am I correct that  
11 information that Mr. Patten has regarding  
12 Ashot Egiazaryan is, at least in part,  
13 provided by you and Mr. Zalmayev?

14 A. He was briefed about this case by  
15 Mr. Zalmayev and me.

16 Q. Okay. And you see, at the end,  
17 he says that I came to see this as a  
18 pitching match -- pissing match between two  
19 oligarchs and not a simple political/HR  
20 case?

21 Do you see that?

22 A. Yes, I see that, sir --

23 Q. And what --

24 A. -- yes.

25 Q. -- what do you understand HR to

1 RINAT R. AKHMETSHIN

2 stand for?

3 A. I would say human rights --

4 Q. And Mr. --

5 A. -- that's how I would interpret  
6 that.

7 Q. Did Mr. Patten ever share this  
8 sentiment with you, personally?

9 A. Oh, yes.

10 Q. That he see -- saw this as a  
11 pissing match between two oligarchs?

12 A. He was aware of Mr. Vavilov; he  
13 was aware of my client. Yes.

14 Q. And so the two oligarchs he's --  
15 he referring to are whom?

16 A. I would say Mr. Vavilov and  
17 Mr. Egiazaryan.

18 MR. SPERDUTO: Can I have a  
19 nunc pro tunc objection to the form  
20 of that last question?

21 MR. COHEN: Yes.

22 MR. SPERDUTO: I'm getting  
23 tired, yes.

24 MR. COHEN: Let's -- I think  
25 the --

1 RINAT R. AKHMETSHIN

2 MR. SPERDUTO: Snuck one past  
3 me.

4 MR. COHEN: -- tape is running  
5 out?

6 THE VIDEOGRAPHER: Yes.

7 And the time is 5:17. We're  
8 going off the record. This is the  
9 end of Disc Number 3, going on to  
10 Disc Number 4.

11 (Whereupon, a discussion was  
12 held off the record.)

13 THE VIDEOGRAPHER: The time is  
14 5:19 p.m. This is the beginning of  
15 Disc Number 4 in the deposition of  
16 Rinat Akhmetshin.

17 BY MR. COHEN:

18 Q. Did you share with Mr. Patten  
19 that your efforts and Mr. Zalmayev's efforts  
20 with regard to Mr. Egiazaryan were being  
21 financed by Mr. Vavilov?

22 MR. SPERDUTO: Before you  
23 answer that, Rinat, let me just note  
24 for the record that my copy, at  
25 least, of Exhibit 194 seems to be

1 RINAT R. AKHMETSHIN

2 just a part of the e-mail string.

3 And it appears at the very bottom of  
4 the page bearing Bates Number 22 that  
5 there's further e-mail -- at least  
6 one further e-mail involved in the  
7 chain that we don't have before us.

8 MR. COHEN: I -- I believe this  
9 is how it was produced to us, but  
10 we'll double -- do a double check on  
11 that.

12 BY MR. COHEN:

13 Q. You can answer the --

14 A. So can you --

15 Q. -- earlier question.

16 A. -- please repeat the question?

17 I'm sorry.

18 Q. Yes.

19 Did you share with Mr. Patten  
20 that Mr. Vavilov was financing your efforts  
21 against Mr. Egiazaryan?

22 A. I believe I did, yes.

23 Q. Who else did you share that  
24 information with, other than Mr. Patten and  
25 Mr. Zalmayev?

1 RINAT R. AKHMETSHIN

2 A. I think the people I met with,  
3 yes. Some -- some of the people, yes.

4 Q. Do you recall specifically any  
5 other individuals who you told that  
6 Mr. Val- -- Valvi- --

7 A. Vavilov.

8 Q. -- Vavilov is financing the  
9 campaign against Mr. Egiazaryan?

10 A. I don't think people really asked  
11 me about it. But if people asked, I -- I did  
12 volunteer this information.

13 Q. Did you volunteer that  
14 information to journalists?

15 A. I did. I did, yes.

16 Q. To which journal did you -- to  
17 which journalists?

18 A. I think that my contact in  
19 New York Times is aware of, because I have  
20 done other stories about Mr. Vavilov with  
21 New York Times. So they know that I am  
22 Mr. Vavilov's relationship.

23 Q. Who is that contact at  
24 New York Times?

25 A. Mr. Kramer. He writes about

1 RINAT R. AKHMETSHIN

2 business issues there. Andrew Kramer, not  
3 David Kramer.

4 Q. Well, then Andrew Kramer,  
5 Mr. Zalmayev and Mr. Patten.

6 Is there anyone else who you can  
7 recall you shared the info- -- shared --  
8 strike that.

9 Did you provide information  
10 regarding who was financing your efforts  
11 regarding Ashot Egiazaryan to anyone else?

12 A. I should've -- if -- if I was  
13 asked, I -- I most definitely did.

14 Q. Do you recall any other  
15 individuals who you can specifically recall  
16 sharing that information with?

17 A. Maybe the guy at the RFE/RL,  
18 Mr. Krastev. He might have known this thing,  
19 because I have known him for many years, and  
20 he knows that I do work for Mr. Vavilov, yes.

21 I do not remember, sir, but when  
22 people -- when this question came up -- and I  
23 must say it hasn't come up often, because the  
24 whole -- the value of our message was so  
25 powerful and convincing that people -- people

1 RINAT R. AKHMETSHIN

2 really did not ask about it.

3 Q. It would be -- did -- be of  
4 interest to people who you were sharing  
5 information with that you were a paid  
6 advocate?

7 A. I'm sure they were aware of this,  
8 yes, sir. I never was a activist.

9 Q. That would be something that  
10 would be important for people to know?

11 A. Of course, they did know that  
12 it's -- it's an effort, a paid effort.

13 Q. Did you have any personal  
14 communications with anyone at the UJC?

15 A. What was it? I'm sorry.

16 Q. Do you have any pers- --  
17 communications with anyone at the UJC?

18 A. What does it stand for? I'm  
19 sorry.

20 Q. United Jewish Committee?

21 A. No, I do not know anyone there.

22 Q. American Jewish Committee, I'm  
23 sorry. The AJC.

24 A. AJC.

25 No. I know Mr. Zalmayev, he's a

1 RINAT R. AKHMETSHIN

2 member of AJC. But other than him, I do not  
3 know anyone there.

4 Q. Do you know Sam Kliger?

5 A. I might have heard the name.

6 Q. Did you ever have any  
7 communications with him regarding  
8 Ashot Egiazaryan?

9 A. I have not.

10 Q. Do you know Lesley -- do you  
11 know who Lesley Weiss is?

12 A. I heard the name.

13 Q. Are you not familiar with the  
14 organization the NCSJ?

15 A. I -- I did know their  
16 organization, yes. I know their  
17 organization.

18 Q. Formerly known as the National  
19 Council for Soviet --

20 A. Soviet --

21 Q. -- Jewry?

22 A. -- Jewry, correct, yes.

23 Q. And have you ever spoken to  
24 Lesley Weiss from that organization?

25 A. I have never spoken to her.



1 RINAT R. AKHMETSHIN

2 Q. Have you ever spoken with  
3 Mark Levin from that organization?

4 A. I met Mr. Levin probably 10 years  
5 ago, but I never approached him on this  
6 Egiazaryan matter.

7 I knew people in that  
8 organization.

9 Q. Do you know if Lev Ponomarev or  
10 Lyudmila Alexeyeva knew of Mr. Zalmayev's  
11 association with Mr. Vavilov?

12 MR. SPERDUTO: Objection;  
13 capacity.

14 THE WITNESS: I -- I do not  
15 know, sir.

16 MR. COHEN: I'm going to mark  
17 as Exhibit 195 a copy of a document  
18 with the Bates Number PZ3523.

19 - - -

20 (Whereupon, an e-mail string  
21 was marked, for identification  
22 purposes, as Deposition Exhibit  
23 Number 195.)

24 - - -

25

1 RINAT R. AKHMETSHIN

2 BY MR. COHEN:

3 Q. Do you know who Kyle Parker is?

4 A. I heard the name.

5 Q. Have you spoken with Kyle Parker  
6 regarding Ashot Egiazaryan?

7 A. I did not. I do not recall.

8 Q. And what do you understand  
9 Kyle Parker's role to be?

10 A. I think he's -- has committee --  
11 this is Commission on Security and  
12 Cooperation in Europe. And I've done -- I've  
13 done work with that committee in the past on  
14 Central Asian matters.

15 But I think he's their Russia  
16 person, the person who -- I mean, has  
17 portfolio of Monaco and Russian affairs.

18 Q. Do you see, on the second e-mail  
19 down from Peter to -- Peter Zalmayev to  
20 Kyle Parker, it says, It appears that the  
21 asylum is a fait accompli?

22 MR. SPERDUTO: Excuse me. I'm  
23 sorry. Hold on.

24 Thank you.

25 THE WITNESS: Yes, I see it,

1 RINAT R. AKHMETSHIN

2 sir.

3 Yes, sir.

4 MR. SPERDUTO: Wait for a  
5 question.

6 BY MR. COHEN:

7 Q. Did Mr. Zalmayev ever tell you  
8 that?

9 A. The fact that it's a fait  
10 accompli?

11 Q. Yeah.

12 A. I do not recall, sir.

13 Q. Did you ever tell Mr. Zalmayev  
14 that it's a fait accompli?

15 A. I do not remember saying that,  
16 sir. It's a fancy term of the phrase.

17 Q. Putting aside the phrase, did  
18 you ever notify Mr. Zalmayev that you have  
19 heard or understand that the -- that the  
20 asylum is complete?

21 A. I did not, sir.

22 MR. SPERDUTO: Objection.

23 THE WITNESS: I do not  
24 remember. It's more metaphorical --  
25 appears to me like more as a metaphor

1 RINAT R. AKHMETSHIN

2 rather than a statement of fact.

3 BY MR. COHEN:

4 Q. Did you ever advise

5 Mr. Akhmetshin to keep -- make sure to keep

6 all his e-mail records?

7 MR. SPERDUTO: Form --

8 objection to form.

9 THE WITNESS: I'm

10 Mr. Akhmetshin.

11 BY MR. COHEN:

12 Q. I'm sorry.

13 MR. GOLDEN: I was going to say

14 you misspoke.

15 MR. COHEN: I did, thank you.

16 BY MR. COHEN:

17 Q. Did you ever suggest to

18 Mr. Zalmayev that he make sure to keep all

19 of his e-mail records?

20 A. I do not remember, sir.

21 Q. I want to show you what will be

22 marked as Exhibit 196, which is a document

23 with the Bates Number PZ3784.

24 - - -

25 (Whereupon, an e-mail string

1 RINAT R. AKHMETSHIN  
2 was marked, for identification  
3 purposes, as Deposition Exhibit  
4 Number 196.)

5 - - -

6 THE WITNESS: Thank you.

7 BY MR. COHEN:

8 Q. Did you prepare this e-mail?

9 A. It looks like it's e-mail from  
10 me.

11 MR. SPERDUTO: Just for the  
12 record, there's a string of e-mails  
13 here.

14 THE WITNESS: Let me read this  
15 whole through thing.

16 (Whereupon, the witness reviews  
17 the document.)

18 MR. SPERDUTO: Which -- which  
19 one are you referring to, sir?

20 MR. COHEN: The -- the one on  
21 the top.

22 THE WITNESS: Yes, I -- it does  
23 appear that I suggested Mr. Zalmayev  
24 keeps all his e-mail records.

25

1 RINAT R. AKHMETSHIN

2 BY MR. COHEN:

3 Q. And why did you suggest that?

4 A. I think that, you know, it was  
5 always good to just for the cases --  
6 occasions like this, so at least someone has  
7 this institutional memory -- so he has an  
8 institutional memory on this matter.

9 Q. Why don't you follow you -- for  
10 yourself your advice to Mr. Zalmayev?

11 A. Because Mr. Zalmayev is paid to  
12 do that, so there's no need to replicate the  
13 effort.

14 Q. You have some e-mails that would  
15 not be in Mr. Zalmayev's possession?

16 A. I doubt that it would be anything  
17 which is of relevance to this case would be  
18 in his possession -- will not be in  
19 Mr. Zalmayev's possession.

20 It's good advice I gave him.

21 Q. You can't say for certain that  
22 you don't have anything that Mr. Zalmayev --

23 A. I --

24 Q. -- would have -- would have?

25 A. -- cannot answer that question,

1 RINAT R. AKHMETSHIN

2 sir. I cannot state with certainty.

3 Q. You can't say with certainty,  
4 one way or another, on whether there was an  
5 e-mail in your position that was deleted and  
6 no longer exists that was not in  
7 Mr. Zalmayev's possession; is that correct?

8 A. I think everything which was  
9 relevant to this public education campaign  
10 was always circulated to Mr. Zalmayev, to the  
11 best of my effort and the best of my  
12 knowledge.

13 MR. COHEN: Let me ask the  
14 court reporter to mark a document  
15 with the Bates Number PZ2910 -- what  
16 number are we up to?

17 THE COURT REPORTER: 197.

18 MR. COHEN: -- as 197.

19 - - -

20 (Whereupon, an e-mail was  
21 marked, for identification purposes, as  
22 Deposition Exhibit Number 197.)

23 - - -

24 THE WITNESS: Thank you. Thank  
25 you.

1 RINAT R. AKHMETSHIN

2 BY MR. COHEN:

3 Q. Have you seen this document  
4 before?

5 A. I -- I must have, yes.

6 Q. It's an e-mail from you to  
7 Mr. Zalmayev; is that correct?

8 A. I think it's -- appears the other  
9 way --

10 MR. SPERDUTO: It's not --

11 THE WITNESS: -- from

12 Mr. Zalmayev to me.

13 MR. SPERDUTO: I'm sorry.

14 BY MR. COHEN:

15 Q. And it's dated April 21, 2011?

16 A. I think it's -- appears the  
17 opposite, Mr. Zalmayev's communication to me.

18 Q. Yeah. Okay.

19 It's from -- okay.

20 And he says, We need to explore  
21 as soon as possible that Google option you  
22 mentioned?

23 A. Yes.

24 Q. What was the Google option that  
25 you mentioned?



1 RINAT R. AKHMETSHIN

2 A. Mr. Zalmayev was concerned that  
3 there are a lot of these smear information  
4 about him was posted on search engines. And  
5 it was done effectively, artificially.

6 And I suggest to him this company  
7 which pretty much could have eliminated this  
8 effect.

9 Because I -- I don't know if  
10 you're aware there are ways of writing,  
11 bringing up piece of something and then down.

12 Q. And do you engage in efforts to  
13 bring down Web sites or Internet information  
14 that might be perceived as favorable to  
15 Mr. Egiazaryan?

16 MR. SPERDUTO: Objection to the  
17 form, "bring down."

18 Go ahead.

19 THE WITNESS: I do not remember  
20 anything about Mr. Egiazaryan, but I  
21 do remember the effort on behalf of  
22 Mr. Zalmayev.

23 BY MR. COHEN:

24 Q. You said you were -- you think  
25 it was very unlikely that anything that you

1 RINAT R. AKHMETSHIN

2 had sent out would not have been copied to

3 Mr. Zalmayev; is that correct?

4 MR. SPERDUTO: I'm not --

5 object; mischaracterizes prior

6 testimony.

7 BY MR. COHEN:

8 Q. You can answer.

9 A. Yeah. Could you please rephrase  
10 it? I'm not sure what you mean.

11 Q. Was it your testimony from a few  
12 minutes ago that it's unlikely that there  
13 would be any relevant e-mails that you had  
14 prepared and sent that would not have been  
15 copied to Mr. Zalmayev?

16 MR. SPERDUTO: I don't think  
17 that's what he said. I -- I don't  
18 think that's a fair characterization  
19 of what he said --

20 THE WITNESS: Could you read  
21 back?

22 MR. COHEN: -- you know, the  
23 record is the record, so we can go  
24 back and look at it.

25 THE WITNESS: Could you please

1 RINAT R. AKHMETSHIN

2 read --

3 BY MR. COHEN:

4 Q. Yes.

5 A. -- what I said? Because I would  
6 like to be --

7 MR. COHEN: Can you go --

8 THE WITNESS: -- sure --

9 MR. COHEN: -- back and find  
10 that a few questions ago?

11 THE COURT REPORTER: You may  
12 want to go off the record first,  
13 because --

14 MR. LUPKIN: I -- I -- I have  
15 it. I have it.

16 "Question: You can't  
17 say with certainty, one way or  
18 another, whether there was an  
19 e-mail in your possession that was  
20 not deleted and no longer exists  
21 that was not in Mr. Zalmayev's  
22 possession; is that correct?

23 "Answer: I think  
24 everything which was relevant to  
25 this public education campaign was

1 RINAT R. AKHMETSHIN

2 always circulated to Mr. Zalmayev,  
3 to the best of my effort and the  
4 best of my knowledge."

5 MR. SPERDUTO: Is there a  
6 question --

7 BY MR. COHEN:

8 Q. Is that your testimony?

9 MR. SPERDUTO: Yeah, of course  
10 that's his testimony, but the -- the  
11 new question had -- was limited to  
12 stuff that he prepared. That's why  
13 it's not the same question.

14 THE WITNESS: I could repeat  
15 the same answer. I think --

16 BY MR. COHEN:

17 Q. Yes, repeat the same answer.

18 A. -- I think that I do believe  
19 if -- the best of my knowledge and best of my  
20 effort, everything which is -- which was  
21 relevant to this public education, public  
22 awareness campaign, Mr. Zalmayev has received  
23 every communication on that campaign.

24 Q. And did he receive it some way  
25 other than being copied by an e-mail?

1 RINAT R. AKHMETSHIN

2 MR. SPERDUTO: Objection to the

3 form --

4 THE WITNESS: I --

5 MR. SPERDUTO: -- capacity.

6 THE WITNESS: -- do not  
7 remember, sir. I do not know.

8 BY MR. COHEN:

9 Q. Did you print out copies of  
10 e-mails that you sent to other people and  
11 hand them to Mr. Zalmayev?

12 A. I do not recall that, sir.

13 Q. You would not have done that,  
14 would you?

15 A. I would -- I do not even have a  
16 printer, so --

17 Q. Okay. So then you know you  
18 didn't do that?

19 A. It would be hard to do.

20 But if it happened -- it might  
21 have happened -- he should have them and he  
22 should have produced them.

23 Q. Well, let's turn to Exhibit 177,  
24 please.

25 MR. SPERDUTO: I'm sorry.

1 RINAT R. AKHMETSHIN

2 Which one?

3 MR. COHEN: 177.

4 THE WITNESS: This is 196, 177.

5 BY MR. COHEN:

6 Q. That's PSI2227. This is  
7 attorney's only again.

8 A. I see that, sir, yes.

9 Q. Okay. And this is an e-mail  
10 from you to a group of people; is that  
11 correct?

12 A. Yes, sir.

13 Q. And relates to Ashot Egiazaryan;  
14 is that correct?

15 A. It does refer to Mr. Egiazaryan  
16 and to the article of -- AP article, yes.

17 Q. And Mr. Zalmayev is not copied  
18 on this, is he?

19 A. But he did receive this -- he did  
20 receive this e-mail, I think, because there  
21 is -- his information is there.

22 Q. He received -- he sent an e-mail  
23 below that you forwarded; is that correct?

24 A. Yes, correct, yes.

25 Q. But the e-mail that you

1 RINAT R. AKHMETSHIN

2 forwarded to Paul Butler, Blee Richard,  
3 Jeff -- Richard Blee, Jeff Eller,  
4 Eliot Lauer and Sarah Hale, Mr. Zalmayev is  
5 not copied on that?

6 A. I think that this probably was  
7 not relevant because it was his e-mail.

8 THE COURT REPORTER: I'm sorry?

9 THE WITNESS: Yeah. I -- I do  
10 not believe -- it might have bcc'd --  
11 been bcc'd to him.

12 BY MR. COHEN:

13 Q. But you don't know one way or  
14 the other?

15 A. I do not know one way or another,  
16 sir.

17 Q. You would have kept his -- his  
18 presence a secret?

19 MR. SPERDUTO: Objection.

20 THE WITNESS: I'm sorry? He  
21 would have --

22 BY MR. COHEN:

23 Q. You would have -- strike that.

24 You don't have any reason to  
25 believe that Mr. Zalmayev was copied on this

1 RINAT R. AKHMETSHIN

2 e-mail of February 5th, 2011, do you?

3 MR. SPERDUTO: Mr. Zalmayev  
4 wrote the e-mail dated February 5th,  
5 2011.

6 MR. COHEN: No. It says -- if  
7 you look at the top e-mail --

8 MR. SPERDUTO: I'm talking --

9 MR. COHEN: -- it says --

10 MR. SPERDUTO: -- about the  
11 next e-mail --

12 MR. COHEN: Well, you know I'm  
13 not talking about that.

14 MR. SPERDUTO: Well, I'm not.  
15 You -- you're talking about the  
16 February 5th, 2011 e-mail.

17 MR. COHEN: I -- I listed the  
18 names of the people who the e-mail  
19 was to, so you know that's the e-mail  
20 I was talking about.

21 BY MR. COHEN:

22 Q. So it's from Mr. Akhmetshin --

23 A. It might have not been --

24 Q. -- to Paul Butler and others.

25 That's the e-mail I'm --



1 RINAT R. AKHMETSHIN

2 A. Yes.

3 Q. -- talking about.

4 A. But I don't think he -- it was  
5 irrelevant to Mr. Zalmayev because it was his  
6 e-mails. So there's nothing new here for  
7 Mr. Zalmayev's knowledge.

8 Q. But the update to Paul Butler --  
9 there's a long paragraph which includes an  
10 update to Paul Butler that you didn't copy  
11 Mr. Zalmayev on; is that correct?

12 A. I might have not.

13 Q. Because you thought it was not  
14 relevant?

15 A. It probably was not relevant  
16 because it was his -- his e-mail. So he  
17 didn't need to receive it --

18 Q. All right --

19 A. -- a second time.

20 Q. -- let's turn to Exhibit 178.

21 That's an e-mail from  
22 Rinat Akhmetshin to Greg Hitt; is that  
23 correct?

24 A. Correct, sir.

25 Q. And Mr. Zalmayev is not copied

1 RINAT R. AKHMETSHIN

2 on that; is that correct?

3 A. It does not appear he was copied  
4 on this e-mail.

5 Q. And this is a draft of an op-ed  
6 piece; is that correct?

7 A. It is correct, sir, yes. It does  
8 appear that way.

9 Q. And it relates to  
10 Ashot Egiazaryan; is that correct?

11 A. That's correct.

12 Q. And -- and I call your attention  
13 to Exhibit 179.

14 MR. SPERDUTO: Are we going to  
15 go --

16 THE WITNESS: I just answered  
17 that question, sir.

18 MR. SPERDUTO: -- all the way  
19 back through these? I mean -- you  
20 know, Counsel, you know, if we  
21 haven't got to seven hours, we're  
22 getting close to it. I'm not sure --

23 MR. COHEN: Just a couple more.

24 MR. SPERDUTO: -- what's the  
25 time, so -- say it again.

1 RINAT R. AKHMETSHIN

2 THE WITNESS: Yes, I see it,

3 sir, yes.

4 BY MR. COHEN:

5 Q. Okay. And was this e-mail sent  
6 to Mr. Zalmayev?

7 A. I couldn't say with certainty,  
8 sir --

9 Q. You --

10 A. -- there's no recipients on this  
11 e-mail --

12 Q. -- but you can't say one way --

13 A. -- I cannot say --

14 Q. -- or the other; is that  
15 correct?

16 A. -- I cannot say because there's  
17 no recipients.

18 Q. Okay. Just call -- call your  
19 attention to Exhibit 180.

20 MR. SPERDUTO: The last  
21 question was about 179?

22 MR. COHEN: Yes.

23 THE VIDEOGRAPHER: I'm sorry.

24 Could I ask the witness to take  
25 the --

1 RINAT R. AKHMETSHIN

2 THE WITNESS: So sorry --

3 THE VIDEOGRAPHER: -- papers  
4 off the mic?

5 THE WITNESS: -- excuse me.

6 Yes. Sorry.

7 BY MR. COHEN:

8 Q. One -- was 180 sent to  
9 Mr. Zalmayev?

10 A. I think I did receive that e-mail  
11 from Mr. Zalmayev. So, therefore, there's no  
12 need --

13 Q. Was 180 sent to Mr. Zalmayev?

14 A. I think it was received from  
15 Mr. Zalmayev.

16 Q. I'm asking whether it was sent  
17 to Mr. Zalmayev.

18 A. I couldn't say with certainty --

19 Q. Okay.

20 A. -- it might have been bcc'd to  
21 him.

22 Q. Okay. Was 181 sent to  
23 Mr. Zalmayev?

24 A. I'm not sure, sir.

25 Q. Okay. Was 182 sent to

1 RINAT R. AKHMETSHIN

2 Mr. Zalmayev?

3 A. I'm not sure.

4 Q. Was 183 sent to Mr. Zalmayev?

5 A. It might have been. I do not --  
6 I cannot say with certainty, sir.

7 Q. On all the e-mails in which you  
8 say you're not sure if it was sent to him,  
9 it doesn't appear on the document that it  
10 was sent to him; is that correct?

11 A. A lot of those e-mails were  
12 e-mails from Mr. Zalmayev which I forwarded  
13 to those people.

14 Q. But I'm asking you a question --

15 A. Yes, sir.

16 Q. -- which is, does Mr. Zalmayev's  
17 name appear on any of the e-mails we just  
18 discussed?

19 A. It does not appear here, but it  
20 might appear in bcc. I cannot --

21 Q. But you don't know --

22 A. -- say with certainty, sir.

23 Q. -- you don't know for sure?

24 A. I cannot say for certain, sir.

25 If -- if it was relevant, it

1 RINAT R. AKHMETSHIN

2 might have been, but, you know,  
3 articles which -- stuff which I get from him,  
4 there's absolutely no reason for him to  
5 receive it a second time from me back.

6 Q. I'm going to show you a document  
7 bearing Bates Number 1287, which we'll mark  
8 as Exhibit 198.

9 - - -

10 (Whereupon, April-May Progress  
11 Report was marked, for identification  
12 purposes, as Deposition Exhibit  
13 Number 198.)

14 - - -

15 THE WITNESS: Thank you.

16 BY MR. COHEN:

17 Q. Have you seen this document  
18 before?

19 A. Let me read it, please.

20 (Whereupon, the witness reviews  
21 the document.)

22 THE WITNESS: I believe I've  
23 seen this document before, sir.

24 BY MR. COHEN:

25 Q. Who drafted this document?

1 RINAT R. AKHMETSHIN

2 A. I think it's from Mr. Zalmayev.

3 Q. Why do you believe that?

4 A. Because I think that I did not  
5 draft it, and I think I did receive it -- if  
6 my recollection is correct, I have received  
7 this from him.

8 Q. Who -- who was this a report to?

9 A. It might have been to Mr. Vavilov  
10 or to me or both -- both of us.

11 Q. Did you send regular reports to  
12 Mr. Vavilov?

13 MR. SPERDUTO: I'm sorry. I'm  
14 sorry. I'm sorry.

15 Did who send regular reports?

16 BY MR. COHEN:

17 Q. You or Mr. Zalmayev?

18 MR. SPERDUTO: Thank you.

19 THE WITNESS: I did communicate  
20 with Mr. Vavilov.

21 BY MR. COHEN:

22 Q. Did you communicate by written  
23 report with him?

24 A. This might have been -- it's out  
25 of usual, I would say, but it might have

1 RINAT R. AKHMETSHIN

2 been, yes -- I think it might have been -- he  
3 might have received this e-mail. But at  
4 least he was aware of the substance.

5 Q. And do you know for certain who  
6 drafted this?

7 A. It wasn't me, for certain.

8 Q. Okay.

9 MR. COHEN: I'm going to ask  
10 the court reporter to mark as  
11 Exhibit 199 a document bearing  
12 Bates Number PZ992.

13 - - -

14 (Whereupon, progress report  
15 was marked, for identification  
16 purposes, as Deposition Exhibit  
17 Number 199.)

18 - - -

19 BY MR. COHEN:

20 Q. Is that the same one?

21 Have you seen this before?

22 A. I might've, yes.

23 Q. Did you draft it?

24 A. I did not.

25 Q. Do you know who drafted it?



1 RINAT R. AKHMETSHIN

2 A. I can't say with certainty. It  
3 wasn't me.

4 Q. Do you know who it was prepared  
5 for?

6 A. I couldn't say with certainty,  
7 sir. It has -- it doesn't have any markings.

8 Q. I'm going to show you what's  
9 going to be marked as Exhibit 200, which is  
10 document Bates Number PZ1459.

11 - - -

12 (Whereupon, a [REDACTED] Bank  
13 transaction was marked, for  
14 identification purposes, as Deposition  
15 Exhibit Number 200.)

16 - - -

17 THE WITNESS: Thank you.

18 MR. GOLDEN: I couldn't read it  
19 so I put my glasses on, but that  
20 didn't help.

21 MR. LUPKIN: Those are some  
22 fancy glasses.

23 MR. GOLDEN: It's in Russian.

24 MR. COHEN: Soon they'll have  
25 those.

1 RINAT R. AKHMETSHIN

2 BY MR. COHEN:

3 Q. Have you seen this document  
4 before?

5 A. I do not remember, sir.

6 Q. Does Mr. Vavilov speak English?

7 A. He does.

8 Q. Does he read English?

9 A. Excuse me?

10 Q. He reads English?

11 A. Oh, he does.

12 Q. And he's relatively fluent in  
13 English?

14 A. I would say so, yes.

15 Q. Okay. What -- what is -- what  
16 is this document?

17 A. This is -- it appears -- it  
18 appears it's a summary of a [REDACTED] Bank  
19 transaction with AE -- someone called AE.

20 Q. Do you know who prepared this  
21 document?

22 A. I cannot say, sir. I do not  
23 know.

24 Q. Have you seen Mr. Zalmayev  
25 prepare documents in Russian for this --

1 RINAT R. AKHMETSHIN

2 A. He pre- --

3 Q. -- with regard to

4 Mr. Egiazaryan?

5 A. -- he did prepare Russian  
6 documents, correct.

7 Q. What Russian documents did he  
8 prepare with regard to Mr. Egiazaryan?

9 A. If I'm correct, I think that he  
10 communicated in Russian with some of the  
11 people in Russia. But I'm not sure about  
12 this particular one.

13 It's very specific.

14 Q. I'm going to show you a document  
15 we're going to mark as Exhibit 201. It  
16 bears Bates Number PZ1302.

17 - - -

18 (Whereupon, a letter was  
19 marked, for identification purposes, as  
20 Deposition Exhibit Number 201.)

21 - - -

22 THE WITNESS: Thank you.

23 BY MR. COHEN:

24 Have you seen this --

25 MR. COHEN: You ready?

1 RINAT R. AKHMETSHIN

2 BY MR. COHEN:

3 Q. -- have you seen this document  
4 before?

5 A. I'm not sure I have.

6 Q. Do you know who the Joel is  
7 referenced in the document?

8 A. I do not know, sir.

9 Q. Do you know who prepared this  
10 document?

11 A. I do not know, sir. Services by  
12 BDSM prostitutes. That's interesting.

13 Q. Do you see that it says, We  
14 think it would be a better approach to get  
15 AE as he leaves the house. We are working  
16 with people from his entourage who are  
17 telling us that a face-to-face encounter  
18 (with or without his lawyers) could be  
19 arranged somewhere in L.A. Possibly a  
20 photo-op?

21 Do you see that?

22 A. I do see this sentence, sir, yes.

23 Q. And do you know who -- who the  
24 people from his entourage are who is being  
25 referred to there?

1 RINAT R. AKHMETSHIN

2 MR. SPERDUTO: Objection to the  
3 form.

4 THE WITNESS: Can I answer  
5 this?

6 MR. SPERDUTO: I'm -- I'm not  
7 sure just --

8 BY MR. COHEN:

9 Q. Who -- who is being referred to  
10 in the sentence when it refers to We are  
11 working with people --

12 MR. SPERDUTO: Have --

13 BY MR. COHEN:

14 Q. -- from his entourage?

15 MR. SPERDUTO: -- have we  
16 established who the author of this  
17 is?

18 THE WITNESS: I have no idea --

19 MR. COHEN: He says he doesn't  
20 know.

21 THE WITNESS: -- so how would  
22 I --

23 BY MR. COHEN:

24 Q. Well, are --

25 A. -- how do I say --

1 RINAT R. AKHMETSHIN

2 Q. -- you familiar with any efforts  
3 by Mr. Zalmayev or anybody on your team to  
4 suggest that someone approach Mr. Egiazaryan  
5 as he leaves his house?

6 A. I'm not sure whether we have ever  
7 focused on Mr. Egiazaryan as this physical  
8 person. We are focusing on his track record.

9 So I would be surprised that --  
10 if anything like that came from us.

11 Q. If -- if -- did -- somebody had  
12 arranged for someone to follow or approach  
13 Mr. Egiazaryan, you think that would be  
14 inappropriate?

15 MR. SPERDUTO: Object --  
16 objection to the form. It's a  
17 hypothetical. And you're asking him  
18 questions about documents by an  
19 author he doesn't know and asking if  
20 the author's motivations are -- the  
21 author he doesn't know is speculating  
22 correctly?

23 I -- I mean, this is getting  
24 pretty far afield.

25 THE WITNESS: I'm sorry, sir, I

1 RINAT R. AKHMETSHIN

2 cannot answer this question. I

3 have --

4 BY MR. COHEN:

5 Q. Are you familiar --

6 A. -- absolutely --

7 Q. -- with the circumstances

8 described in this -- in this e-mail?

9 MR. SPERDUTO: Which ones? The

10 BDSM --

11 MR. COHEN: The -- the --

12 MR. SPERDUTO: --

13 prostitutes --

14 MR. COHEN: -- the approach --

15 MR. SPERDUTO: -- the sex

16 shop --

17 THE WITNESS: I heard --

18 MR. SPERDUTO: -- the PR men?

19 THE WITNESS: -- I heard about

20 sex shops from many people in Russia,

21 that he likes to engage prostitutes.

22 And I think that, in the past, he has

23 engaged prostitutes and videotaped

24 encounters with them, Mr. Egiazaryan,

25 your client.

1 RINAT R. AKHMETSHIN

2 But I am not aware of neither

3 of these --

4 BY MR. COHEN:

5 Q. Is that the kind of research  
6 that you've been involved with as -- as --  
7 looking into his personal practices?

8 A. It has been reported widely in  
9 Russia. It goes down for this Russian  
10 prosecutor general, Mr. Egiazaryan's, I mean,  
11 penchant for prostitutes --

12 Q. The --

13 A. -- it's a well-known fact, sir.

14 Q. -- that you were engaged in --  
15 are you aware of Mr. Zalmayev engaging in  
16 any harassment or approaching Mr. Egiazaryan  
17 as he leaves his house?

18 MR. SPERDUTO: Objection to the  
19 form --

20 THE WITNESS: I have --

21 MR. SPERDUTO: -- totally  
22 without foundation --

23 THE WITNESS: I have  
24 absolutely --

25 MR. SPERDUTO: -- no foundation



1 RINAT R. AKHMETSHIN

2 for that question whatsoever.

3 THE WITNESS: I'm not aware of  
4 any such efforts, sir.

5 MR. GOLDEN: Jason, can we go  
6 off the record a second?

7 MR. COHEN: Yes.

8 MR. GOLDEN: I have --

9 THE VIDEOGRAPHER: Hold on.  
10 The time is 5:57. We're going  
11 off the record.

12 (Whereupon, a discussion was  
13 held off the record.)

14 THE VIDEOGRAPHER: The time is  
15 6:12 p.m. We are back on the record.

16 MR. COHEN: I'll ask the court  
17 reporter to mark as Exhibit 202 a  
18 copy of a document from  
19 Rinat Akhmetshin to -- or an e-mail  
20 from Rinat Akhmetshin to  
21 Peter Zalmayev.

22 - - -

23 (Whereupon, an e-mail with  
24 attachment was marked, for  
25 identification purposes, as Deposition

1 RINAT R. AKHMETSHIN

2 Exhibit Number 202.)

3 - - -

4 BY MR. COHEN:

5 Q. Have you seen this document  
6 before?

7 A. I have, sir, yes.

8 Q. Did you send this e-mail to  
9 Peter Zalmayev on May 24th, 2011?

10 A. It does -- it does appear that  
11 way, yes, sir.

12 Q. What was the purpose of this  
13 e-mail?

14 A. It's actually a summary of  
15 Russian media publications about  
16 Mr. Egiazaryan.

17 Q. Why was it prepared?

18 A. Because we wanted to make sure  
19 that we are covering comprehensively this --  
20 Mr. Egiazaryan's track record.

21 Q. And -- and how -- who -- did you  
22 contract someone --

23 A. I did.

24 Q. -- to do some research for you?

25 A. Yeah, I did, sir, yes.

1 RINAT R. AKHMETSHIN

2 Q. Who did you contract?

3 A. There's someone in Russia, just I  
4 don't remember now. I -- I should go back,  
5 but that's someone who was recommended to me  
6 and that -- I think it's an organization,  
7 some media organization, and -- but I did pay  
8 for it.

9 Q. How much did you pay?

10 A. I think, like, \$3,000.

11 Q. And it's supposed to be a  
12 comprehensive survey of research regarding  
13 Mr. Egiazaryan?

14 A. I think so. There should be some  
15 methodology how this research was conducted.

16 There it says, neutral, positive,  
17 negative.

18 Q. Did you read this entire  
19 document?

20 A. Not exactly, to be honest.

21 Q. Were you made aware by this  
22 document of any anti-Semitic or  
23 anti-American statements by Mr. Egiazaryan  
24 or attributed to him?

25 A. I think there's something here

1 RINAT R. AKHMETSHIN

2 with him. There might have been.

3 I -- I do not -- to be honest,  
4 it's been a long time since I got this. I  
5 can --

6 MR. SPERDUTO: You're not  
7 asking him to read this --

8 MR. COHEN: No, I'm not. I'm  
9 asking him if he recalls any specific  
10 anti-Semitic or anti-American  
11 statements made by Mr. Egiazaryan or  
12 attributed to him --

13 THE WITNESS: I think --

14 MR. COHEN: -- on this  
15 document.

16 THE WITNESS: -- there's  
17 something about anti-Semitic stuff.  
18 It says that Ashot Egiazaryan in  
19 Russian media history of scandals.

20 So --

21 BY MR. COHEN:

22 Q. I'm sorry. I didn't hear the  
23 answer.

24 A. It's -- I -- I -- I do not  
25 remember, sir. I could -- if you want me to,

1 RINAT R. AKHMETSHIN

2 I could review this document.

3 Q. No.

4 A. But I'm sure there was some stuff  
5 here about anti-Semitism.

6 Q. And -- and this is exclusively  
7 from newspaper articles; is that correct?

8 A. It says smee (phonetic). Smee in  
9 Russia is like media, so it could be articles  
10 and online newspapers.

11 Q. It could be blogs?

12 A. I think that at that time, it  
13 could have been, yes. I'm not sure.

14 So there are a lot of articles  
15 here from Novaya Gazeta. Everything is in  
16 the public record. Let's put it that way.

17 Q. And if you had a specific  
18 statement of an anti-Semitic or  
19 anti-America -- a specific instance of an  
20 anti-American or anti-Semitic statement, you  
21 would have used it in your educational  
22 efforts; is that correct?

23 A. I think we had enough for  
24 education efforts, sir.

25 Q. Do you recall ever notifying any

1 RINAT R. AKHMETSHIN

2 journalist or anybody of any specific  
3 anti-American or anti-Semitic statements by  
4 Mr. Egiazaryan?

5 A. His presence on the party list of  
6 LDPR was enough reason for us, sir --

7 Q. And that was --

8 A. -- I -- there might have been  
9 some articles. I do not recall, sir.

10 Q. You don't recall, one way or  
11 another, whether there was any articles of  
12 anything other than an -- an -- an alleged  
13 affiliation with the LDPR --

14 MR. SPERDUTO: Well, Jason --

15 BY MR. COHEN:

16 Q. -- is that correct?

17 MR. SPERDUTO: -- just -- just  
18 a minute, please.

19 You're asking him about a  
20 document that has 28 pages. It's  
21 over -- what's that? -- seven or  
22 eight months old.

23 And you're asking him if he can  
24 recall what's in the document or is  
25 it in the document?

1 RINAT R. AKHMETSHIN

2 Flip through and see if you  
3 find anything.

4 THE WITNESS: There's this  
5 whole Chapter 14. It's about  
6 anti-Semitic links of the LDPR.

7 BY MR. COHEN:

8 Q. All right. The last question  
9 that I asked was, if you had any specific  
10 instance of an anti-American or anti-Semitic  
11 statement, you would have included that in  
12 -- in writing; is that correct?

13 MR. SPERDUTO: Hypothetical;  
14 improper.

15 THE WITNESS: I think we  
16 included what we knew for the best of  
17 our knowledge, sir.

18 BY MR. COHEN:

19 Q. You included what you knew from  
20 the best of your knowledge; is that correct?

21 A. I think whatever was  
22 communicated, that was the stuff which was  
23 based on due diligence. And if we have  
24 referred to something, it has -- it must have  
25 been sourced to something. That's -- that's



1 RINAT R. AKHMETSHIN

2 a fair thing to say. So we try to be very  
3 fair.

4 Q. And if you found -- strike that.

5 Are you aware, in any of the  
6 letters or materials that were prepared by  
7 Mr. Zalmayev or by you, of any specific  
8 anti-Semitic or anti-American statement by  
9 Mr. Egiazaryan?

10 A. I think that -- I do not recall,  
11 sir, one way or another -- I do not recall  
12 one way or another, sir.

13 Q. I'm going to show you PZ2292,  
14 which we'll mark as Exhibit 203.

15 - - -

16 (Whereupon, an e-mail was  
17 marked, for identification purposes, as  
18 Deposition Exhibit Number 203.)

19 - - -

20 MR. COHEN: I'm sorry. This  
21 one.

22 BY MR. COHEN:

23 Q. Have you seen this document  
24 before?

25 A. I do not recall, sir. I don't



1 RINAT R. AKHMETSHIN

2 believe so.

3 MR. COHEN: I'm going to mark  
4 as Exhibit 204, PZ2911.

5 - - -

6 (Whereupon, an e-mail with  
7 attachment was marked, for  
8 identification purposes, as Deposition  
9 Exhibit Number 204.)

10 - - -

11 THE WITNESS: Thank you.

12 BY MR. COHEN:

13 Q. Have you seen this before?

14 A. Yes.

15 Q. And did -- do you know who  
16 prepared this compilation of materials?

17 A. I don't remember, but these are  
18 compilation of articles.

19 Q. Do you know where you got it  
20 from?

21 A. From Moscow, most likely. I  
22 don't recall exactly.

23 Q. Do you know who -- who sent it  
24 to you?

25 A. Maybe some journalist from Novaya

1 RINAT R. AKHMETSHIN

2 Gazata --

3 Q. Was --

4 A. -- these are articles from --  
5 that's a compilation of articles.

6 Q. Was this part of your research  
7 for -- for learning information about  
8 Ashot Egiazaryan?

9 A. I'm sure it was part of it.

10 MR. SPERDUTO: This is 204,  
11 right?

12 THE WITNESS: This is 204, yes.

13 BY MR. COHEN:

14 Q. I'm going to show you what's  
15 been -- what has Bates Number PZ2718.

16 MR. COHEN: And we'll mark that  
17 as Exhibit 205.

18 - - -

19 (Whereupon, an e-mail with  
20 attachment was marked, for  
21 identification purposes, as Deposition  
22 Exhibit Number 205.)

23 - - -

24 BY MR. COHEN:

25 Q. What is this?

1 RINAT R. AKHMETSHIN

2 A. A summary of the articles.

3 Q. And who -- who -- who prepared  
4 it?

5 A. I do not recall. I did receive  
6 it from Russia, most likely, since it's in  
7 Russian.

8 Q. I'm going to show you what  
9 contains Bates Number PZ2781 --

10 - - -

11 (Whereupon, Russian document  
12 was marked, for identification  
13 purposes, as Deposition Exhibit  
14 Number 206.)

15 - - -

16 THE WITNESS: Thank you.

17 BY MR. COHEN:

18 Q. -- which we'll mark as  
19 Exhibit 206.

20 What is this?

21 A. It's the summaries of articles,  
22 but, you know, I -- I might speculate -- I  
23 cannot say for sure, but these are weekly  
24 summaries of articles about Russian -- it's  
25 not just Mr. Akhmetshin. There are other

1 RINAT R. AKHMETSHIN

2 people who are mentioned here.

3 But it might have been from  
4 Mr. Markarian, because it's his client  
5 matter.

6 Q. Well, whose -- what do you mean,  
7 "his client"?

8 A. Europark was something which  
9 Mr. Smagan was -- Mr. Egiazaryan allegedly  
10 stole this property from Mr. Smagan.

11 And if this -- I -- I did not  
12 prepare this statement, but if I did receive  
13 it, it probably was from Mr. Smagan's  
14 lawyers.

15 Q. And you don't have any specific  
16 knowledge regarding or expertise regarding  
17 the dispute between Mr. Egiazaryan and  
18 Mr. Smagan, do you?

19 A. I do not know. It's just stuff,  
20 it's articles.

21 Q. I'll show you what we'll mark as  
22 Exhibit 207, which bears Bates Number 2849.

23 MR. COHEN: I'm sorry. Let  
24 me --

25 - - -

1 RINAT R. AKHMETSHIN

2 (Whereupon, an e-mail with  
3 attachment was marked, for  
4 identification purposes, as Deposition  
5 Exhibit Number 207.)

6 - - -

7 THE WITNESS: Thank you.

8 BY MR. COHEN:

9 Q. Have you seen that before?

10 A. I might have, yes.

11 Q. Do you know who prepared this?

12 MR. SPERDUTO: I'm sorry.

13 Which page are you talking about,  
14 2849 or the subsequent pages?

15 MR. COHEN: The subsequent  
16 pages.

17 BY MR. COHEN:

18 Q. Do you know who prepared the  
19 report that's on the subsequent pages?

20 A. Summary. It could have been  
21 Mr. Markarian's people, his law firm.

22 Q. You don't recall one way or the  
23 other?

24 A. I -- I most likely -- I did not  
25 write this. This I could tell for sure.

1 RINAT R. AKHMETSHIN

2 I do remember this document, yes.

3 Q. I'm going to show you what we'll  
4 mark as Exhibit 208.

5 - - -

6 (Whereupon, series of articles  
7 and papers was marked, for  
8 identification purposes, as Deposition  
9 Exhibit Number 208.)

10 - - -

11 BY MR. COHEN:

12 Q. Have you seen this before?

13 A. I do not remember, sir. But this  
14 is just articles and papers.

15 Q. And who collected that?

16 A. It might have been Peter --  
17 Mr. Zalmayev.

18 Q. And are you aware of any other  
19 than I've -- anything other than what I've  
20 shown you that constitutes written research  
21 regarding Mr. Egiazaryan that you've seen?

22 A. I do not remember, sir. This  
23 might -- there might be -- I'm sure there's  
24 much, much more, because there's a lot of,  
25 like, rubbish online and, you know, some

1 RINAT R. AKHMETSHIN

2 stuff which is absolutely outrageous.

3 But these are articles which we  
4 probably can see that would be relevant, you  
5 know, and just --

6 Q. Are you aware --

7 A. -- reports --

8 Q. -- of any other written or  
9 collected compilations of articles or  
10 research other than the ones that I've just  
11 shown you?

12 A. I'm not sure, sir.

13 Q. You're not aware of anything?

14 A. I --

15 MR. SPERDUTO: He just talked  
16 about the online stuff.

17 MR. COHEN: I said --

18 THE WITNESS: So there are --  
19 there are -- I -- I compiled -- some  
20 of the stuff was compiled or I  
21 commissioned compilation of -- or  
22 research --

23 BY MR. COHEN:

24 Q. Right.

25 A. -- the stuff.

1 RINAT R. AKHMETSHIN

2 And I read a lot of articles  
3 myself, but these are stuff which I've  
4 probably seen before. These are old articles  
5 which we discussed two, three times in this  
6 deposition already.

7 Q. Do you recall anything else that  
8 you commissioned or received that contains a  
9 compilation of media or articles regarding  
10 Mr. Egiazaryan?

11 A. Not to the best of my  
12 recollection, sir.

13 Q. Do you recall any other written  
14 reports or other information regarding  
15 Mr. Egiazaryan other than what we've seen in  
16 this pile of materials that we've discussed?

17 A. I think I did -- I did  
18 commission -- we mentioned it, but I haven't  
19 seen this among these documents -- I did  
20 commission a legal memo --

21 Q. Okay.

22 A. -- on Mr. Egiazaryan's  
23 immigration matters.

24 Q. That's the Snelbecker memo?

25 A. Snelbeck- -- Ms. Snelbecker's --



1 RINAT R. AKHMETSHIN

2 Q. Okay --

3 A. -- memos.

4 Q. -- so anything -- other than the  
5 Snelbecker memo, was there anything else  
6 that you can recall that you commissioned  
7 with regard to providing research or  
8 materials on Mr. Egiazaryan?

9 A. It doesn't come to my memory  
10 right now, but we've seen quite a few things  
11 here, sir.

12 Q. There's quite a few things that  
13 seems to be rela- -- does that seem to be  
14 relatively comprehensive in terms of what  
15 you recall?

16 A. I think that there are probably  
17 over a thousand pages of serious documents.  
18 I think it's pretty serious materials.

19 Q. I'm going to show you what's  
20 been previously marked as Exhibit 83.

21 Have you seen this document  
22 before?

23 A. Yes, I have, sir.

24 Q. What is it?

25 A. It's a -- it's a memo from

1 RINAT R. AKHMETSHIN

2 Mr. Bloomfield.

3 Q. And then it says -- on the very  
4 top of the first page, it says --

5 A. Memo conference, I guess --  
6 Memcon --

7 Q. -- Memcon, and then it says  
8 Spoke to Rinat, correct?

9 A. Correct, yes.

10 Q. And then there's a date of  
11 February 4th, 2011; is that correct?

12 A. Correct, sir, it does appear so.  
13 I did not write this memo.

14 Q. And then I call your attention  
15 to the -- well, let me just step back for a  
16 second.

17 So there came a time when you  
18 turned the -- your attention away from  
19 Chechnya and towards anti-Semitism; is that  
20 correct?

21 A. Correct, because -- yes, correct.

22 Q. And -- and did you have numerous  
23 conversations with Mr. Zalmayev about the  
24 strength of -- of the argument regarding  
25 anti-Semitism?

1 RINAT R. AKHMETSHIN

2 A. Could you please --

3 Q. Did you have a conversation with  
4 Mr. Zalmayev as to how strong a case there  
5 was to allege that -- to allege  
6 anti-Semitism with regard to Mr. Egiazaryan?

7 A. We always -- we discussed this  
8 issue of anti-Semitism of how strong or how  
9 weak. We -- we established that Chechnya  
10 thing was not -- we could not say with  
11 certainty. So, therefore, we dropped this  
12 matter and we focused on other matter.

13 Q. Did you conclude that you  
14 couldn't make the anti-Semitism argument  
15 with certainty?

16 A. I don't think so, sir.

17 Q. Okay. I'll call your attention  
18 to Paragraph 17, which is on Page 484.

19 And do you see where it says, Not  
20 an easy issue, largely circumstantial. It's  
21 the party and its leader, Zhirinovsky?

22 A. Yes, I do read this, sir.

23 Q. And did you discuss -- does  
24 that -- was that Mr. Zalmayev's position on  
25 February 4, 2011?

1 RINAT R. AKHMETSHIN

2 MR. SPERDUTO: I'm sorry. The  
3 contents of paragraph -- you're  
4 asking if -- you're asking  
5 Mr. Akhmetshin if the contents in  
6 Paragraph 17 in a memo written by  
7 Mr. Bloomfield is Mr. Zalmayev's  
8 position?

9 MR. COHEN: Yeah, did he  
10 express that position when -- in a  
11 conversation on or around  
12 February 4th, 2011?

13 MR. SPERDUTO: On who -- did  
14 who -- did --

15 MR. COHEN: Mr. Zalmayev --

16 THE WITNESS: I do not --

17 MR. COHEN: -- state --

18 BY MR. COHEN:

19 Q. Did -- did you hear Mr. Zalmayev  
20 state with regard to the anti-Semitism  
21 argument that it's not an easy issue, it's  
22 largely circumstantial --

23 MR. SPERDUTO: There's nothing  
24 in --

25

1 RINAT R. AKHMETSHIN

2 BY MR. COHEN:

3 Q. -- that the party and its  
4 leader --

5 MR. SPERDUTO: -- there's  
6 nothing in Paragraph --

7 BY MR. COHEN:

8 Q. -- Zhirinovsky --

9 MR. SPERDUTO: -- there's  
10 nothing in Paragraph 17 --

11 MR. COHEN: I'm asking him a  
12 question.

13 THE WITNESS: I do not --

14 MR. SPERDUTO: But there's  
15 nothing in Paragraph -- objection to  
16 the form; it assumes facts not in  
17 evidence.

18 I don't see anything in 17  
19 right here that talks about linking  
20 not --

21 MR. COHEN: I didn't --

22 MR. SPERDUTO: -- an easy issue  
23 with --

24 MR. COHEN: -- ask about 17. I  
25 referenced 17. I asked if he had a

1 RINAT R. AKHMETSHIN

2 conversation --

3 MR. SPERDUTO: You're quoting  
4 from 17, Not an easy issue.

5 MR. COHEN: I asked him if he  
6 had a conversation with Mr. Zalmayev  
7 or was involved in a conversation  
8 with Mr. Zalmayev in which  
9 Mr. Zalmayev said with regard to the  
10 anti-Semitism argument that it's not  
11 an easy issue, it's largely  
12 circumstantial, it's the party and  
13 its leader, Zhirinovsky.

14 THE WITNESS: I do not remember  
15 that conversation, sir --

16 BY MR. COHEN:

17 Q. You --

18 A. -- this is not my memo. It's  
19 written by someone else.

20 Q. Well, it says Spoke to Rinat at  
21 the top, doesn't it?

22 A. Spoke to Rinat. And that's --

23 Q. And you --

24 A. -- and these are --

25 Q. -- you are Rinat?

1 RINAT R. AKHMETSHIN

2 A. I am Rinat, and -- but it  
3 doesn't -- and it says, here, Peter Zalmayev,  
4 re: project.

5 Q. And regardless of whether you  
6 recall this specific --

7 A. I do not --

8 Q. -- conversation --

9 A. -- remember that specific  
10 conversation, sir --

11 Q. Okay --

12 A. -- that answers your question.

13 Q. -- so regardless whether you  
14 remember that -- this specific conversation  
15 at this time, do you recall Mr. Zalmayev  
16 saying, in sum or substance with regard to  
17 the anti-Semitism issue, that it's not an  
18 easy issue, it's largely circumstantial,  
19 it's the party and its leader, Zhirinovsky?

20 MR. SPERDUTO: Objection to the  
21 form.

22 THE WITNESS: Sir, I do not --  
23 once again, as I mentioned to you, I  
24 do not recall that conversation  
25 and -- or characterization of this

1 RINAT R. AKHMETSHIN

2 issue as circumstantial, because I  
3 think it's a fair issue and we  
4 proceeded with it.

5 BY MR. COHEN:

6 Q. I asked you whether you heard  
7 Mr. Zalmayev say that.

8 A. I do not remember, sir,  
9 mention -- Mr. Zalmayev mentioning this to  
10 me.

11 Q. Do you know who -- was this memo  
12 circulated to you or Mr. Zalmayev at any  
13 time, to your recollection?

14 A. I think it's the notes of  
15 Mr. Bloomfield's to himself. Spoke to  
16 Rinat -- it's not addressed to me.

17 Q. Is it -- is it your -- just to  
18 clarify, is it your position that you don't  
19 recall, one way or another, whether  
20 Mr. Zalmayev ever made that statement or a  
21 similar type of statement?

22 A. About this -- which statement,  
23 please?

24 Q. The statement that -- with  
25 regard to the anti-Semitism issue, that it's



1 RINAT R. AKHMETSHIN

2 not an easy issue, it's largely  
3 circumstantial, it's the party and its  
4 leader, Zhirinovsky?

5 A. I do not recall the statement,  
6 sir, to the best of my recollection.

7 MR. COHEN: Mark as -- well --  
8 okay.

9 Let me mark as Exhibit 209 a  
10 document bearing Bates Number PZ2843,  
11 the e-mail from Rinat Akhmetshin to  
12 Peter Zalmayev dated Thursday,  
13 March 10, 2011.

14 - - -

15 (Whereupon, an e-mail string  
16 was marked, for identification  
17 purposes, as Deposition Exhibit  
18 Number 209.)

19 - - -

20 THE WITNESS: Thank you.

21 BY MR. COHEN:

22 Q. Did you send this e-mail to  
23 Peter Zalmayev on or about March 10th, 2011?

24 A. It does appear that way, sir,  
25 yes.

1 RINAT R. AKHMETSHIN

2 Q. And -- and you see the -- you  
3 are forwarding to Mr. Zalmayev an e-mail  
4 from you -- an -- an e-mail exchange between  
5 you and David Whiddon --

6 A. That is correct.

7 Q. -- is that correct?

8 A. That is correct, sir.

9 Q. And do you see, in  
10 David Whiddon's e-mail of March 10th, 2011  
11 at 12:48, he wrote, No guilt by association.  
12 Mr. Zalmayev -- I'm sorry -- No guilt by  
13 association. Zhirinovsky may be  
14 anti-Semitic (odd, because I always thought  
15 his father was Jewish) -- the article does  
16 not provide any evidence that Egiazaryan is;  
17 he's just a bad businessman.

18 Do you see that?

19 A. That's -- I do believe this was  
20 Mr. Whiddon's opinion, personal opinion,  
21 which he's absolutely entitled.

22 Q. Would that cause you to go back  
23 and want to think further about whether it  
24 was appropriate to consider Mr. Egiazaryan  
25 anti-Semitic?

1 RINAT R. AKHMETSHIN

2 A. I do think that, you know -- it's  
3 my personal belief was being in a political  
4 party and lending your name to a message of  
5 hate is -- is like message of terrorism. You  
6 may not go and blow up bridges and American  
7 troops, but if you give these people money or  
8 give them shelter, that -- that's what it is.

9 I think to --

10 Q. Are you equating  
11 Mr. Egiazaryan's actions with that of a  
12 terrorist?

13 A. I was --

14 MR. SPERDUTO: Objection to the  
15 form; argument. It's a metaphor.  
16 He's using an analogy; he's not  
17 equating.

18 THE WITNESS: Correct, sir,  
19 it's an analogy.

20 MR. SPERDUTO: That's an  
21 argument in a question. You know  
22 better.

23 THE WITNESS: I did not -- it's  
24 a metaphorically -- metaphorical  
25 statement, sir.

1 RINAT R. AKHMETSHIN

2 BY MR. COHEN:

3 Q. And isn't it the case that when  
4 you were first drafting letters regarding  
5 the anti-Semitism issue, that you wanted to  
6 keep Zhirinovsky's name out of the -- out of  
7 the letters?

8 MR. SPERDUTO: Objection to the  
9 form.

10 You can answer.

11 THE WITNESS: It was my opinion  
12 at the time.

13 BY MR. COHEN:

14 Q. And -- and how did you come to  
15 the -- why did you want to keep  
16 Zhirinovsky's name out of letters at the  
17 time?

18 A. I just didn't want confusion.  
19 It's very hard . . .

20 MR. COHEN: Let's take a short  
21 break.

22 THE WITNESS: Sure.

23 THE VIDEOGRAPHER: The time is  
24 6:43. We're going off the record.

25 (Whereupon, a brief recess was

1 RINAT R. AKHMETSHIN

2 taken from 6:43 p.m. to 6:49 p.m.)

3 THE VIDEOGRAPHER: The time is  
4 6:49. We're back on the record.

5 MR. COHEN: Mr. Akhmetshin, I  
6 have no further questions for right  
7 now. Thank you very much for your  
8 time.

9 THE WITNESS: Thank you. Glad  
10 to be of help, sir.

11 MR. GOLDEN: I have no  
12 questions.

13 MR. SPERDUTO: Thank you,  
14 gentlemen.

15 MR. LUPKIN: Thank you.

16 THE VIDEOGRAPHER: All right.  
17 The time is 6:50 p.m. We are going  
18 off the record. This is the end of  
19 Disc Number 4 and the end of today's  
20 deposition.

21 - - -

22 (Witness excused.)

23 - - -

24 (Deposition concluded at  
25 6:50 p.m.)

## 1 C E R T I F I C A T E

2 DISTRICT OF COLUMBIA:

3 I, [REDACTED], a Notary Public  
4 within and for the Jurisdiction aforesaid, do  
5 hereby certify that the foregoing deposition of  
6 RINAT R. AKHMETSHIN, was taken before me, pursuant  
7 to notice, at the time and place indicated; that  
8 said deponent was by me duly sworn to tell the  
9 truth, the whole truth, and nothing but the truth;  
10 that the testimony of said deponent was correctly  
11 recorded in machine shorthand by me and thereafter  
12 transcribed under my supervision with  
13 computer-aided transcription; that the deposition  
14 is a true record of the testimony given by the  
15 witness; and that I am neither of counsel nor kin  
16 to any party in said action, nor interested in the  
17 outcome thereof.

18 WITNESS my hand and official seal  
19 this 22nd day of March, 2012.

20

21

22

23

24 [REDACTED], RMR, CSR, RPR, CRR,

25 CCR, RSA, Notary Public

## 1 INSTRUCTIONS TO WITNESS

2

3 Please read your deposition over  
4 carefully and make any necessary corrections. You  
5 should state the reason in the appropriate space on  
6 the errata sheet for any corrections that are made.

7 After doing so, please sign the errata  
8 sheet and date it.

9 You are signing same subject to the  
10 changes you have noted on the errata sheet, which will  
11 be attached to your deposition.

12 It is imperative that you return the  
13 original errata sheet to the deposing attorney within  
14 thirty (30) days of receipt of the deposition  
15 transcript by you. If you fail to do so, the  
16 deposition transcript may be deemed to be accurate and  
17 may be used in court.

18

19

20

21

22

23

24

25

1 E R R A T A

2 PAGE LINE CHANGE

3 \_\_\_\_\_

4 Reason For  
Change: \_\_\_\_\_

5 PAGE LINE CHANGE

6 \_\_\_\_\_

7 Reason For  
Change: \_\_\_\_\_

8 PAGE LINE CHANGE

9 \_\_\_\_\_

10 Reason For  
Change: \_\_\_\_\_

11 PAGE LINE CHANGE

12 \_\_\_\_\_

13 Reason For  
Change: \_\_\_\_\_

14 PAGE LINE CHANGE

15 \_\_\_\_\_

16 Reason For  
Change: \_\_\_\_\_

17 PAGE LINE CHANGE

18 \_\_\_\_\_

19 Reason For  
Change: \_\_\_\_\_

20 PAGE LINE CHANGE

21 \_\_\_\_\_

22 Reason For  
Change: \_\_\_\_\_

23 PAGE LINE CHANGE

24 \_\_\_\_\_

25 Reason For  
Change: \_\_\_\_\_



I, \_\_\_\_\_, do hereby certify that I have read the foregoing pages, 1 to 378, and that the same is a correct transcription of the answers given by me to the questions therein propounded, except for the corrections or changes in form or substance, if any, noted in the attached errata sheet.

\_\_\_\_\_

DATE

\_\_\_\_\_

SIGNATURE

Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

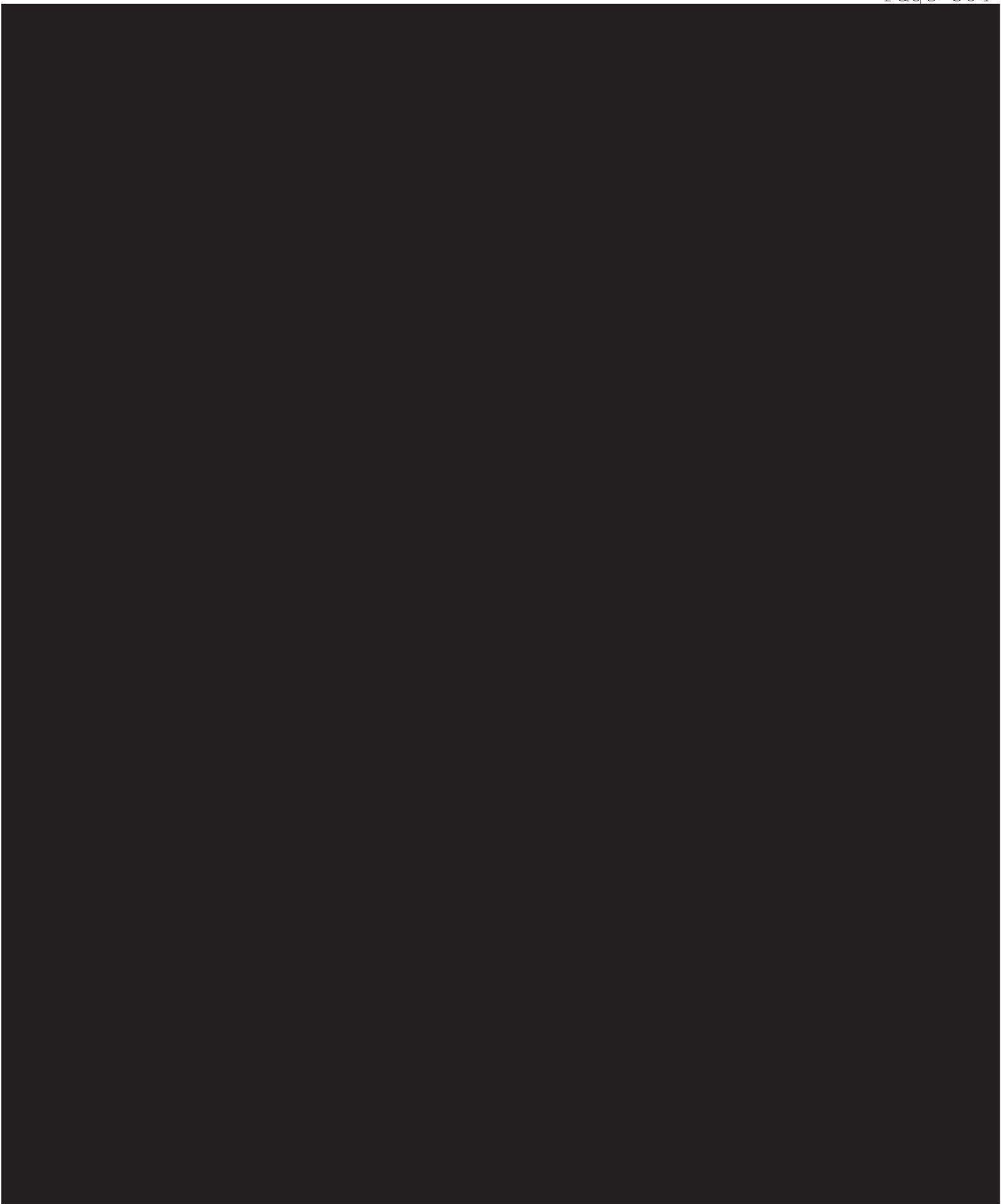
My Commission expires:

**New Jersey**  
**Pennsylvania**

New York  
Connecticut

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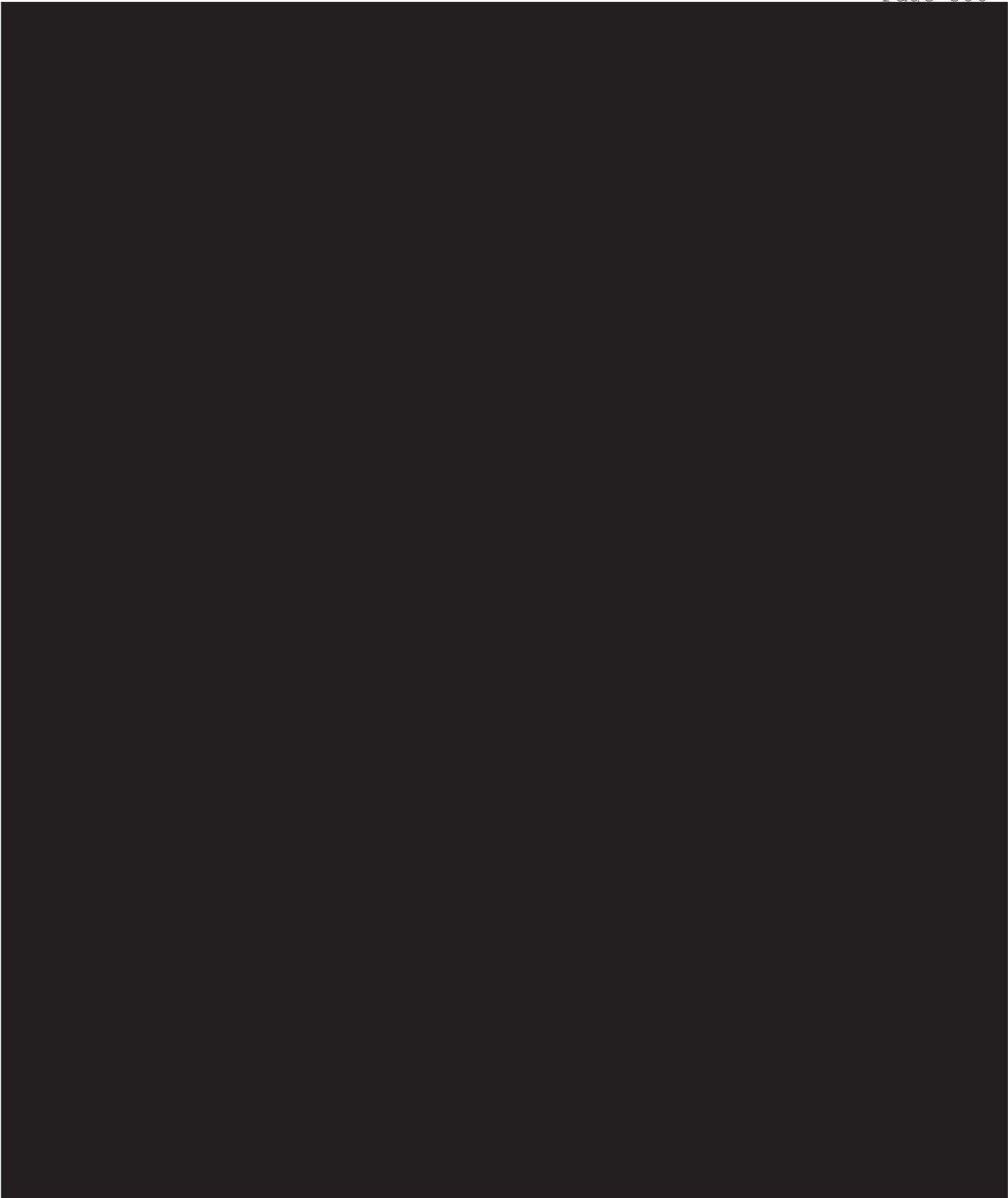
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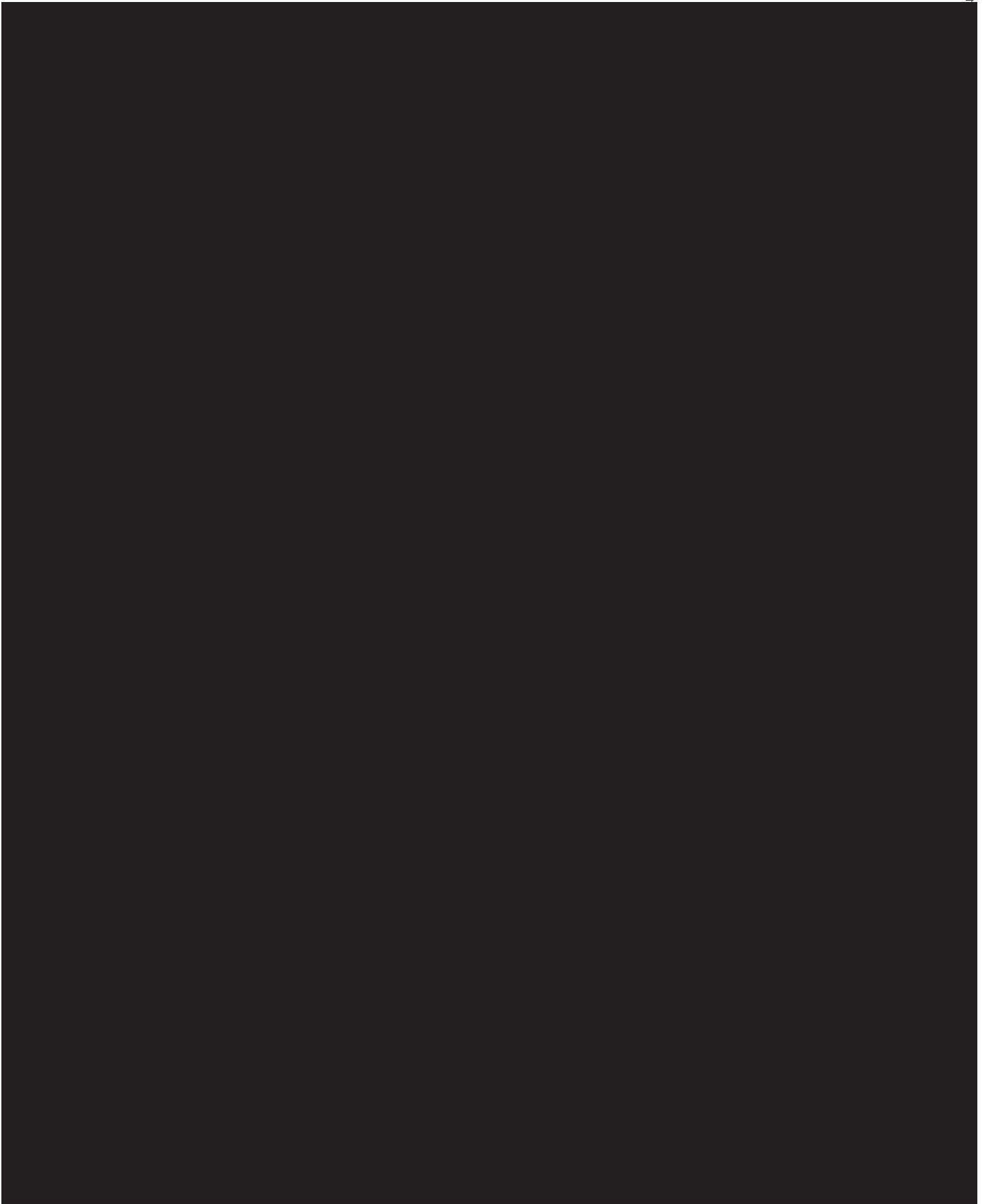
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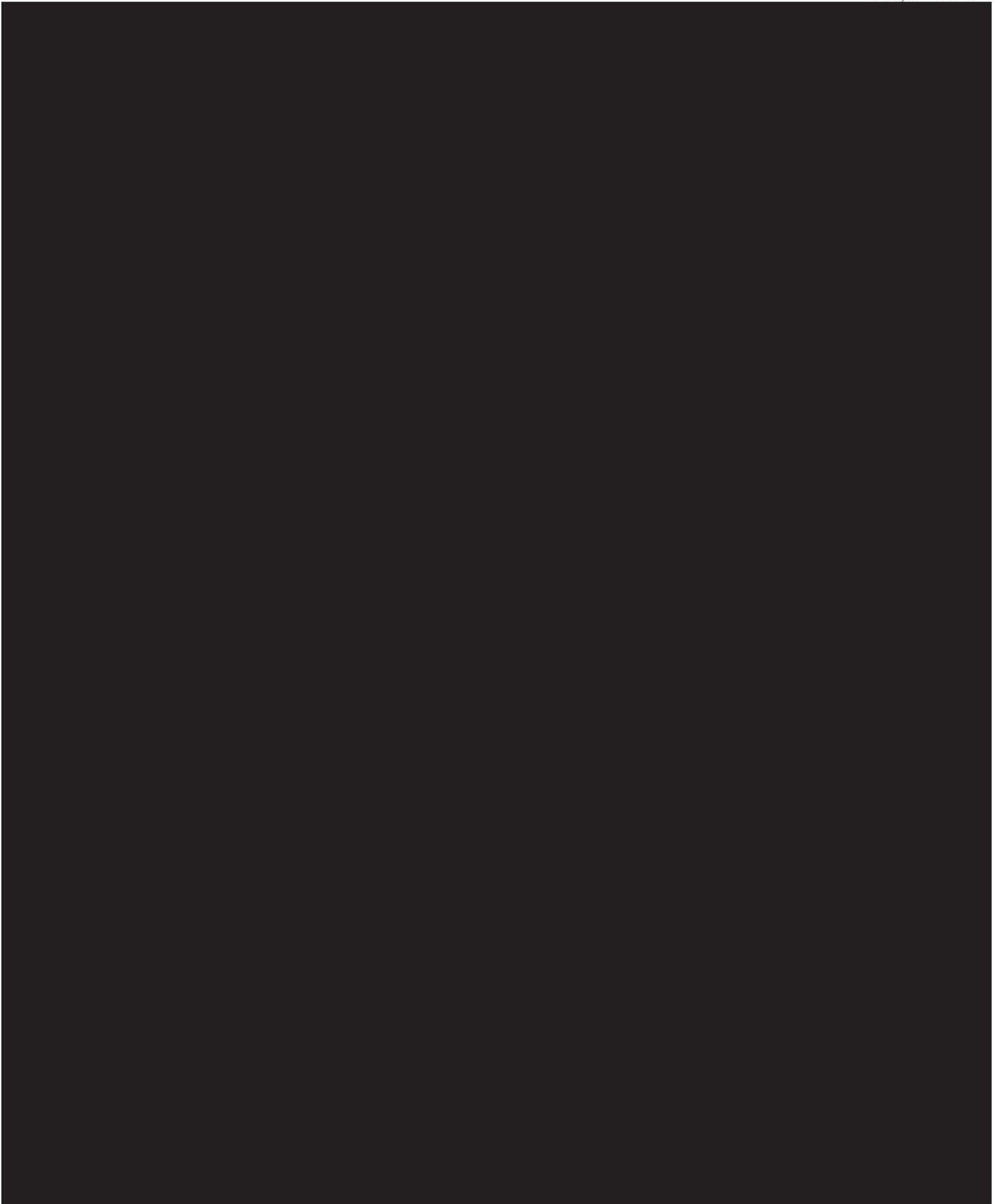
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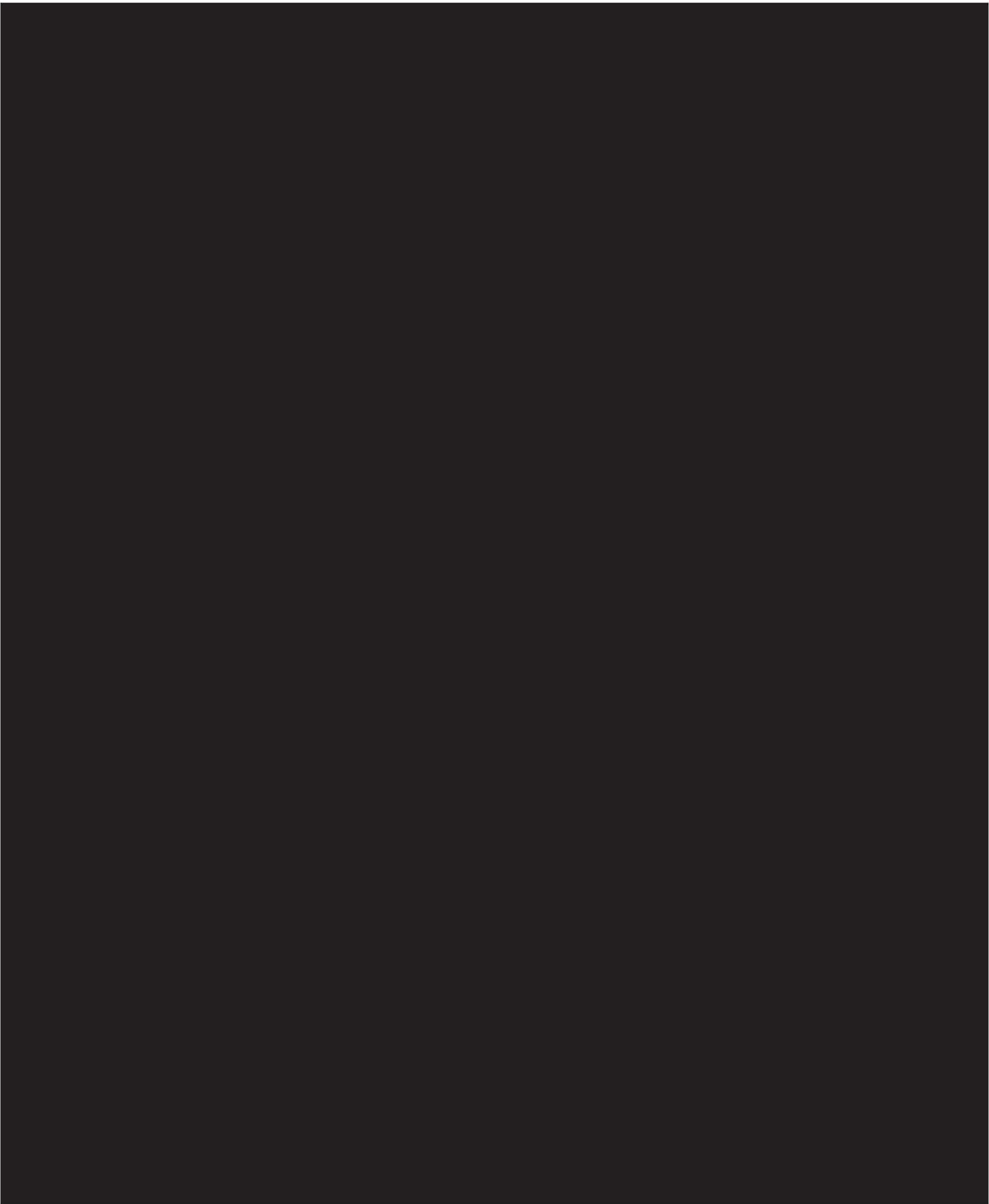




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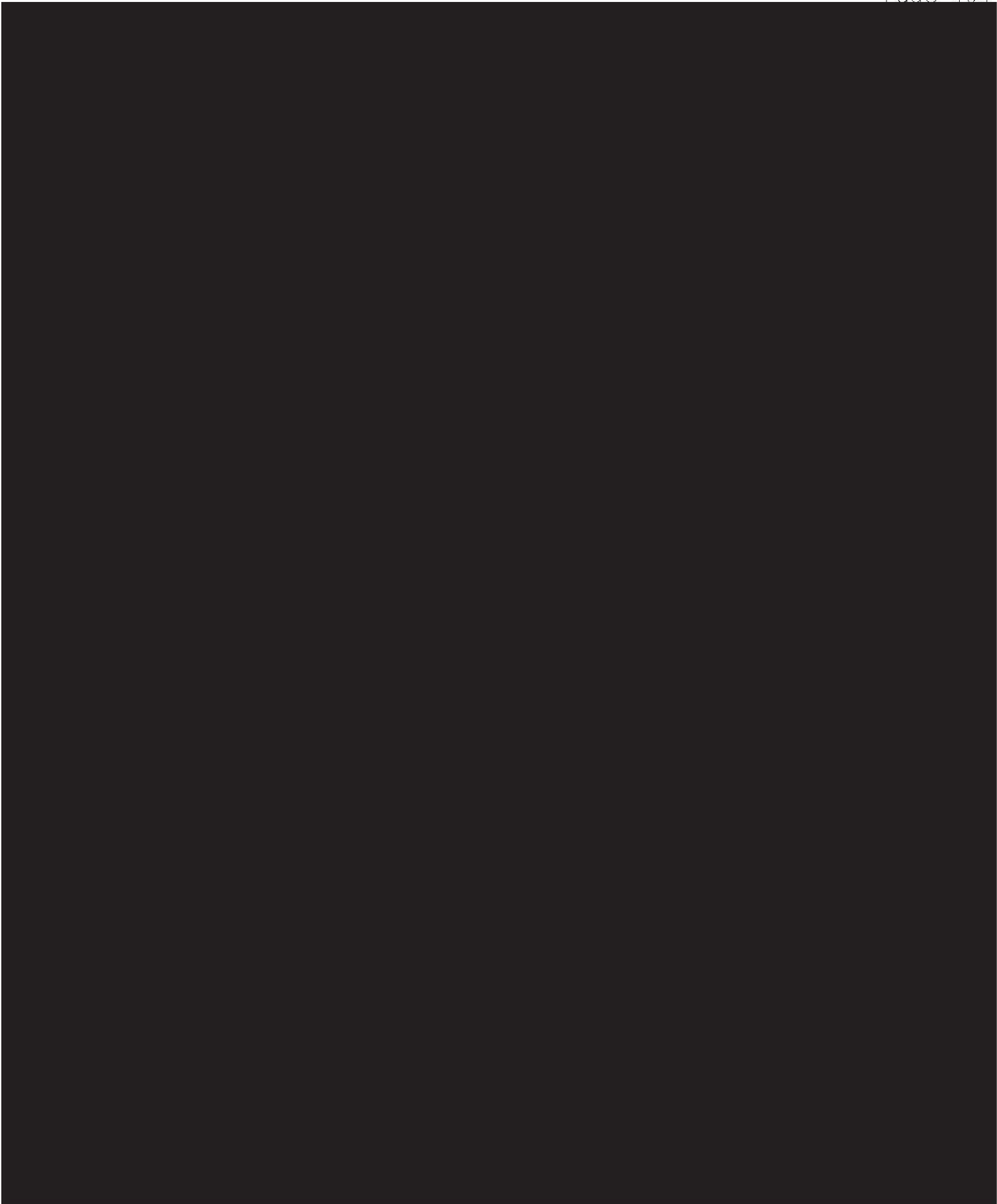
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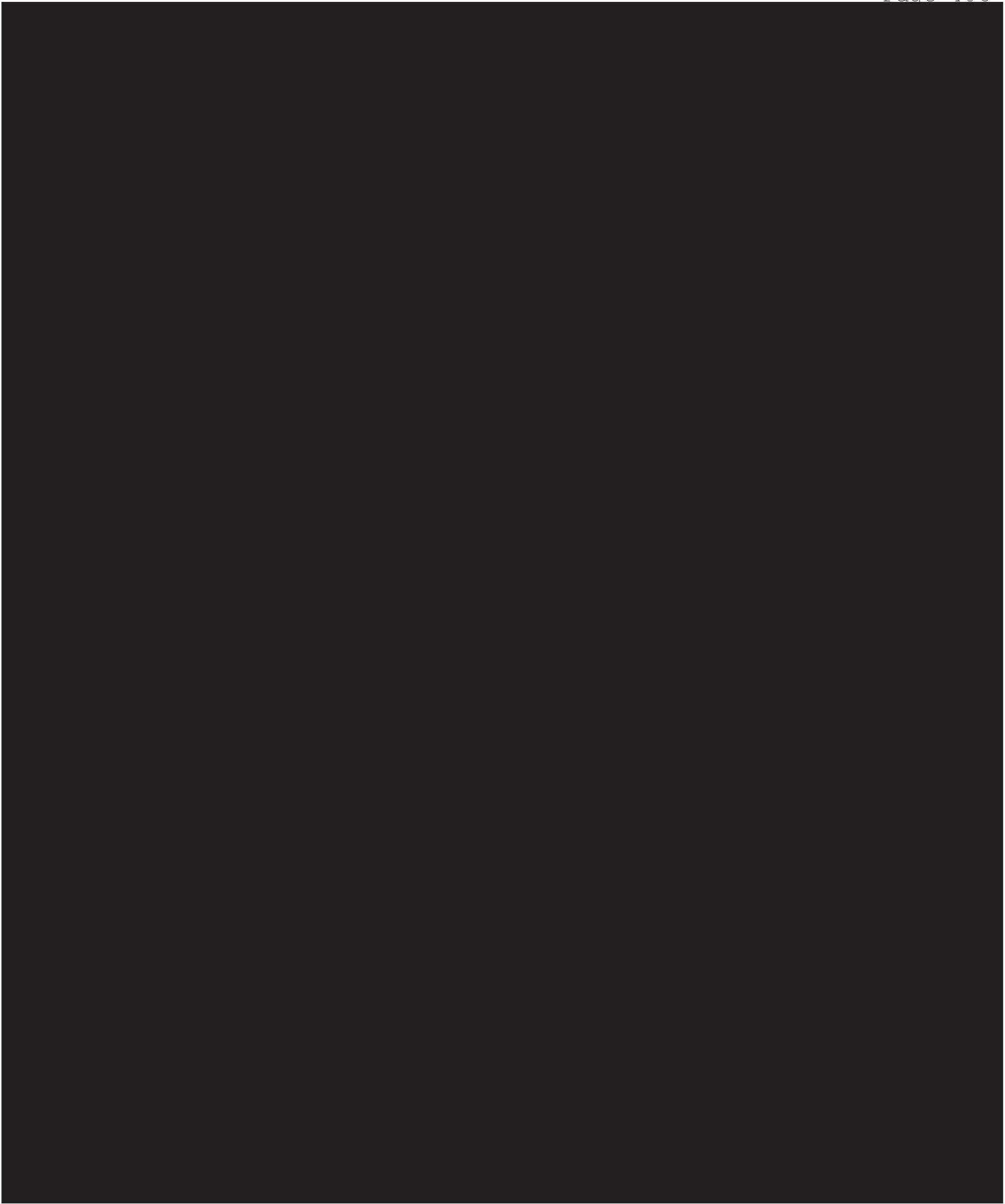
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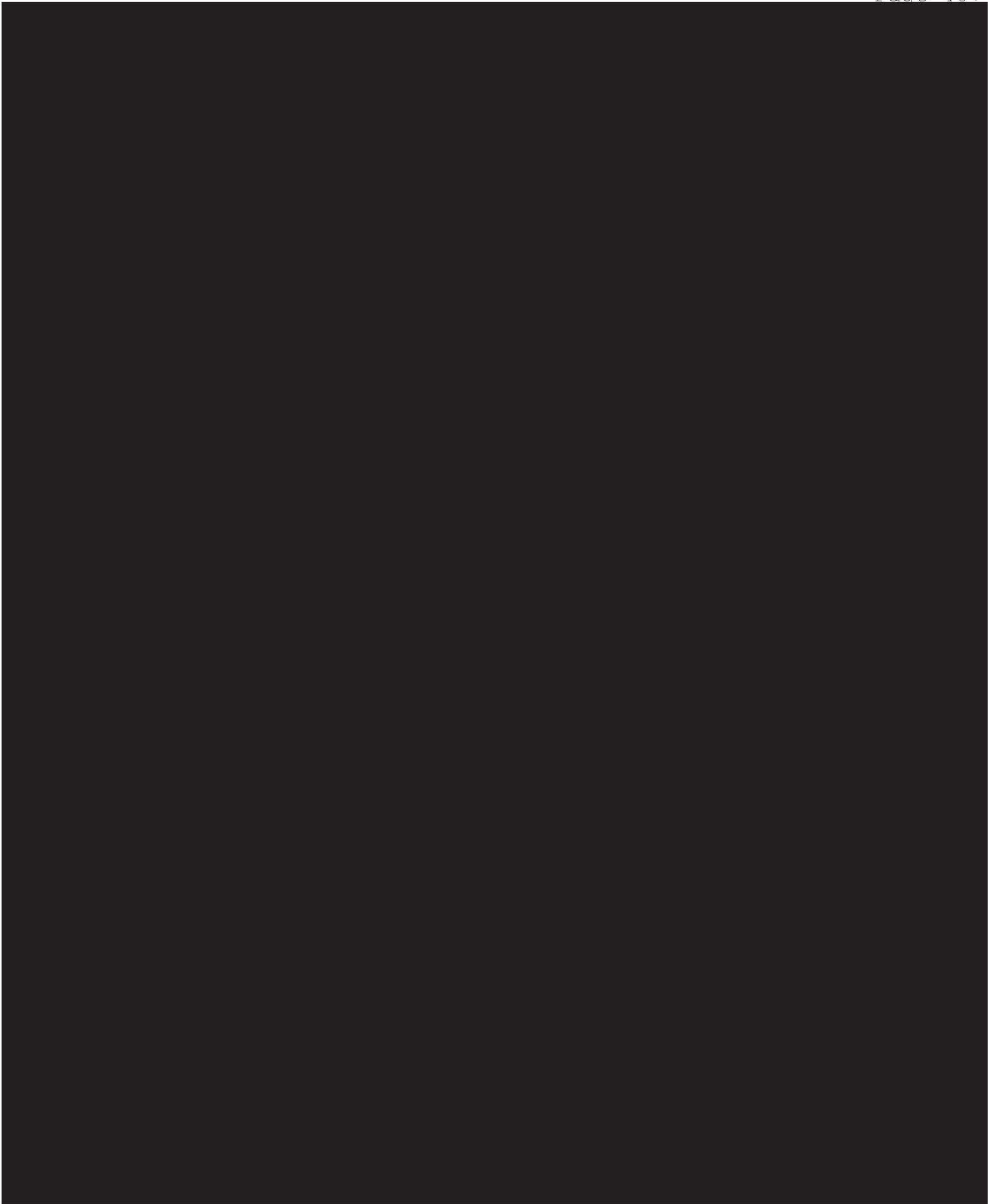
New Jersey  
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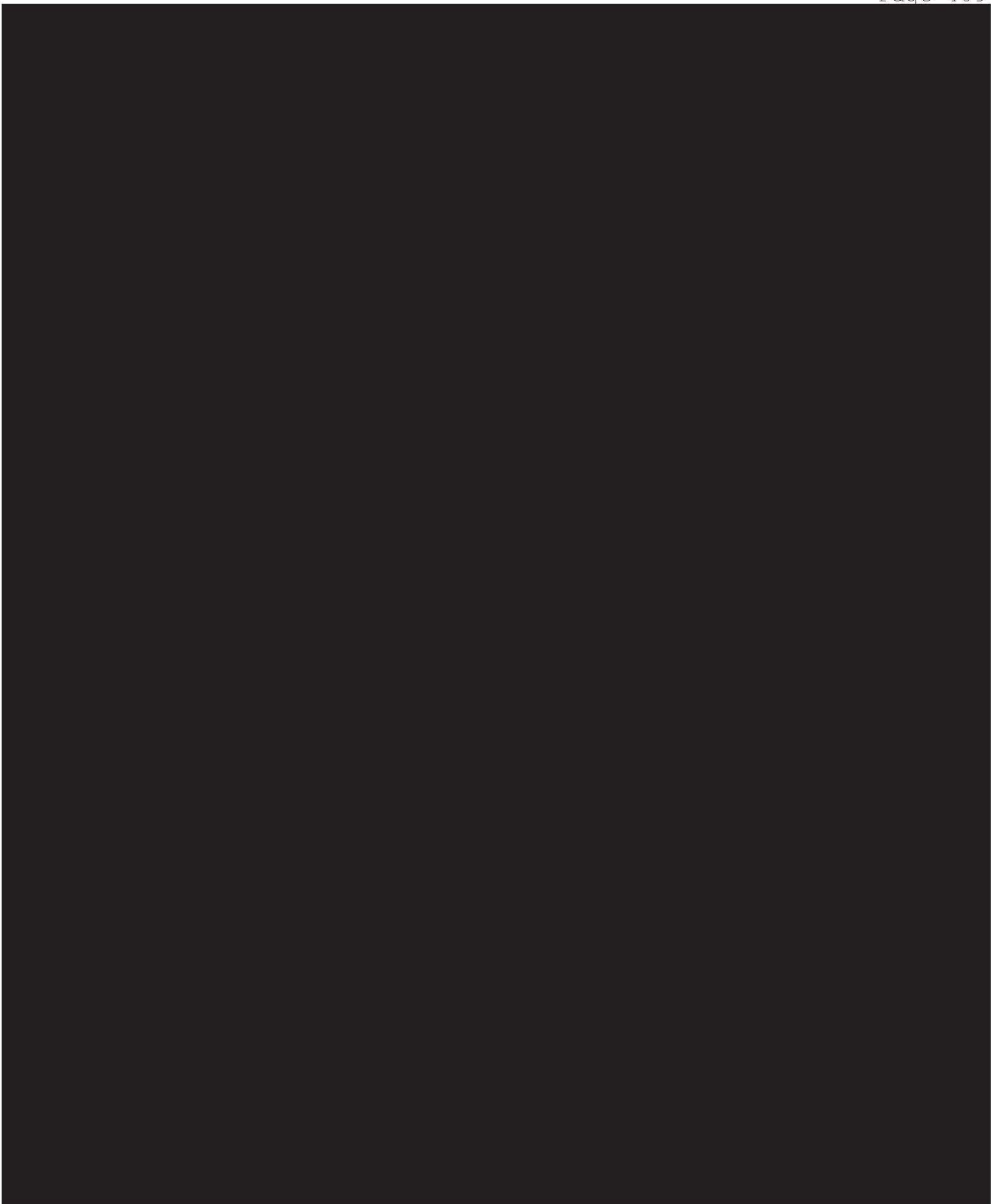




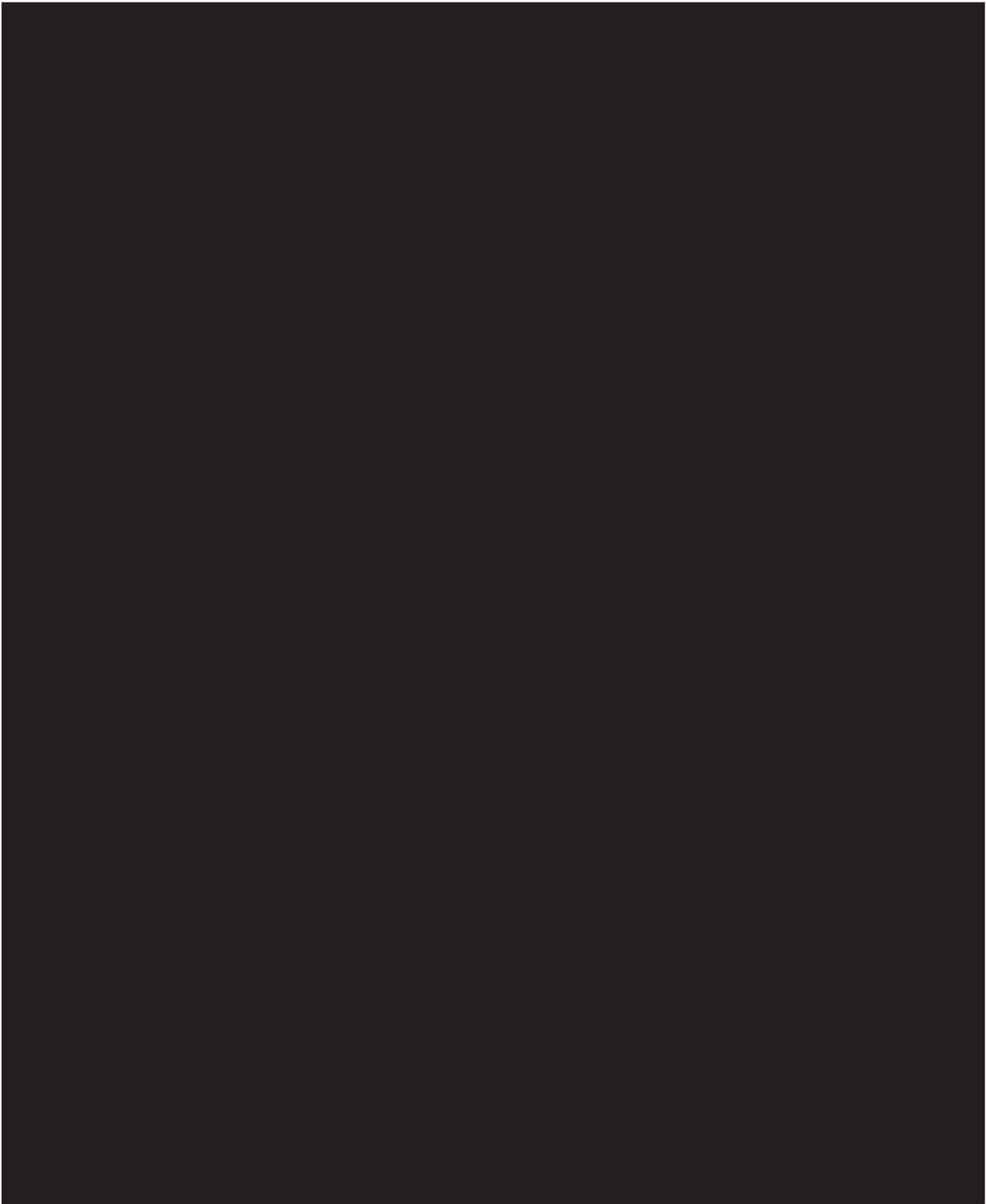












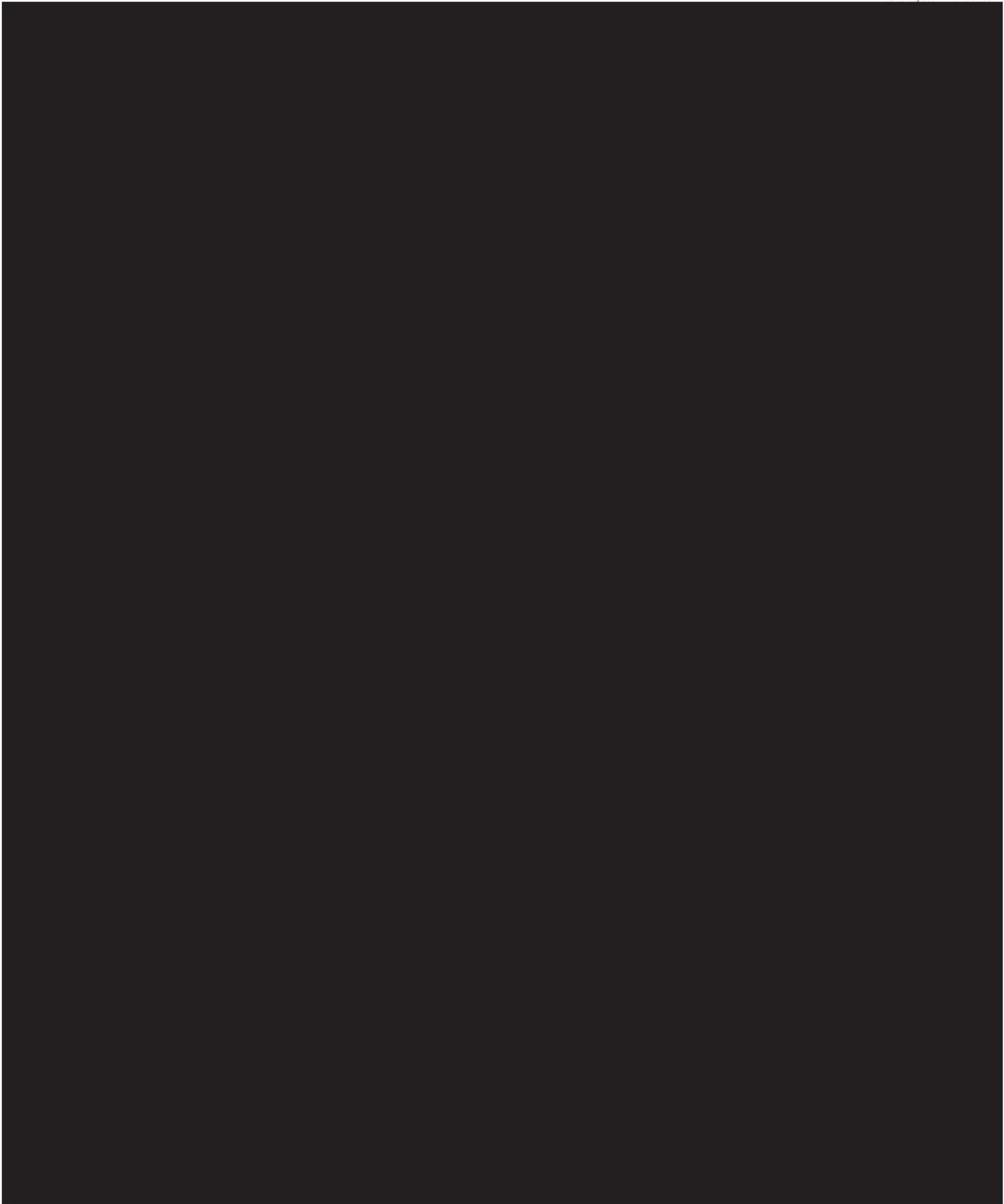








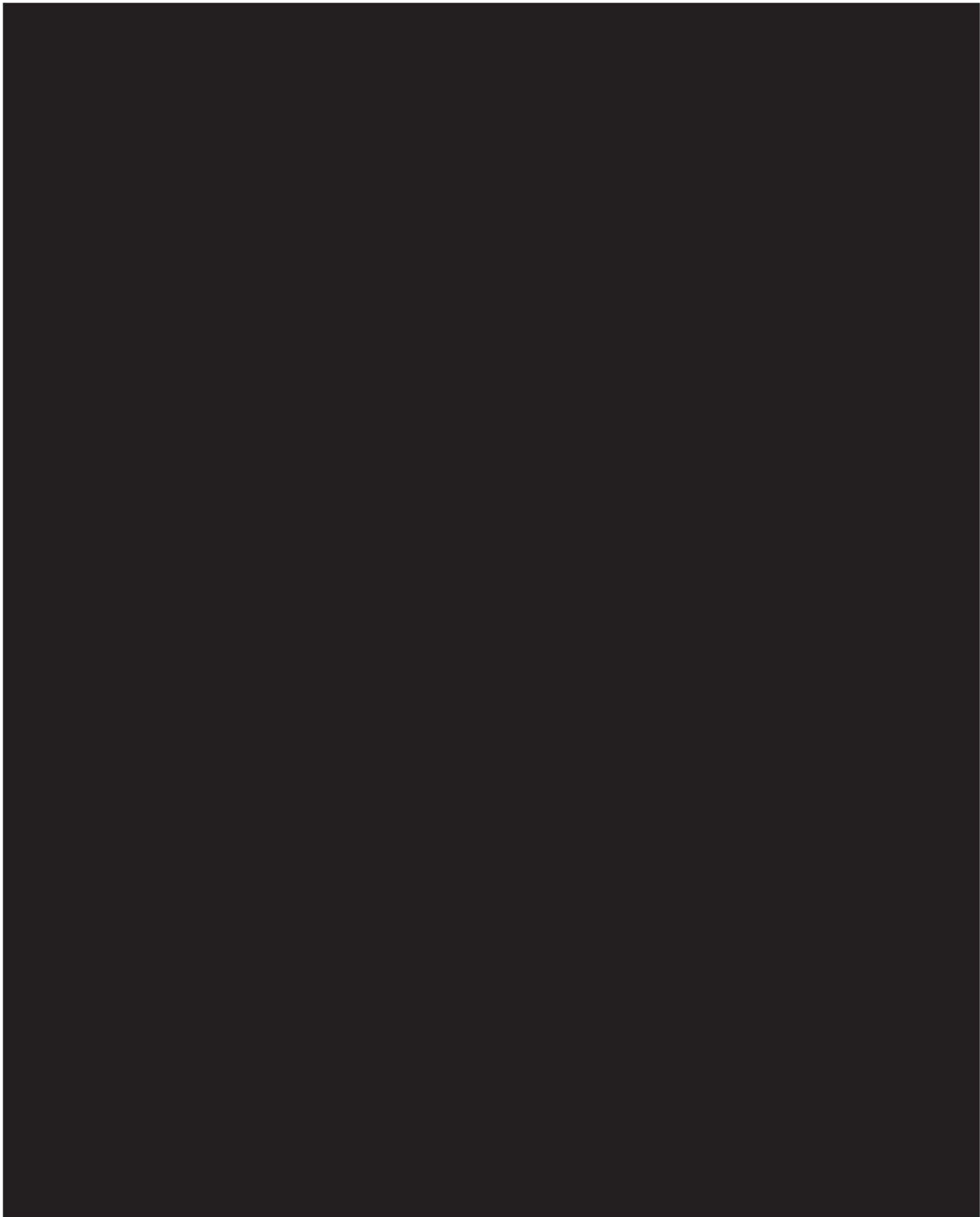












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**Subject:** Re: Prevezon case

**From:** [REDACTED]

**Date:** 12/15/2015 3:36 PM

**To:** [REDACTED]

**CC:** Glenn Simpson [REDACTED]

**BCC:** [REDACTED]

dear [REDACTED] thank you for reaching out about that case. i am traveling this week but my colleague glenn simpson (cc'ed) will be able to brief you on the particulars of the case. please say hi to [REDACTED] and thank you again for looking into this very important matter! rinat

On Dec 15, 2015, at 20:39, [REDACTED] wrote:

Rinat: my name is [REDACTED] and I'm a reporter with [REDACTED]. My colleague [REDACTED] gave me your name and told me you were handling media calls for Denis Katsyv and his Prevezon companies. I'm doing a story in advance of the Jan. 6 forfeiture trial and would like to set up an interview with Mr. Katsyv, if he's willing to talk.

You can email me at the address above or call me at [REDACTED]. Thanks [REDACTED] out.



EXHIBIT

tabbies

4

**Subject:** Meet later?

**From:** Glenn Simpson [REDACTED]

**Date:** 2/4/2016 11:28 AM

**To:** Veselnitskaya Nataliya [REDACTED], Murat Glashev [REDACTED]

**CC:** rinat akhmetshin [REDACTED]

Nataliya, I understand the meeting is tonight at 9 but Rinat suggested we get together before hand. Are you free later this afternoon or for dinner?

## Trump Dossier Firm Also Supplied Info Used in Meeting of Russians, Trump Team

by KEN DILANIAN

WASHINGTON — The information that a Russian lawyer brought with her when she met Donald Trump Jr. in June 2016 stemmed from research conducted by Fusion GPS, the same firm that compiled the infamous Trump dossier, according to the lawyer and a source familiar with the matter.

In an interview with NBC News, Russian lawyer Natalia Veselnitskaya says she first received the supposedly incriminating information she brought to Trump Tower — describing alleged tax evasion and donations to Democrats — from Glenn Simpson, the Fusion GPS owner, who had been hired to conduct research in a New York federal court case.

A source with firsthand knowledge of the matter confirmed that the firm's research had been provided to Veselnitskaya as part of the case, which involved alleging money laundering by a Russian company called Prevezon.

This account casts Veselnitskaya's activities in a new light, challenging the notion that she was simply carrying talking points to Trump that originated with the Russian government.

Veselnitskaya told NBC News she has been cooperating with the Senate Judiciary Committee, which is investigating how the Trump dossier was compiled. But she has not been contacted by Special Counsel Robert Mueller, she said.

Starting in 2014, Simpson and Veselnitskaya had both worked on the same side of the Prevezon case, in which the Justice Department accused the Cyprus-based Russian company of laundering hundreds of millions of dollars via New York real estate. Beginning in 2016, Simpson was working with a former British intelligence operative on another project — the Trump dossier.

In a statement to NBC News, a lawyer for Fusion GPS said Fusion's work on the dossier was totally separate from its work on the Prevezon case. Levy said the firm was unaware of the Trump Tower meeting when it happened.

### Related: The Legal Battle Behind the Trump Tower Meeting

"No one from Fusion GPS had any idea Ms. Veselnitskaya would be meeting with anyone from the Trump campaign," attorney Josh Levy said. "Nor did anyone from Fusion GPS know she would be sharing anything she learned from either the company or the Prevezon matter with the Trump campaign. This whole episode came as a complete surprise to Fusion when the news broke this summer."

Reuters was the first to report that the information originated with Fusion.





Glenn Simpson, partner of Fusion GPS, speaks on a panel at the Double Exposure Investigative Film Festival and Symposium on October 7, 2016 in Washington. Double Exposure Investigative Film Festival and Symposium

Months before she met in June 2016 with Trump Jr., Veselnitskaya said she turned the information she got from Simpson over to Russian Prosecutor General Yuri Chaika, who she said sought to verify it through his own investigation.

In May 2016, the Russian prosecutor general issued a statement seeking U.S. help in investigating what he described as a tax evasion scheme involving the Ziff brothers, American investors, and British investor Bill Browder.

Veselnitskaya said that statement was based in part on information she provided in the fall of 2015.

"I was in effect, the primary source of this information for the Russian Prosecutor General's office. They then published the facts I uncovered."

She got the information from Fusion GPS, which prepared detailed reports in 2014, she said.

#### **Related: Russian Lawyer Says She Didn't Have Info Trump Jr. Wanted**

The now-infamous July 2016 Trump Tower meeting was arranged by Rob Goldstone, a music promoter who said he was representing oligarch Aras Agalarov and his son Emin, a pop star — both friends of the Trump family.

In an email that has become public, Goldstone wrote to Trump that "the Crown prosecutor of Russia ... offered to provide the Trump campaign with some official documents and information that would incriminate Hillary and her dealings with Russia and would be very useful to your father."

Trump Jr. replied: "If it's what you say I love it..."



Donald Trump Jr. listens to a speech on the first day of the Republican National Convention on July 18, 2016 in Cleveland, Ohio. John Moore / Getty Images file

Veselnitskaya said she did not discuss the Trump Tower meeting with the Russian prosecutor general before it happened.

"I am absolutely certain that I had not spoken about that upcoming meeting with the prosecutor general himself or with any of the officials of the prosecutor general's office," she said.

Intelligence experts have theorized that Veselnitskaya may have been a pawn in a scheme by Russian spy agencies to test the waters, seeking to determine how the Trump team would respond to an explicit offer of Russian help. But no evidence has surfaced to buttress that theory. Mueller is investigating the Trump Tower meeting.

#### **Related: Former Soviet Counterintelligence Officer at Trump Tower Meeting**



Veselnitskaya's account has evolved somewhat over time. In an initial interview with NBC News in July, she said, "I never had any damaging or sensitive information about Hillary Clinton. It was never my intention to have that."

In an August interview, she told NBC News that she did, in fact, turn over information about what she considered unflattering political contributions to Hillary Clinton and the Democrats.

In an interview this week, she said she didn't think those two statements were contradictory because she didn't expect Clinton to be aware of the allegations against the donors.



Russian lawyer Natalia Veselnitskaya NBC News

She provided NBC News with a document she says she prepared for the Trump Tower meeting, in which Clinton was mentioned in reference to contributions from the Ziff brothers, whom she accused of evading Russian taxes. She believes that some of the money they reaped from doing that ended up supporting Clinton and the Democrats, and she wanted the Trump campaign to know that. In fact, the Ziff brothers, who have declined to comment, also donated to Republicans.

Veselnitskaya also discussed what she believed was incriminating information about Bill Browder, a wealthy British subject who has been the chief advocate for the Magnitsky Act, a U.S. law that sanctions alleged Russian human rights violators.

She said that information also came from Fusion GPS in 2014, as part of its research into Browder for the Prevezon case.

Donald Trump Jr. has said that he didn't learn anything useful in the meeting.

However, Trump Jr. did promise to reexamine the Magnitsky matter if his father was elected, Veselnitskaya said.

"In case if we are successful in this campaign, maybe one day we would be interested in getting back to it. Because all that you told us sounds very interesting," she said, paraphrasing Trump Jr. "And who knows? Maybe one day we'll get back to that conversation, but not before that."

Veselnitskaya told NBC News she worked with the Russian prosecutor to corroborate the information she received from Fusion GPS.

She said she spoke to an investigator in the prosecutor's office, "to whom I also showed and explained the sources of my information, provided details etc. As far as I know, forensic expertise was conducted to verify the facts. Letters were sent to various countries, including Switzerland, Cyprus, and the United States of America, in order to establish whether the information I shared with the investigation and the prosecution was authentic."

She said she worked as a consultant to the prosecutor's office as part of the investigation.

Veselnitskaya is not a major figure in Russia, but she is a well-connected lawyer who represented a Russian intelligence agency, the FSB, in a property case between 2005 and 2013, according to Reuters. Her ex-husband was a deputy prosecutor in the Moscow region, according to the Guardian.

Browder is a businessman who made a fortune investing in post-Soviet Russia and was a supporter of Vladimir Putin until he was kicked out of the country in 2005, accused of evading \$40 million in taxes. Browder renounced his U.S. citizenship in 1997.



His account of what he says the Russian government did to Magnitsky, whom he describes as his lawyer, triggered international outrage, and led Congress to pass the Magnitsky Act.



Russian Prosecutor General Yuri Chaika (L) speaks with Russian President Vladimir Putin (R) during the Conference of the European Prosecutors General on July 5, 2006 in Moscow. Sergei Ilitsky / EPA file

According to Browder, Magnitsky had been investigating a theft of \$230 million in tax rebates paid to Browder's companies in Russia. Browder says his companies had been taken over illegally and without his knowledge by corrupt Russian officials.

Browder says Magnitsky was arrested as a reprisal by those same corrupt officials, and then was tortured and beaten to death, although an independent medical report says he died of an infection exacerbated by medical neglect in poor prison conditions.

Browder presented documents suggesting that some officials who benefited from the alleged fraud purchased property abroad.

The Russian government soon imposed a ban on American adoptions of Russian children, ostensibly for other reasons but done in response, many experts say, to the Magnitsky sanctions.

Simpson, who is a former Wall Street Journal reporter, was paid to dig into Browder by a law firm representing Denis Katsyv, the owner of Prevezon.

Prevezon settled the U.S. money-laundering lawsuit in May — with no admission of wrongdoing — by agreeing to pay \$6 million. The U.S. government originally sought to freeze \$20 million of company assets. Both sides claimed victory.

Veselnitskaya said Simpson's research showed that Browder was in business in Russia with the Ziff brothers.

The only reference to Clinton in Veselnitskaya's document is part of a reference to the Ziffs. She accused them of evading Russian taxes, and suggested that some of the money they reaped from doing that ended up supporting Democrats.



Businessman Bill Browder stands in Moscow's Red Square. Courtesy of Bill Browder

"According to available information, the Ziff Brothers were involved in funding both of Obama's election campaigns and have been dubbed by the U.S. media as 'the Democrats' main sponsors,'" Veselnitskaya wrote, in a Russian language document translated by NBC News. "They are possibly involved in funding Hillary Clinton's campaign."

That allegation is hardly incriminating — and it is only partially accurate.

Employees of Ziff Brothers Investments contributed nearly \$1.7 million to various political committees and candidates in the 2016 election cycle — a mixture of Republicans and Democrats. Donations to Clinton's presidential campaign totaled only \$17,700.

Regardless, Russian President Vladimir Putin of Russia has taken to mentioning some version of Veselnitskaya's charges of late, and state-run television has aired interviews with Veselnitskaya and Chaika.



Clerk of the House of Representatives  
Legislative Resource Center  
B-106 Cannon Building  
Washington, DC 20515  
<http://lobbyingdisclosure.house.gov>

Secretary of the Senate  
Office of Public Records  
232 Hart Building  
Washington, DC 20510  
<http://www.senate.gov/lobby>

# LOBBYING REPORT

Lobbying Disclosure Act of 1995 (Section 5) - All Filers Are Required to Complete This Page

|  |                                     |
|--|-------------------------------------|
| 1. Registrant Name <input checked="" type="checkbox"/> Organization/Lobbying Firm <input type="checkbox"/> Self Employed Individual                |                                     |
| The Human Rights Accountability Global Initiative Foundation   |                                     |
| 2. Address   |                                     |
| Address1 1050 Connecticut Ave NW # 500   | Address2                            |
| City Washington  | State DC Zip Code 20036 Country USA |
| 3. Principal place of business (if different than line 2)  |                                     |
| City   | State Zip Code Country              |
| 4a. Contact Name   | b. Telephone Number c. E-mail       |
| Mr. Robert Arakelian   |                                     |
| 5. Senate ID#  |                                     |
| 401104052-12   |                                     |
| 7. Client Name <input checked="" type="checkbox"/> Self <input type="checkbox"/> Check if client is a state or local government or instrumentality | 6. House ID#                        |
| The Human Rights Accountability Global Initiative Foundation   | 432870001                           |

## TYPE OF REPORT

8. Year 2016 Q1 (1/1 - 3/31) Q2 (4/1 - 6/30) ☒ Q3 (7/1 - 9/30) Q4 (10/1 - 12/31)

9. Check if this filing amends a previously filed version of this report ☒

10. Check if this is a Termination Report ☐ Termination Date 11. No Lobbying Issue Activity ☐

## INCOME OR EXPENSES - YOU MUST complete either Line 12 or Line 13

|   |  |
|---|--|
| <p>12. Lobbying</p> <p>INCOME relating to lobbying activities for this reporting period was:</p> <p><u>Less than \$5,000</u> <input type="checkbox"/></p> <p><u>\$5,000 or more</u> <input type="checkbox"/> \$</p> <p>Provide a good faith estimate, rounded to the nearest \$10,000, of all lobbying related income from the client (including all payments to the registrant by any other entity for lobbying activities on behalf of the client).</p> | <p>13. Organizations</p> <p>EXPENSE relating to lobbying activities for this reporting period were:</p> <p><u>Less than \$5,000</u> <input type="checkbox"/></p> <p><u>\$5,000 or more</u> <input checked="" type="checkbox"/> \$ 50,000.00</p> <p>14. REPORTING Check box to indicate expense accounting method. See instructions for description of options.</p> <p><input checked="" type="checkbox"/> Method A. Reporting amounts using LDA definitions only</p> <p><input type="checkbox"/> Method B. Reporting amounts under section 6033(b)(8) of the Internal Revenue Code</p> <p><input type="checkbox"/> Method C. Reporting amounts under section 162(e) of the Internal Revenue Code</p> |
|---|--|

Signature Digitally Signed By: Robert Arakelian

Date 5/8/2017 10:24:38 AM

**LOBBYING ACTIVITY.** Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Add additional page(s) as needed.

15. General issue area code FOR

16. Specific lobbying issues

foreign adoption issues

17. House(s) of Congress and Federal agencies ☐ Check if None

U.S. SENATE, U.S. HOUSE OF REPRESENTATIVES

18. Name of each individual who acted as a lobbyist in this issue area

| First Name | Last Name | Suffix | Covered Official Position (if applicable) | New                                 |
|------------|-----------|--------|---|-------------------------------------|
| Robert     | Arakelian |        | N/A                                       | <input checked="" type="checkbox"/> |

19. Interest of each foreign entity in the specific issues listed on line 16 above ☐ Check if None

Mikhail Ponomarev, Albert Nasibulin, Denis Katcyv, Vladimir Lelyukh and Berryle Trading Inc support policies that would reinstate the ability for U.S. citizens to adopt Russian children.

### Information Update Page - Complete ONLY where registration information has changed.

20. Client new address

Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_ Country \_\_\_\_\_

21. Client new principal place of business (if different than line 20)

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_ Country \_\_\_\_\_

22. New General description of client's business or activities

### LOBBYIST UPDATE

23. Name of each previously reported individual who is no longer expected to act as a lobbyist for the client

|   | First Name | Last Name  | Suffix |   | First Name | Last Name | Suffix |
|---|------------|------------|--------|---|------------|-----------|--------|
| 1 | Rinat      | Akhmetshin |        | 3 |            |           |        |
| 2 |            |            |        | 4 |            |           |        |

### ISSUE UPDATE

24. General lobbying issue that no longer pertains

☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

### AFFILIATED ORGANIZATIONS

25. Add the following affiliated organization(s)

Internet Address:

<https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=D6F09422-6458-4A9C-B97C-840C390A402F&filingTypeID=64>



| Name | Address                |                |     |         | Principal Place of Business<br>(city and state or country) |         |
|------|------------------------|----------------|-----|---------|--|---------|
|      | Street Address<br>City | State/Province | Zip | Country | City<br>State  | Country |

26. Name of each previously reported organization that is no longer affiliated with the registrant or client

1

2

3

## FOREIGN ENTITIES

27. Add the following foreign entities:

| Name              | Address                |                |         | Principal place of business<br>(city and state or country) | Amount of<br>contribution for<br>lobbying activities | Ownership<br>percentage in<br>client |
|-------------------|------------------------|----------------|---------|--|--|--------------------------------------|
|                   | Street Address<br>City | State/Province | Country |  |  |                                      |
| Mikhail Ponomarev | N/A<br>Moscow          |                | RUS     | City<br>State<br>Country                                   | 0  | 0 %                                  |
| Albert Nasibulin  | N/A<br>Moscow          |                | RUS     | City<br>State<br>Country                                   | 0  | 0 %                                  |
| Denis Katcyv      | N/A<br>Moscow          |                | RUS     | City<br>State<br>Country                                   | 0  | 0 %                                  |

28. Name of each previously reported foreign entity that no longer owns, or controls, or is affiliated with the registrant, client or affiliated organization

1

3

5

2

4

6

25.08.2017

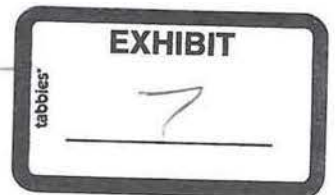
Чтв, 9 Июн 2016 22:10

Re: Meeting confirmed for Donald Trump Jr.



От: Rob Goldstone [REDACTED]

Кому: Наталия [REDACTED]



We will be at trump tower from 345pm so let me or lke know when you are here  
Rob

This iphone speaks many languages

On Jun 9, 2016, at 12:39, Наталия [REDACTED] wrote:

Perfect! Will be there at 4 pm, meeting confirmed.

Отправлено с iPhone

9 июня 2016 г., в 9:55, Rob Goldstone [REDACTED] > написал(а):

I would suggest you bring whoever you need in order to make the meeting successful. Please bring them with you and meet lke for your meeting at 4pm today.

Best  
Rob

This iphone speaks many languages

On Jun 9, 2016, at 09:24, Наталия [REDACTED] wrote:

Dear Mr. Goldstone, I am writing to ask you to pass by Mt. Trump my request to include our trusted associate and lobbyist Mr. Rinat Akhmetshin, who is working to advance these issues with several congressmen. He has invaluable knowledge about the positions held by the members of the Foreign Relations Committee that will be very important to our discussion. Mr. Akhmetshin has signed an NDA with us as did Mr. Samochornov. I will be awaiting your decision.  
Kind regards, Natalia

Отправлено с iPhone

7 июня 2016 г., в 17:27, Rob Goldstone [REDACTED] написал(а):

**Good Afternoon**

**I have confirmed a meeting for you both at 3pm on Thursday with Donald Trump Jr. at his office at Trump Tower on Fifth Avenue.**

**I can meet you there and bring you up to his office, introduce you all - and then I shall step away and leave you to the meeting.**

**Please ensure you have official ID for the very tight security now at Trump Tower. Driver's license and or passport etc.**

**I will be on my cell on Thursday if you need anything - [REDACTED]**

**Rob Goldstone**  
[REDACTED]

Message

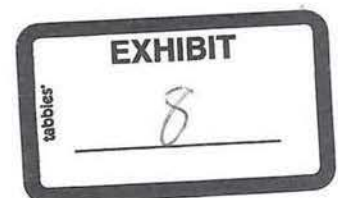
From: Rob Goldstone [REDACTED]  
Sent: 6/29/2016 10:16:07 AM  
To: Dan Scavino [REDACTED]  
CC: Donald Trump Jr. [REDACTED]; Rhona Graff  
[REDACTED]; Konstantin Sidorkov  
Subject: Russia's largest social media network "VK" - offers Trump Campaign message to over 2 million registered Russian American voters in the USA  
Attachments: donaldtrump.pdf; ATT00001.txt

Good Morning

Dan, I am following up on an email a while back of something I had mentioned to Don and Paul Manafort during a meeting recently. There are believed to be around 2 million Russian American voters living in the USA - and more than 1.6 million of these use the Russian "Facebook" site V Kontakte "VK" as their preferred social media outlet.

As I mentioned to you guys, through Emin and my contact at VK, they want to create a VOTE Trump 2016 promotion aired directly at these users - people who will be voting in November. At the time, Paul had said he would welcome it and so I had the VK folks mock up a basic sample page - which I am re-sending for your approval now. It would merely require Mr. Trump to drop in a short message to Russian American voters - or a generic message depending on your choice - and the page can be up and running very quickly.

I have copied the head of Partner Relations for VK - Konstantin Sikorkov - who is a good friend of mine and Emin's - on this email as he would oversee the promotion of the page etc.



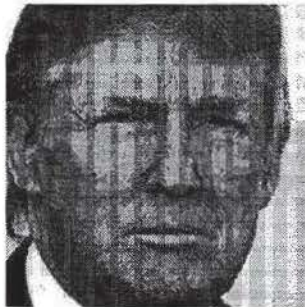


Search

Konstantin



- My Profile
  - News
  - Messages 322
  - Friends 6
  - Communities
  - Photos
  - Audios
  - Videos
  - Games
  - Bookmarks
  - Documents
  - Ads
  - Managed apps
  - Tasks
- Use the new version by default



Send a message

Add to friends

Donald J. is following you

Page statistics

Subscribe to notifications

Add to bookmarks

Report profile

Block Donald J.

Noteworthy pages 2



Официальные  
страницы ВКонтате  
Internet



Konstantin Sidorkov  
Moscow, 21 years old

Videos 1



Competent Leadership

Donald J. Trump

#MakeAmericaGreatAgain #Trump2016

last seen 11 June at 6:23 pm

Birthday: June 14, 1946  
Current city: New York City  
Company: The Trump Organization  
Website: <http://www.donaldjtrump.com>

Show full information

36 followers 6 photos 1 video

Donald J.'s photos 6



Posts by Donald J.



Donald J. Trump  
16 May at 7:58 pm

Bernie Sanders is being treated very badly by the Dems. The system is rigged against him. He should run as an independent! Run Bernie, run.

Like Share

Reply



Donald J. Trump  
16 May at 7:57 pm

The media is really on a witch-hunt against me. False reporting, and plenty of it - but we will prevail!


Like Share

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CONFIDENTIAL

DJTJR00455

Hope it helps

Rob Goldstone  
President  
Oui 2 Entertainment  
NY  
[www.oui2.com](http://www.oui2.com)  


**Subject:** Re: Prevezon

**From:** Glenn Simpson [REDACTED]

**Date:** 4/25/2016 11:41 AM

**To:** "Alaverdi, Laura" [REDACTED] Natalia Veselnitskaya [REDACTED]

**CC:** Edward Baumgartner [REDACTED] "Cymrot, Mark"

[REDACTED], rinat akhmetshin [REDACTED], Мурат Глашев

Please circulate a dial-in number.

---

**From:** Laura Alaverdi [REDACTED]

**Date:** Sunday, April 24, 2016 at 8:44 PM

**To:** Veselnitskaya Nataliya [REDACTED]

**Cc:** Edward Baumgartner [REDACTED], Mark Cymrot [REDACTED], Glenn Simpson [REDACTED], rinat akhmetshin [REDACTED], Murat Glashev

**Subject:** Prevezon



RELEASED BY AUTHORITY OF THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE

**CONFIDENTIAL**

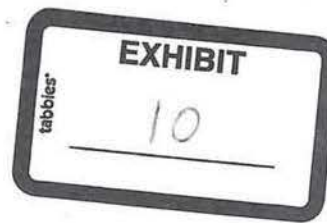
RA\_SEN\_JUDICIARY000008



# US Congressman talks Russian money laundering with alleged ex-spy in Berlin

By Michael Weiss, CNN Investigates

Updated 10:47 AM ET, Thu May 4, 2017



BILL CLARK/CO ROLL GRILL/GETTY IMAGES

**(CNN)** — These days, most American officials would be reluctant to disclose any connection to Russia, much less a meeting with an alleged former Soviet spy whose alleged role in lobbying on behalf of Kremlin interests was recently called out by the chairman of the Senate Judiciary Committee.

But Dana Rohrabacher, a Republican representative from California, openly acknowledges such a meeting with Rinat Akhmetshin.

It lasted between 15 and 20 minutes and took place the night of April 11 in Berlin, at the lobby bar of the Westin Grand Hotel, according to two eyewitnesses and Rohrabacher.

The topic of discussion: A high-profile Russian money laundering case and related sanctions on Russia.

"We were on our way in and [Akhmetshin] was there," Rohrabacher told CNN.

Just one week before the meeting, Senator Charles Grassley had written a letter to John Kelly, the Secretary of Homeland Security, describing Akhmetshin as "a Russian immigrant to the United States who has been accused of acting as an unregistered agent for Russian interests and apparently has ties to Russian intelligence." Grassley was requesting "all information" on Akhmetshin's immigration history.

Rohrabacher himself described Akhmetshin to CNN as someone with "an ulterior motive" who is "involved with people who've got an agenda" and has "international connections to different groups in Russia." When asked if he thought Akhmetshin was still connected to the Russian security services, Rohrabacher said: "I would certainly not rule that out."

Akhmetshin declined to comment for this story. He previously told Politico: "Just because I was born in Russia doesn't mean I am an agent of [the] Kremlin."

In the past, he has described his business as "strategic communications," according to a civil court filing. Akhmetshin said his clients "are national governments or high ranking officials in those governments."

## **'I think we've been sold a bill of goods'**

Rohrabacher was in Berlin as part of a tour to examine the legalization of marijuana in Europe. Rohrabacher, a 14-term congressman from Orange County, openly supports legalization. It's unclear why Akhmetshin was there.

The congressman told CNN that he cannot recall exactly what was said in the lobby, or at a subsequent dinner he attended with more than a dozen people, including Akhmetshin.

The focus, according to two eyewitnesses in the hotel lobby, was a U.S. federal money-laundering case in New York. The government is targeting Prevezon Holdings, a Cyprus company that has invested in Manhattan real estate and which prosecutors allege was the receptacle for some of the \$230 million stolen from Russian taxpayers in 2007. Rohrabacher acknowledged to CNN that the case came up in conversation with Akhmetshin.

The case is set to go to trial later this month after being beset by over a year of surreal sideshow controversies and delays. A prominent lawyer for the defense was thrown off the case owing to a perceived conflict of interest. More recently, one of the U.S. attorney's key witnesses, Russian lawyer Nikolai Gorokhov almost died when he plummeted from his Moscow apartment in March, a day before he was due to appear in a Russian court to present new evidence.

But Rohrabacher told CNN that he remains "skeptical" as to the premise of the case, which he believes may be propaganda designed to "create hostility and belligerence toward Russia."

The alleged tax fraud led to the 2012 Sergei Magnitsky Rule of Law Accountability Act, a landmark human rights act named for the lawyer who tried to expose the theft before being arrested and allegedly tortured prior to his death in a Moscow prison in 2009.

The Magnitsky law has so far been used to sanction 39 Russians implicated in the theft and coverup.

The Russian government maintains that the lawyer died of a "heart attack," despite the Russian Presidential Human Rights Council's finding that Magnitsky was "completely deprived of medical care before his death" and that "there is reasonable suspicion to believe that the death was triggered by beating Magnitsky."

At several points in the interview with CNN, Rohrabacher suggested that Magnitsky may have been fatally interrogated in an effort to get him to confess to where he had stashed the stolen money — a narrative that better tracks with a Russian government theory that Magnitsky committed the crime he first brought to the government's attention.

"The thrust of Rohrabacher and Akhmetshin's discussion," one of the eyewitnesses at the hotel bar said, was that the facts of the case "were all an elaborate hoax" orchestrated by William Browder, an American-born former client and the CEO of Hermitage Capital Investment, once the largest portfolio manager in Moscow until he and his business were driven out of the country. Magnitsky was Browder's lawyer.

As Browder tells it in his bestselling memoir *Red Notice*, Hermitage's corporate documents were stolen by crooked police officers in the Russian Interior Ministry in 2007. These officers, Browder alleges, were also under the employ of a man they had previously investigated for another financial crime: Dmitry Klyuev, an ex-convict and suspected head of a transnational crime syndicate known as the Klyuev Group.



The group supposedly used the stolen documents to re-register three of Hermitage's subsidiary companies. Third party companies also owned by Klyuev then "sued" those stolen subsidiaries.

Judges found in every case in the plaintiff's favor. And with the aid of complicit tax officers in Moscow, this group was able to cite the dummied-up corporate losses from litigation in justifying the \$230 million refund — the largest in Russian history. It was processed in a single day, on Christmas Eve, 2007.

The U.S. Department of Justice, in its criminal complaint against Prevezon, supports this version of events.

"I think we've been sold a bill of goods," Rohrabacher told CNN. "This could well be a situation where you've got an American billionaire [Browder] who's been able to manipulate the situation in order to protect his own activities. That may be the case. I'm not making that charge."

In an emailed statement to CNN, Browder responded to Rohrabacher's accusation. "More than a dozen independent law enforcement agencies around the world have investigated this case and arrived to the same conclusion," Browder wrote. "Sergei Magnitsky was a victim of the massive corrupt scheme which goes high up in the Russian government. It is very suspicious for Rohrabacher to ignore those findings and publicly contradict them."

Rohrabacher has advocated in Congress to have "Magnitsky" stricken from the broader version of the law, known on the Hill as "Global Magnitsky" because it would address human rights abuses from any foreign country, not just Russia.

"I'm not an opponent of the Magnitsky law," Rohrabacher maintained. "I'm an opponent of calling it the Magnitsky Act because that case may not reflect" what actually happened, he said.

He said that if the jury in the Prevezon case sides with the US government, he "might" change his mind.

In November of last year, Politico named Rohrabacher "Putin's favorite congressman" owing to his persistent role in Congress as a lone defender of Russian government behavior and a personal admirer of Vladimir Putin, with whom he playfully arm-wrestled in Washington, D.C. in the 1990s, when Putin was still a relatively unknown deputy mayor of St. Petersburg.

"We have a huge double standard with Russia when it comes to prisoners and other things," Rohrabacher told CNN, adding that the Russian intelligence services' interference in the U.S. election was no different from the NSA's "bugging [German Chancellor Angela] Merkel's phone."

## Trading babies for sanctions

Casting doubt on the accepted wisdom of this far-reaching corruption story in order to rescind the sanctions imposed in the dead lawyer's name has been a staple of Russian foreign policy for more than five years.

On May 7, 2012, his first day back in office as Russia's president, Putin signed a decree making one of the Kremlin's prime objectives with respect to foreign policy "to work actively in prohibiting imposition of unilateral extraterritorial sanctions of the United States of America against Russian legal entities and individuals."

Since then, a raft of "counter-sanctions" against various U.S. officials and politicians have been issued by the Kremlin, whose most notorious retaliatory measure took the form of a ban on Americans seeking to adopt Russian orphans — a proscription now dangled by Moscow as something that might be lifted if and when Magnitsky sanctions are repealed.

Browder and Senator Grassley have suggested Akhmetshin may be one of the Russian government's U.S.-based facilitators for having those sanctions repealed.

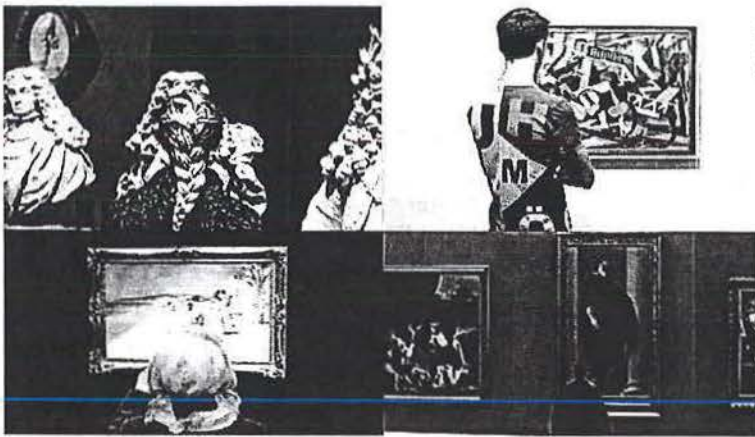
Rohrabacher, for his part, denies knowing Akhmetshin well at all, describing him as "no friend of mine. He's just this guy who pops up."

Even still, Akhmetshin visited Rohrabacher in his office in May 2016, a day before the House Foreign Affairs Committee was due to mark up the Global Magnitsky Act. Akhmetshin had recently been hired as a lobbyist for a group called the Human Rights Accountability Global Initiative (HRAGI), which purports to seek the removal of the Russian adoption ban.

HRAGI was founded by Natalia Veselnitskaya, the Russian lawyer for Denis Katysv, the legal owner of Prevezon Holdings. In other words, it is Katysv's \$14 million that the US is looking to confiscate as ill-gotten gains. And it is Katysv who stands to benefit if Prevezon is acquitted.

In April 2016, Rohrabacher traveled to Moscow and met with Konstantin Kosachev, the chairman of the International Affairs Committee in the Federation Council, Russia's equivalent to the U.S. Senate. Kosachev then facilitated a meeting with other Russian officials who gave the congressman a letter which described the campaign to shift the perception of Magnitsky: "Changing attitudes to the Magnitsky story in the Congress...may change the current climate in interstate relations. Such a situation could have a very favourable response from the Russian side on many key controversial issues and disagreements with the United States, including matters *concerning the adoption procedures.*" (Italics added.)

As a senior member of the House Foreign Affairs committee, Rohrabacher's meeting with an accused ex-Soviet operative turned controversial lobbyist in the onetime cockpit of Cold War espionage is likely to draw scrutiny.



## Photographer captures people matching museum artwork



Inside one of the Maldives' most luxurious resorts



Trump asked Xi to look at cases of UCLA basketball players



How significant is new accuser's yearbook evidence?

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

IN RE:

APPLICATION OF INTERNATIONAL MINERAL  
RESOURCES, B.V. FOR AN ORDER TO TAKE  
DISCOVERY PURSUANT TO 28 U.S.C. § 1782,

Applicant.

1:14-MC-00340

SECOND DECLARATION OF RINAT AKHMETSHIN

CITY OF WASHINGTON )

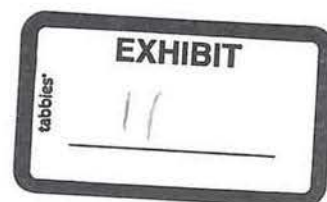
DISTRICT OF COLUMBIA )

) ss:

RINAT AKHMETSHIN declares under penalty of perjury as follows:

1. I submit this, my second Declaration, in opposition to Applicant IMR's motion to compel production of documents and additional deposition testimony. For some of the documents that are the subject of IMR's motion the privilege involved belongs to my former client ECVK. For other documents, the privilege is mine. I will try to keep clear whose privilege I am discussing at any given time.

2. I was hired by New York law firm Salisbury & Ryan LLP as a consulting expert to assist Salisbury & Ryan with its representation of EuroChem Volga-Kaliy ("ECVK") in litigation in the Netherlands against the Applicant here, IMR. There are also two arbitrations between ECVK and related parties to IMR in Zurich and Paris.





3. Because I am an expert on Eurasia and how business is conducted in that part of the world, Patrick Salisbury reached out to me for consulting assistance. Indeed, the name of the document I signed as an engagement letter was captioned "Research and Litigation Support." Specifically, Salisbury & Ryan retained me to research and consult with respect to the unique legal, social, economic, and political issues that arise in Eurasia relevant to the litigation between ECVK and IMR. That was important in the litigation because two of the principals of IMR are nationals of Uzbekistan and one is a national of Kyrgyzstan.

4. When Salisbury & Ryan retained me, Mr. Salisbury confirmed that all of my work for his firm should comply with both U.S. law and any relevant foreign law. My engagement letter provided a specific provision to that effect. I, of course, confirmed that I would fully comply, and did so during my engagement with Salisbury & Ryan.

5. At the time Salisbury & Ryan retained me I had not had previous contact with anyone from EuroChem or ECVK for any purpose. I did not meet or correspond with anyone at EuroChem or ECVK at the time of my retention. During my engagement, all of my involvement and activities were done at the request of Salisbury & Ryan, led by Mr. Salisbury. With one exception, described below, I had no direct contact with anyone from EuroChem or ECVK.

6. During my work for Salisbury & Ryan, I did not participate in any of the legal proceedings in which Salisbury & Ryan represented ECVK, including by offering any testimony or submitting any reports. Nor did I communicate or provide any materials or information to any other expert or consultant retained by Salisbury & Ryan. Other than my

engagement as a consulting expert, I had no personal connection whatsoever to the underlying disputes between ECVK and IMR.

*My Work For Salisbury & Ryan Was At All Times Lawful.*

7. At no time during my engagement with Salisbury & Ryan, or at any other time for that matter, did I hack into the computer systems of IMR. Nor did I ask or encourage anyone else to do such hacking. Nor did I otherwise obtain, access, or distribute information that I believed to be hacked from IMR.

8. As I testified in my deposition on April 7, 2015, I do not recall my exact words during my meeting with Mr. Halpert, some eight months after my Salisbury & Ryan engagement terminated. As I recall, Mr. Halpert was interested in the Troika's assets in Kazakhstan. The Troika's company ENRC has assets in Kazakhstan; to my knowledge IMR has no assets in Kazakhstan. I do not recall mentioning IMR in that meeting at all. I could not have said I had a meeting the next week with Salisbury & Ryan because I had been terminated eight months earlier. No such meeting the following week ever occurred.

*No Strategic Communications Work.*

9. One of the first things I did after Mr. Salisbury reached out to me was to draft a proposal for Mr. Salisbury for my work that included a strategic communications element. Many of my clients from countries that formerly comprised part of the old Soviet Union are unfamiliar with the American and western press and how it works and doesn't work. As a result, I frequently undertake strategic communications efforts just to get their story out. In this case,

Mr. Salisbury told me that neither he nor his client had any interest in strategic communications work.

10. I presented my strategic communications proposal again to Salisbury & Ryan and representatives of EuroChem at a meeting in Moscow in September 2012. That September 2012 meeting was the only time during my engagement with Salisbury & Ryan or ever that I have met with anyone from EuroChem or ECVK. (Before the meeting I had one brief telephone conversation with EuroChem's General Counsel Mr. Sidnev to arrange the meeting; we did not discuss anything substantive on that call).

11. At the September 2012 meeting, my strategic communications proposal was the only substantive topic discussed. I did not discuss my research and consulting for Salisbury & Ryan.

12. Both ECVK and Salisbury & Ryan made clear that they had absolutely no interest in any strategic communications work, and they rejected my strategic communications proposal out of hand. After the meeting, Mr. Salisbury emphasized to me the commercial and business components on which he wanted me to focus my research, all of which related to the litigation with IMR. I have not met or communicated with anyone from EuroChem or ECVK since that September 2012 meeting.

13. As a result, I have no documents that relate to any strategic communications work on behalf of ECVK because there was no such work.



*The London Information Bazaar.*

14. Most of my research for Salisbury & Ryan was open source research -- simply gathering information that is already publicly available. One of my most important resources was the vibrant exchange of financial, political, social, and cultural news or information that exists in London. I call this the London Information Bazaar or London Information Exchange. In London, journalists, businessmen, entrepreneurs, stock brokers and traders, corporate officers and directors, politicians, and workers at non-governmental organizations and interest groups, attempt to obtain some financial or other advantage by being the first to know certain facts that could affect corporate strategies, commercial outcomes, social pecking orders, political fortunes or futures, or other kinds of data. Because London fancies itself as the financial capital of the world, one can find information on the London Information Bazaar about almost any part of the world. For Salisbury & Ryan, I was interested in obtaining information on the three owners of IMR known as the Troika, that is Alexander Machkevitch, Patokh Chodiev, and Alijan Ibragimov, and, among other things, how their businesses were structured and the nature of their businesses' assets.

15. Information passes on the London Information Bazaar by barter. Particularly among journalists, if one is interested in a given topic and has news to share, one can quite frequently discover information on the topic of interest by sharing information with the source of that information. The unique mix of finance, politics, journalism, and geopolitics that exists in London makes it a very lively Information Barter Bazaar.

16. During the period that I was doing my research for the Salisbury & Ryan engagement, Messrs. Machkevitch, Chodiev, and Ibragimov were embroiled in one of the most

infamous scandals in London. That scandal involved the de-listing from the London Stock Exchange of the Troika's public company Eurasian Natural Resources Corporation, or ENRC. That scandal made the Troika the subject of the front page of the business section in many London papers on a very frequent basis for several years (at least 2011 – 2014 when ENRC was finally delisted from the London Stock Exchange). London journalists -- and non-governmental watchdog organizations reporting on corporate fraud such as Global Watch (which published scathing reports on the Troika's (or ENRC's) business practices -- were ravenous for information relating to the Troika, and how they made their fortunes in Kazakhstan under the privatization schemes that followed the collapse of the Soviet Union. It is now a published fact that one of my clients is the former Prime Minister of Kazakhstan Akezhan Kazhegeldin, a leading member of the political opposition of the incumbent regime of Nursultan Nazarbayev. Mr. Kazhegeldin lives in exile in London. The convergence of all those factors made it possible for me to barter and obtain information on the Troika and the structure of their businesses through the London Information Barter Bazaar.

17. I bartered information about the Troika, and the structure of the Troika's assets (both public companies and private companies) with several journalists -- or people who at that time I believed to be journalists -- including but not limited to Simon Goodley of the Guardian, Mark Hollingsworth of the Guardian, Ken Silverstein of Harpers, and Kirstin Ridley of Thomson Reuters. I also exchanged information with NGO representative Daniel Balint-Kurti of the highly respected Global Witness, an international think tank dedicated to fostering transparency in the commercial world and exposing and rooting out bribery and corruption in the political realm. All of this I did as part of my consulting expert role for Salisbury & Ryan.



Other Clients.

18. Salisbury & Ryan is not a major client of mine. I have others for whom I do far more extensive work, including former Prime Minister Kazhegeldin.

19. I also have other clients that I work for, including many located in or involved with Eurasia. For example, I have done several projects with Mr. Ed Lieberman, an attorney who I am told is a member of this Court. When I work for other clients with Mr. Lieberman he acts as a lawyer to our team. Many of the communications I have with Mr. Lieberman are for the purpose of obtaining his legal counsel or in furtherance of work he is doing for his clients. I did not work with Mr. Lieberman with respect to my engagement with Salisbury & Ryan. Because the Subpoena issued by IMR is so broad and seeks any documents related to ENRC it ostensibly seeks documents that have nothing to do with IMR, the Dutch Action, or even my work for Salisbury & Ryan. That includes documents involving Mr. Lieberman and our work for other clients in Kazakhstan.

20. I consider certain information and materials related to my consulting business to be confidential, including client names, client lists, my means and methods of research or information gathering, and my private sources, among other things. It would be an economic (and political) disadvantage to me if people associated with my economic competitors, or people associated with the regime of Mr. Nazarbayev, were to obtain my confidential information and materials.

Mr. Salisbury Terminates My Services.

21. On Memorial Day weekend of 2013 I received a telephone call from Mr. Salisbury. Mr. Salisbury stated that he and I needed to speak in person, and I responded that I would be in New York in the next couple of weeks and would stop by his office. He said we needed to speak immediately and came to Washington by train the very next day or two to see me. When we met, he told me that Troika member Patokh Chodiev had requested a meeting with ECVK owner Andrey Melnichenko. In that meeting, Chodiev apparently told Mr. Melnichenko that I was an anathema to the incumbent Nazarbayev regime, and that if EuroChem wanted to conduct business in Kazakhstan or with Kazakhstan entities, ECVK should not retain me as an expert. Apparently, Mr. Melnichenko agreed. Mr. Salisbury told me that he had been directed to immediately cease using my services and that I was terminated on Sunday or Monday of Memorial Day weekend 2013. I confirmed that I understood I was terminated effective immediately.

22. Between my termination Memorial Day weekend and August of 2013, I had little contact with anyone at Salisbury & Ryan. Most of the minimal contact that I did have related to Salisbury & Ryan paying for the consulting services that I had provided.

23. Since August 2013, I had no contact with anyone at Salisbury & Ryan until this proceeding began, with one exception. That exception was that Mr. Salisbury reached out to me when Salisbury & Ryan feared that their phones were tapped and their computers had been hacked. I had expressed to them similar concerns during my work for their firm and Mr. Salisbury wanted to know the facts relating to this episode.

24. It is frustrating to me that my professional work for the Kazakhstan political opposition led to my services being terminated. ECVK holds a \$1.3 billion pre-judgment attachment against IMR, but when the principals of those massive companies convened what they agreed on was getting rid of me. As a mere custodian of documents involving a dispute between these two international conglomerates, I have now had to participate in this proceeding for over a year at a cost far greater to me than the income I earned from Salisbury & Ryan.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Washington, D.C.  
June 14, 2015

  
Rinat Akhmetshin

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE:

APPLICATION OF INTERNATIONAL MINERAL  
RESOURCES B.V. FOR AN ORDER TO TAKE  
DISCOVERY PURSUANT TO 28 U.S.C. § 1782

Applicant.

Case No. \_\_\_\_\_

**DECLARATION OF JONATHAN D. COGAN**

**EXHIBIT R**



# EXHIBIT A

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

- - - - -X  
IN RE: )  
 ) 1:14-MC-00340 GK  
APPLICATION OF INTERNATIONAL ) JUDGE KESSLER  
MINERAL RESOURCES, B.V. FOR AN )  
ORDER TO TAKE DISCOVERY )  
PURSUANT TO 28 U.S.C. 1782, )  
Applicant. )  
- - - - -X

(CONFIDENTIAL PORTIONS NOT INCLUDED)

Videotaped Deposition of RINAT AKHMETSHIN

Washington, D.C.

Tuesday, April 7, 2015

9:41 a.m.

Job No. 141469

Pages: 1 - 274

Reported by: [REDACTED], RPR, CRR



1 Videotaped Deposition of RINAT

2 AKHMETSHIN, held at the law offices of:

3

4 Kobre & Kim LLP

5 1919 M Street, Northwest

6 Suite 400

7 Washington, D.C. 20036

8 (202) 664-1900

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14

15 Pursuant to agreement, before [REDACTED] [REDACTED],

16 Registered Professional Reporter, Certified

17 Realtime Reporter and Notary Public for the

18 District of Columbia.

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A P P E A R A N C E S

ON BEHALF OF IMR:

JONATHAN D. COGAN, Esquire  
REBECCA G. MANGOLD, Esquire  
Kobre & Kim LLP  
800 Third Avenue  
New York, New York 10022

[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]

- and -

FRITZ SCANLON, Esquire  
Kobre & Kim LLP  
1919 M Street, Northwest  
Suite 400  
Washington, D.C. 20036

[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED]



1           A P P E A R A N C E S   C O N T I N U E D

2

3           O N B E H A L F O F T H E D E P O N E N T :

4                   K I M H O Y T S P E R D U T O , E s q u i r e

5                   S p e r d u t o   T h o m p s o n   P L C

6                   1 1 3 3   T w e n t i e t h   S t r e e t ,   N o r t h w e s t

7                   S e c o n d   F l o o r

8                   W a s h i n g t o n ,   D . C .   2 0 0 3 6

9

10

11

12

13           A l s o   P r e s e n t :

14                   [REDACTED], V i d e o g r a p h e r

15                   M a k s i m   K u z m i n ,   I M R ' s   R u s s i a n   C o u n s e l

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1 general description, so there's -- because there's  
2 a lot of legal activity happening in London with  
3 the stock exchange and other things. The due  
4 diligence is being done; there's a certain  
5 informal kind of exchange, barter, of information  
6 which is connected to pretty much everything.

7 I'm aware of Russian situation matters,  
8 but I'm sure there's some Nigerian stuff going on  
9 that's -- like every where else.

10 So I must say that there's -- in  
11 addition to information, there's a lot of  
12 misinformation and a lot -- a lot of forgeries as  
13 well, actually, that's circulating.

14 So people -- it's -- it's very  
15 informal, and it's not an entity which kind of  
16 guarantees any kind of accuracy of those.

17 BY MR. SPERDUTO:

18 Q When you say "barter," what do you --  
19 what do you mean by that?

20 A Barter means nonmonetary exchange.  
21 People doing favors for each other.

22 Q And the -- the coin of the realm is  
23 information; is that correct?

24 A It is information, yes.

25 Q Then -- and -- and do you participate

[REDACTED]

[REDACTED]

[REDACTED]

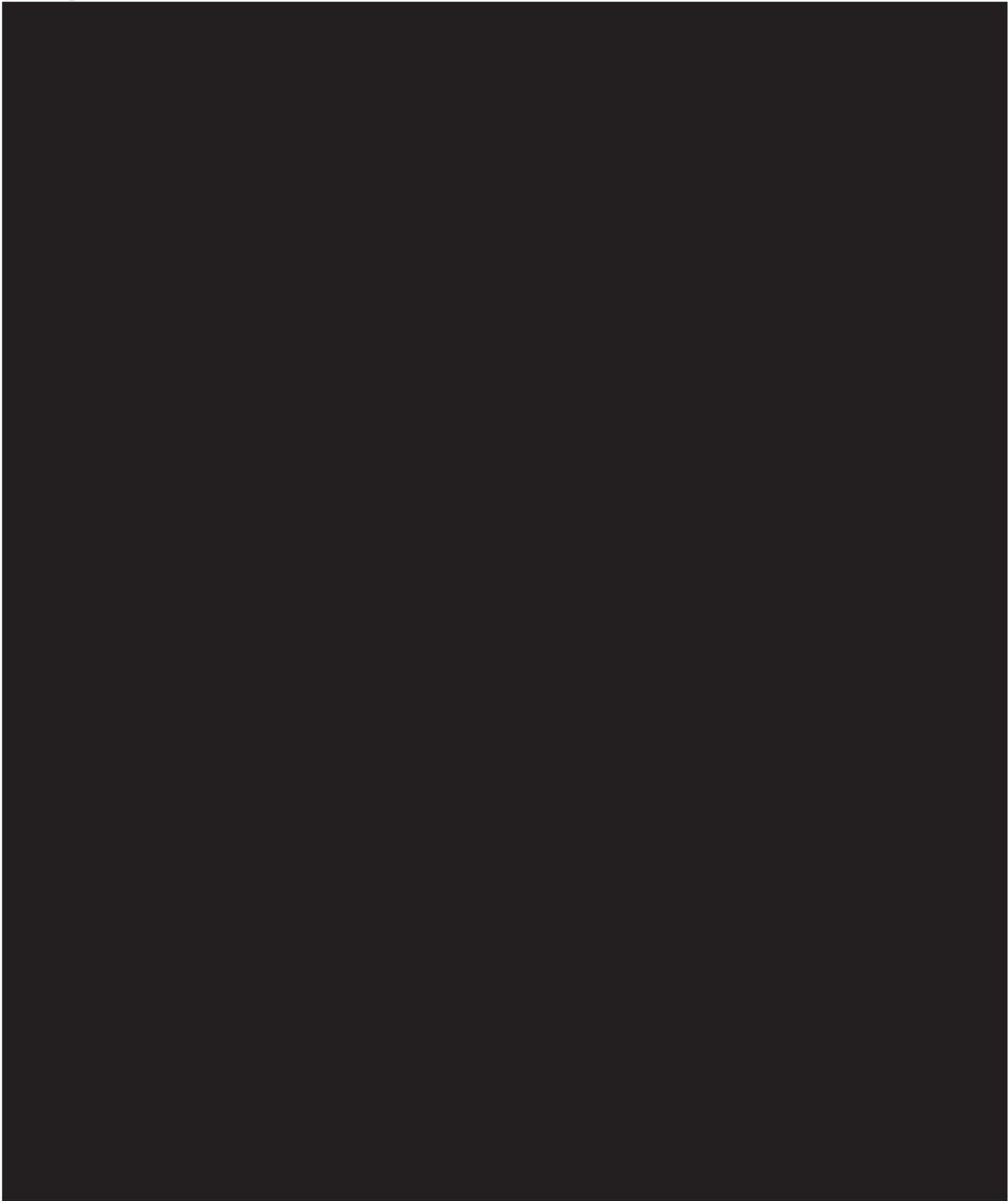
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EXHIBIT

13

[REDACTED]















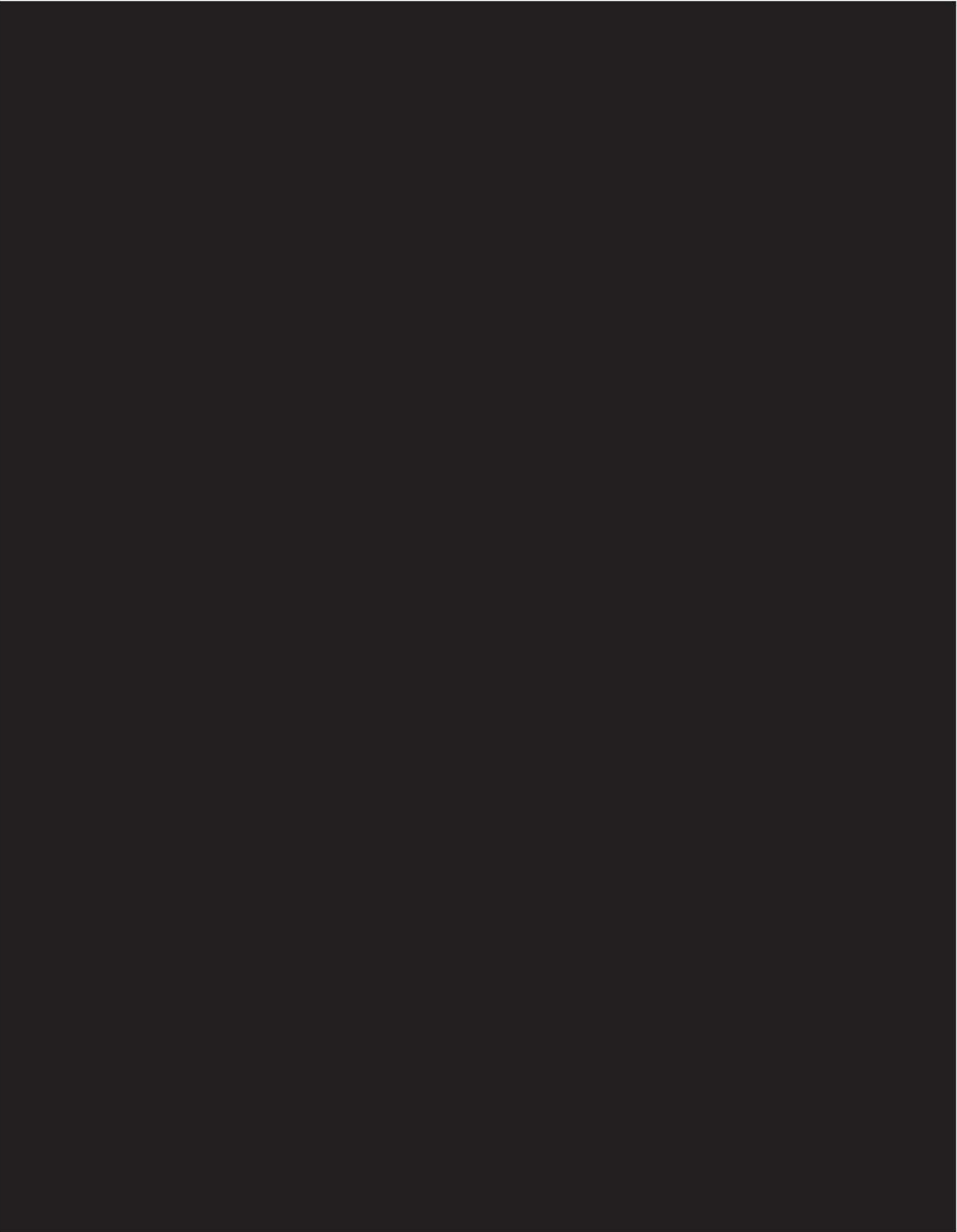
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**SJC-KAV\_00299**







**CONFIDENTIAL TREATMENT REQUESTED**

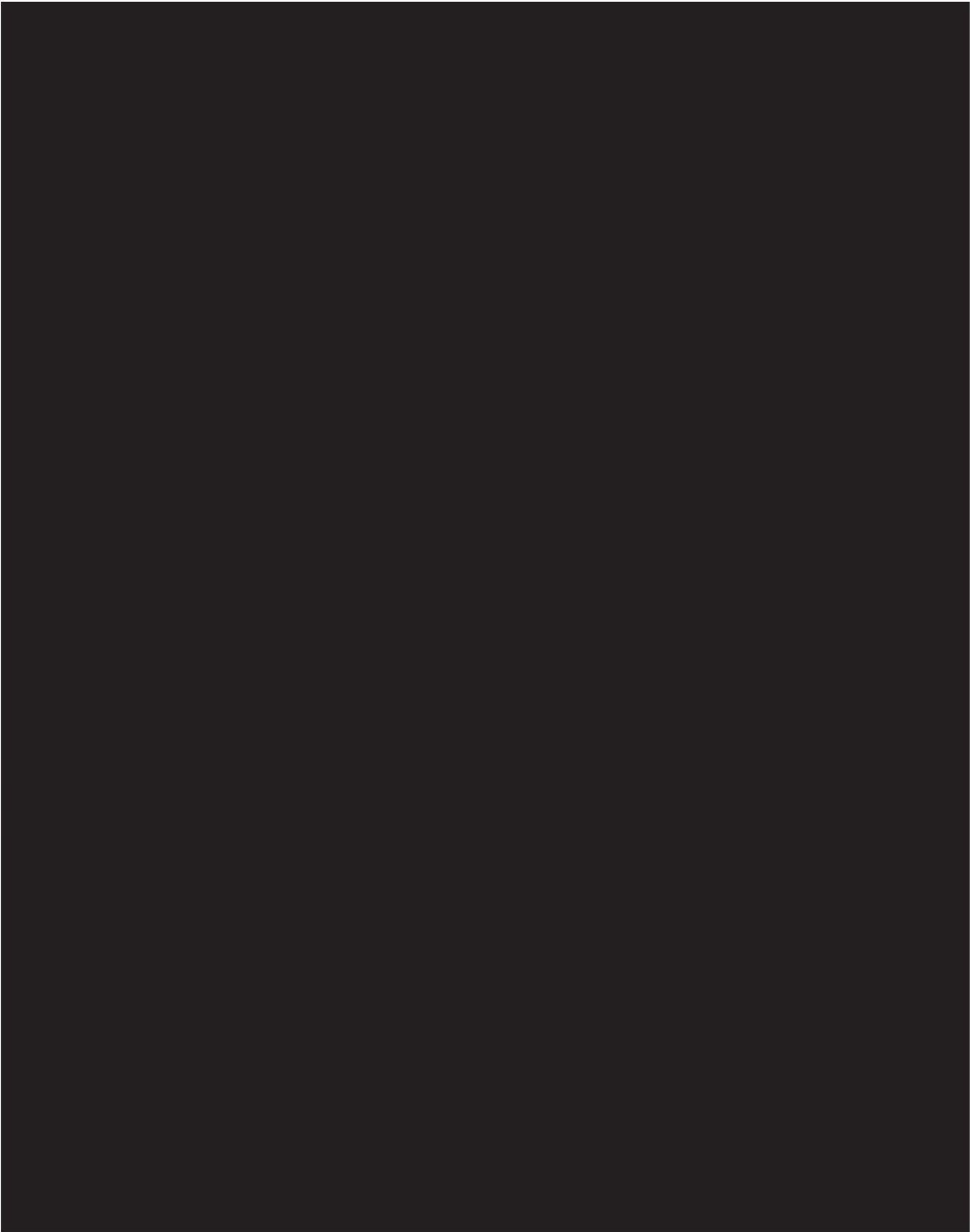
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**SJC-KAV\_00303**

**CONFIDENTIAL TREATMENT REQUESTED**

**SJC-KAV\_00304**

RELEASED BY AUTHORITY OF THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE



**CONFIDENTIAL TREATMENT REQUESTED**

RELEASED BY AUTHORITY OF THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE

**SJC-KAV\_00305**







**CONFIDENTIAL TREATMENT REQUESTED**

RELEASED BY AUTHORITY OF THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE

**SJC-KAV\_00308**











**CONFIDENTIAL TREATMENT REQUESTED**

**SJC-KAV\_00313**

RELEASED BY AUTHORITY OF THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE









DATE/TIME

SENDER

ALL PARTICIPANTS

MESSAGE CONTENT



**CONFIDENTIAL TREATMENT REQUESTED**

**SJC-KAV\_00328**

RELEASED BY AUTHORITY OF THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE

DATE/TIME

SENDER

ALL PARTICIPANTS

MESSAGE CONTENT



RELEASED BY AUTHORITY OF THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE

**CONFIDENTIAL TREATMENT REQUESTED**

SJC-KAV\_00329

DATE/TIME

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ALL PARTICIPANTS

MESSAGE CONTENT



**CONFIDENTIAL TREATMENT REQUESTED**

RELEASED BY AUTHORITY OF THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE

**SJC-KAV\_00316**

DATE/TIME

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ALL PARTICIPANTS

MESSAGE CONTENT



**CONFIDENTIAL TREATMENT REQUESTED**

1. RELEASED BY AUTHORITY OF THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE

**SJC-KAV\_00317**

DATE/TIME

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ALL PARTICIPANTS

MESSAGE CONTENT



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**CONFIDENTIAL TREATMENT REQUESTED**

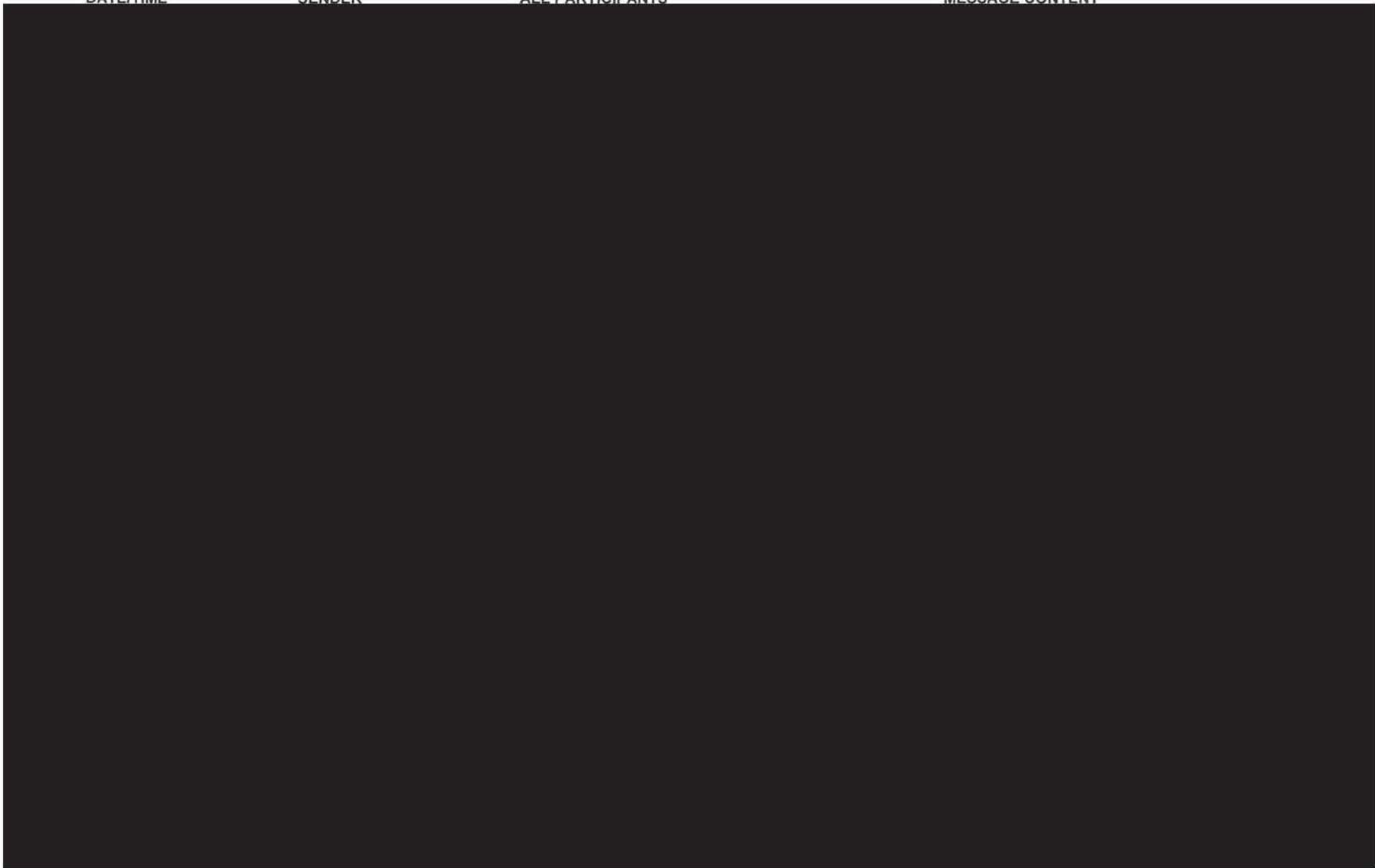
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DATE/TIME

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ALL PARTICIPANTS

MESSAGE CONTENT



RELEASED BY AUTHORITY OF THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE

**~~CONFIDENTIAL TREATMENT REQUESTED~~**

**SJC-KAV\_00319**



DATE/TIME

SENDER

ALL PARTICIPANTS

MESSAGE CONTENT

**CONFIDENTIAL TREATMENT REQUESTED**

RELEASED BY AUTHORITY OF THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE

**SJC-KAV\_00320**

DATE/TIME

SENDER

ALL PARTICIPANTS

MESSAGE CONTENT

**CONFIDENTIAL TREATMENT REQUESTED**

RELEASED BY AUTHORITY OF THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE

**SJC-KAV\_00321**

DATE/TIME

SENDER

ALL PARTICIPANTS

MESSAGE CONTENT



**CONFIDENTIAL TREATMENT REQUESTED**

RELEASED BY AUTHORITY OF THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE

**SJC-KAV\_00322**

DATE/TIME

SENDER

ALL PARTICIPANTS

MESSAGE CONTENT



**CONFIDENTIAL TREATMENT REQUESTED**

RELEASED BY AUTHORITY OF THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE

SJC-KAV\_00323

DATE/TIME

SENDER

ALL PARTICIPANTS

MESSAGE CONTENT

[REDACTED]

7/8/2017 19:16

rinat [REDACTED]

rinat [REDACTED]  
Self

quick call?

[REDACTED]

**CONFIDENTIAL TREATMENT REQUESTED**

**SJC-KAV\_00324**

DATE/TIME

SENDER

ALL PARTICIPANTS

MESSAGE CONTENT



**CONFIDENTIAL TREATMENT REQUESTED**

RELEASED BY AUTHORITY OF THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE

**SJC-KAV\_00325**

DATE/TIME

SENDER

ALL PARTICIPANTS

MESSAGE CONTENT

**CONFIDENTIAL TREATMENT REQUESTED**

RELEASED BY AUTHORITY OF THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE

**SJC-KAV\_00326**

DATE/TIME

SENDER

ALL PARTICIPANTS

MESSAGE CONTENT



**CONFIDENTIAL TREATMENT REQUESTED**

RELEASED BY AUTHORITY OF THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE

**SJC-KAV\_00327**



DATE/TIME

SENDER

ALL PARTICIPANTS

MESSAGE CONTENT

7/14/2017 12:11 rinat [REDACTED]

rinat [REDACTED]  
Self [REDACTED]

fyi: Alan Futerfas, the attorney retained by Donald Trump Jr, confirms he has spoken to the individual described in our reporting (see Ken Dilanian's prior note.) "It's very simple," Futerfas says. "The person was described as a friend of Emin [Agalarov]'s and maybe as a friend of Natalia [Veselnitskaya]'s." Futerfas says he has talked with that individual. "He is a US citizen. He told me specifically he was not working for the Russian government, and in fact laughed when I asked him that question." Futerfas confirms: "For the purpose of security or otherwise, the names were reviewed" but says Trump Jr. knew nothing about the man's background at the time of the meeting. When asked about whether he had concerns knowing what he knows now, Futerfas responded: "I have absolutely no concerns about what was said in that meeting."

**CONFIDENTIAL TREATMENT REQUESTED**

**SJC-KAV\_00328**

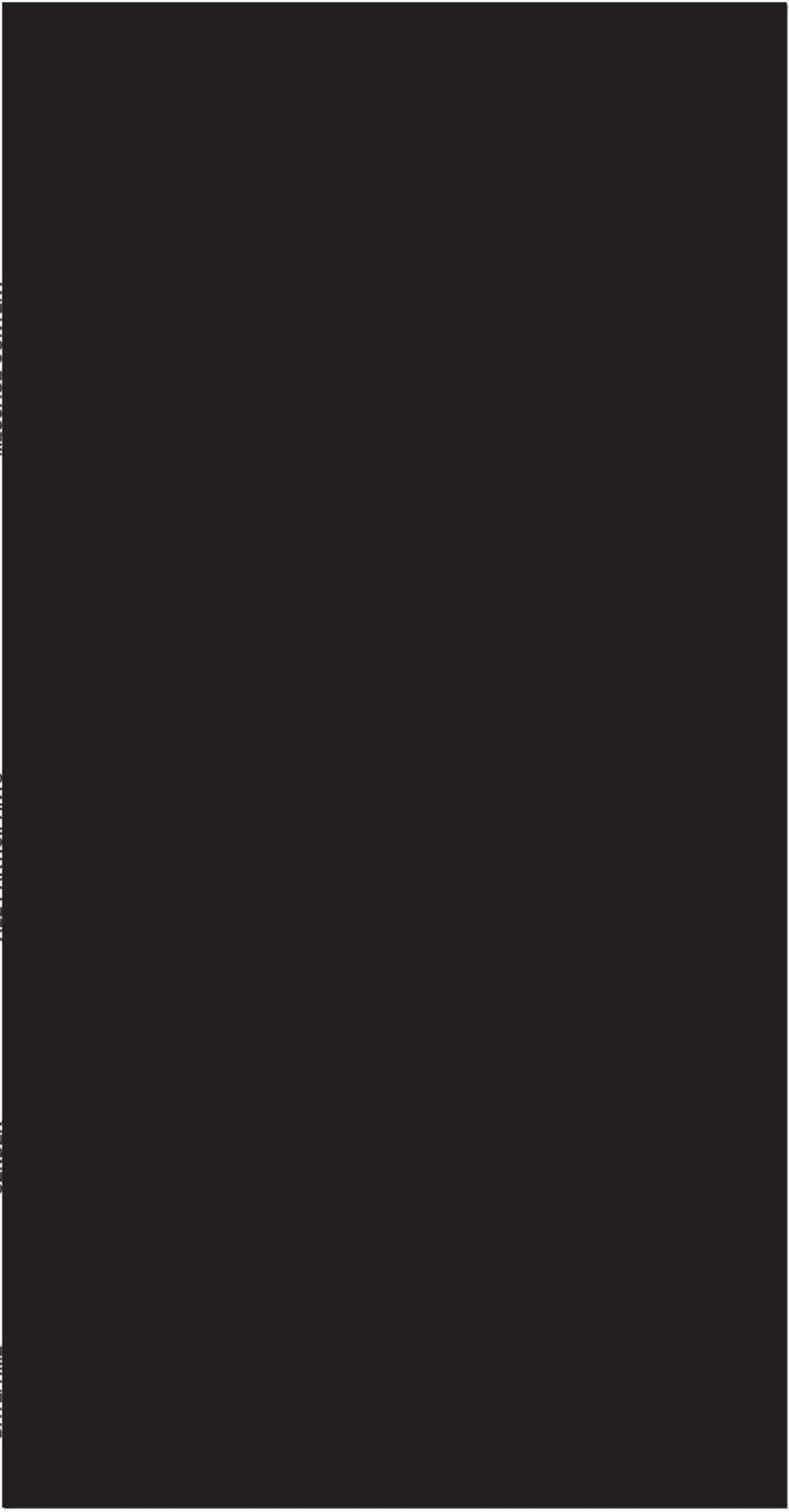
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DATE/TIME

SENDER

ALL PARTICIPANTS

MESSAGE CONTENT





**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE:

APPLICATION OF INTERNATIONAL MINERAL  
RESOURCES B.V. FOR AN ORDER TO TAKE  
DISCOVERY PURSUANT TO 28 U.S.C. § 1782

Applicant.

Case No. \_\_\_\_\_

**DECLARATION OF JONATHAN D. COGAN**

**EXHIBIT G**

## EXHIBIT D

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

IN RE:

APPLICATION OF INTERNATIONAL MINERAL  
RESOURCES B.V. FOR AN ORDER TO TAKE  
DISCOVERY PURSUANT TO 28 U.S.C. § 1782

Jan Luijkenstraat 68  
Amsterdam, 1071CS  
Netherlands

Case No. \_\_\_\_\_

Applicant.

**DECLARATION OF AKIS PHANARTZIS**

Pursuant to 28 U.S.C. § 1746, I, Akis Phanartzis, declare under penalty of perjury as follows:

1. I am a Senior Manager with GlobalSource Cyprus Ltd. ("GlobalSource"), based in Nicosia, Cyprus. GlobalSource carries out research and investigations for our clients worldwide, including in the United States and the United Kingdom. I have been with GlobalSource since May 2011.

2. I submit this Declaration in support of International Mineral Resources B.V.'s ("IMR") *Ex Parte* Application for an Order Under 28 U.S.C. § 1782 Permitting IMR to Issue a Subpoena for the Taking of a Deposition and the Production of Documents from Rinat Akhmetshin.

3. I am familiar with the facts set forth in this Declaration, either from personal knowledge or on the basis of documents that have been provided to me. Insofar as they are within my own knowledge, the facts and matters testified to are true to the best of my own knowledge and belief. Because this Declaration is being submitted for a specific legal purpose,

the information provided in the Declaration does not include every single fact that I know that may be pertinent to this subject matter.

4. GlobalSource was retained, among other things, to investigate allegations that Rinat Akhmetshin was employed by a Russian company named EuroChem to organize a smear campaign against IMR, aimed at weakening IMR's and its associated companies' positions in various legal disputes with EuroChem and its subsidiary, EuroChem Volga-Kaliy LLC ("ECVK"), over a mining project located near the Russian city of Kotelnikovo. GlobalSource was also retained to investigate reports that Mr. Akhmetshin had organized the hacking of IMR's and associated entities' computer systems in an attempt to collect information that could be used in his smear campaign.

5. In the course of our investigation, GlobalSource received information in the middle of January 2014 that Mr. Akhmetshin would be traveling to London. We periodically made inquiries with five star hotels in Central London where we thought he might be staying, as we planned to conduct surveillance on him.

6. On January 29, 2014, through the inquiries with London hotels, we located him at Le Meridien Piccadilly.

7. I immediately instructed one of our local surveillance teams to initiate work, and I also went to the location.

8. Our surveillance team had a detailed description of Mr. Akhmetshin as well as several pictures of him that we had obtained from public sites on the Internet.

9. Using this description and pictures, we identified Mr. Akhmetshin checking in at Le Meridien Piccadilly at approximately 5:30 p.m. on the evening of January 29, 2014.

10. The next morning, on January 30, 2014, at approximately 11:15 a.m., we observed Mr. Akhmetshin entering the Café Royal Coffee Shop on Regent Street.

11. I also entered and took a table close to where Mr. Akhmetshin was sitting. I was sitting at a table approximately one meter from him, with the goal of hearing any conversation that might take place.

12. At approximately 11:25 a.m., Mr. Akhmetshin was joined by an unidentified businessman who appeared to be in his forties. The businessman was carrying a laptop.

13. After exchanging pleasantries, Mr. Akhmetshin handed the businessman an external hard drive and stated that it contained internal documents and emails from IMR. Mr. Akhmetshin explained that the hard drive contained “memos, emails and stuff” and that there are all “these folders and documents about transactions, memos, statements and stuff. There are emails and attachments.” Mr. Akhmetshin further stated: “There are directories and sub-directories. There are folders for different things.”

14. Mr. Akhmetshin described how the documents were obtained. Mr. Akhmetshin stated that he organized the hacking of IMR’s computer systems specifically on behalf of EuroChem, which was in a dispute with IMR over a mining project near the Russian city of Kotelnikovo. Mr. Akhmetshin further stated that he used a group of Russians to do the actual hacking and that: “I had to pay a lot of money to get this stuff.”

15. Mr. Akhmetshin explained: “We targeted everyone important” at IMR, “everyone connected.” Mr. Akhmetshin said that this targeting included senior executives such as IMR CEO Amre Youness, as well as persons in key administrative positions whose computers would also contain important internal IMR documents.

16. Mr. Akhmetshin explained to the businessman that there is “about 50 gigabytes of stuff,” and the businessman asked Mr. Akhmetshin, “How much information in a gigabyte?” Mr. Akhmetshin replied that, “there is a lot of shit.” Mr. Akhmetshin said that there were additional materials that were not as sensitive which were not included in the electronic folders. Mr. Akhmetshin said: “I have this at home. I will try to pull it together for you in the next couple of days.”

17. The businessman commented on the volume of material. Mr. Akhmetshin stated: “There is a lot of the stuff, so -- but that’s why you are paying money.”

18. Mr. Akhmetshin explained that one of the persons he was dealing with at EuroChem was the company’s “head of security” who he described as “a former KGB agent.”

19. Mr. Akhmetshin explained that EuroChem hired him because of his expertise in disputes that require sensitive work and because of his contacts in Kazakhstan.

20. Mr. Akhmetshin stated that he had met with lawyers for Andrey Melnichenko, EuroChem’s owner, in New York. He identified one of these lawyers as Patrick Salisbury of Salisbury & Ryan LLP, and said Salisbury was representing EuroChem in its cases against Shaft Sinkers and IMR.

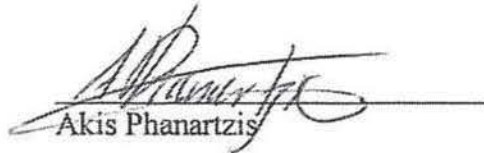
21. Mr. Akhmetshin added that he was hired because there were certain things that the law firm could not do.

22. Mr. Akhmetshin noted that he had a meeting with Patrick Salisbury the following week in New York to discuss next steps for the case against IMR.

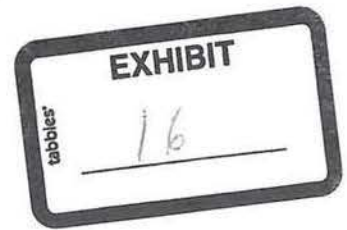


I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed in Nicosia, CYPRUS, on this 20 day of March, 2014.

  
Akis Phanartzis

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA



IN RE:

APPLICATION OF INTERNATIONAL  
MINERAL RESOURCES B.V. FOR AN

ORDER TO TAKE DISCOVERY : Civil Action No. 14-mc-340 (GK)  
PURSUANT TO 28 U.S.C. § 1782, : (Under Seal)

Applicant.

MEMORANDUM OPINION

On May 18, 2014, Applicant International Mineral Resources B.V. ("IMR" or "Applicant") filed a Motion to Compel Production of Documents [Dkt. No. 27] that Rinat Akhmetshin ("Mr. Akhmetshin" or "Respondent") had refused to produce on grounds of privilege. On June 18, 2015, Mr. Akhmetshin and Intervenor Eurochem Volga-Kaliy LLC ("ECVK" or "Intervenor") filed their Oppositions [Dkt. Nos. 38, 39], and on June 25, 2015, IMR filed its Reply [Dkt. No. 43].

On July 28, 2015, the Court issued a Memorandum Opinion and Order [Dkt. Nos. 47, 48], requiring Mr. Akhmetshin to submit the documents at issue for in camera review. In re Application of Int'l Mineral Res. B.V., No. CV 14-MC-340 (GK), 2015 WL 4555248, at \*7 (D.D.C. July 28, 2015) [Dkt. No. 48]. The Court refers readers to that Opinion for additional background on the matter at hand.

Having reviewed the 261 documents<sup>1</sup> submitted by Mr. Akhmetshin, the Court concludes that the overwhelming majority of them are not privileged. Indeed, a great many of Mr. Akhmetshin's (and Intervenor's) assertions of privilege are entirely frivolous. Accordingly, Mr. Akhmetshin shall immediately produce to counsel for IMR all non-privileged documents as set forth below.

**I. PRIVILEGES ASSERTED**

Mr. Akhmetshin has asserted that all of the 261 documents at issue are subject to one or more of the following: attorney-client privilege, work-product doctrine, and non-testifying expert privilege. Intervenor joins Mr. Akhmetshin's assertions of privilege for the most part, but notes that "34 [of the 261 documents] are not subject to any privileges that belong to [it]" and thus "defers to Mr. Akhmetshin about whether to produce those documents[.]" Intervenor's Opp'n at 2.

"In order to demonstrate the applicability of the attorney-client privilege, the proponent must establish each of the following essential elements: (1) The holder of the privilege is, or sought to be, a client; (2) The person to whom the communication is made is a member of the bar or his subordinate and, in connection

---

<sup>1</sup> The Privilege Log Mr. Akhmetshin submitted to the Court, as well as the Revised Privilege Log Submitted to Opposing Counsel Applicant's Ex. A [Dkt. No. 27-2], contain 263 entries, but Mr. Akhmetshin determined that entries 226 and 227 are not privileged and has released them to IMR.

with the communication at issue, is acting in his or her capacity as a lawyer; (3) The communication relates to a fact of which the attorney was informed by his client, outside the presence of strangers, for the purpose of securing legal advice; and (4) The privilege has been claimed by the client." In re Veiga, 746 F. Supp. 2d 27, 34 (D.D.C. 2010) (citing Elkins v. District of Columbia, 250 F.R.D. 20, 24 (D.D.C. 2008)). Attorney-client privilege "has generally been narrowly construed" and may be waived by voluntary disclosure. Id.

The work-product doctrine is codified at Fed. R. Civ. P. 26(b)(3)(A) and protects from discovery "documents and tangible things that are prepared in anticipation of litigation or for trial by or for another party or its representative (including the other party's attorney, consultant, surety, indemnitor, insurer, or agent)." <sup>2</sup> Fed. R. Civ. P. 26(b)(3)(A).

This privilege too may be waived, but the test differs from the one applicable to attorney-client privilege. "[V]oluntary disclosure to a third party constitutes a waiver where the disclosure is made under circumstances inconsistent with the maintenance of secrecy from one's adversary. Pursuant to this so-

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<sup>2</sup> Work product "may be discovered if: (i) they are otherwise discoverable under Rule 26(b)(1); and (ii) the party shows that it has substantial need for the materials to prepare its case and cannot, without undue hardship, obtain their substantial equivalent by other means." Fed. R. Civ. P. 26.

called 'maintenance of secrecy' standard, courts inquire whether the proponent 'had a reasonable basis for believing that the recipient would keep the disclosed material confidential.'" Veiga, 746 F. Supp. 2d at 35 (quoting United States v. Deloitte LLP, 610 F.3d 129, 140 (D.C. Cir. 2010)).

The non-testifying expert privilege, codified at Fed. R. Civ. P. 26(b)(4)(D), provides that "[o]rdinarily, a party may not, by interrogatories or deposition, discover facts known or opinions held by an expert who has been retained or specially employed by another party in anticipation of litigation or to prepare for trial and who is not expected to be called as a witness at trial." Fed. R. Civ. P. 26 (b) (4) (D).<sup>3</sup>

The Parties disagree as to whether this privilege is subject to waiver, and as recently as July 25, 2013, another Judge in this District noted the "uncertain state of the law with respect to waiver and Rule 26(b)(4)(D)[.]" Eidos Display, LLC v. Chunghwa Picture Tubes, Ltd., 296 F.R.D. 3, 8 (D.D.C. 2013). Moreover, as the Court noted in its July 28, 2015 Memorandum Opinion, before the Court may reach the issue of waiver of Rule 26(b)(4)(D), it

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<sup>3</sup> A party may discover such information "only: (i) as provided in Rule 35(b); or (ii) on showing exceptional circumstances under which it is impracticable for the party to obtain facts or opinions on the same subject by other means." Fed. R. Civ. P. 26 (b) (4) (D). Rule 35 deals with physical and mental examinations where a party's "mental or physical condition . . . is in controversy[.]" Fed. R. Civ. P. 35(a)(1), and therefore, is not relevant.

must first determine whether the communications at issue were made in furtherance of Mr. Akhmetshin's asserted role as a non-testifying witness. In re Application, 2015 WL 4555248, at \*7.

## II. APPLICATION OF PRIVILEGE DOCTRINES

### A. Documents Scheduling E-mails

As noted above, the vast majority of Mr. Akhmetshin's assertions of privilege are entirely without basis. The first group of non-privileged documents that must be released are e-mails containing nothing more than attempts to schedule phone calls and in-person meetings. See e.g., United States v. Moazzeni, 906 F. Supp. 2d 505, 514 (E.D. Va. 2012) ("emails scheduling appointments or discussing administrative matters" were not protected by attorney-client privilege). Such communications do not contain "facts known or opinions held" by an expert, Fed. R. Civ. P. 26(b)(4)(D), nor do they "relate[] to a fact of which the attorney was informed . . . for the purpose of securing legal advice," Veiga, 746 F. Supp. 2d at 34, nor are they work product "prepared in anticipation of litigation or for trial," Fed. R. Civ. P. 26(b)(3)(A). Accordingly, Mr. Akhmetshin must produce the documents identified by the following privilege log entries: 5-21, 27-44, 47-53, 58-63, 68-69, 71-75, 78-88, 93-96, 100-102, 125-29, 131-36, 138-48, 195-96, 233-35, and 237.

**B. Documents Relating to Strategic Communications and Public Relations**

In their briefs, the Parties made very different representations as to Mr. Akhmetshin's role as ECVK's agent. IMR contended that Mr. Akhmetshin did not serve as an expert, but instead, performed "strategic communications" work on ECVK's behalf. See Applicant's Mot. at 9-10.

During his deposition, Mr. Akhmetshin acknowledged that, in the course of his consulting work for various clients, he often engages in strategic communications campaigns and described the methods he employs to "encourage journalists to look into [his] client['s] matters." Akhmetshin Deposition at 149-151, Applicant's Ex. H [Dkt. No. 27-9]. He also stated that he "developed and proposed to ECVK a strategic communications strategy relevant to [litigation between IMR and ECVK in the courts of the Netherlands]." Decl. of Rinat Akhmetshin ("Akhmetshin Decl.") ¶ 6, Applicant's Ex. I [Dkt. No. 27-10]. Mr. Akhmetshin and ECVK, however, have consistently maintained that Mr. Akhmetshin's strategic communications and public relations proposal was swiftly rejected and that Mr. Akhmetshin performed no such work on ECVK's behalf.

As the Court noted in its previous Memorandum Opinion, "Mr. Akhmetshin and ECVK do not argue that strategic communications or



public relations work performed by Mr. Akhmetshin would be privileged. Instead, they simply contend that Mr. Akhmetshin's numerous communications with journalists involved research and investigation in his capacity as a non-testifying expert." In re Application, 2015 WL 4555248, at \*6. The Court also stated that "whether the documents sought concern strategic communications and whether Mr. Akhmetshin performed such work at all are factual questions that the Court will be able to answer as part of its in camera review." Id. Having performed an extensive review of the documents submitted, the Court can conclusively answer both questions in the affirmative.

Mr. Akhmetshin's Privilege Log is riddled with e-mails between him and reporters for major publications. See e.g., Priv Nos. 22, 23, 24, 97, 164, 170, 192, 201, 202, 205. Respondent explains this by contending that "Mr. Akhmetshin was able to use journalists to obtain research as part of his investigation." Resp't's Opp'n at 17. According to Respondent, rather than feeding stories to journalists, Mr. Akhmetshin merely "[e]xchanged information with journalists on the London Information Exchange[, which] does not equate to engaging in a strategic communications campaign." Resp't's Opp'n at 17.

Mr. Akhmetshin's explanation of his interactions with reporters, as it turns out, is simply not accurate. In none of the



e-mails produced does Mr. Akhmetshin ask these reporters for information. Instead of exchanging information, the flow of information appears to be one-way: In numerous emails Mr. Akhmetshin forwards the details of ECVK's suit against IMR as well as generally derogatory information about IMR and its affiliates to reporters, see e.g., Priv Nos. 170, 201, 202, 205. Moreover, Mr. Akhmetshin's public relations role is made clear by e-mails containing what could reasonably be called a smoking gun.

For example, Privilege Log entry 76 contains an email between ECVK's counsel, Mr. Akhmetshin, and an ECVK employee. Among other things, it states, "As I mentioned, Rinat [Akhmetshin] is advising on the international PR campaign we have been discussing. . . . He has thoughts as to how we should proceed and can help your PR and IR people." Id. Those "thoughts" quickly turned into actions as reporters went directly to Mr. Akhmetshin for information about ECVK's dispute with IMR. See e.g., Priv No. 98 (reporter asks Mr. Akhmetshin, "what is the chance i can get an on the record comment from eurochem? And any possibility of documents/charges? i'm running out of time so would realy love to get a quote or two and a bit more info.").

In Privilege Log entry 163, Mr. Akhmetshin writes to ECVK's counsel, "was great to see you, patrick. Attached is the document i mentioned to you. pls send me your filings once they are ready

and i will work on getting the story out." Priv No. 163 (emphasis added). In entry 171, Mr. Akhmetshin forwards ECVK's counsel an e-mail from a reporter along with the following note: "this guy is writing for the sunday times [a prominent UK newspaper], . . . he did tons of kazakh stories with me. pls send me details about arbitration and NL [presumably, Netherlands] cases, will channel it to him when the time is right." Priv No. 171 (emphasis added). Later, Mr. Akhmetshin does just that, sending the same reporter copies of documents from the Dutch Action. Priv No. 205.

The examples above were not isolated incidents. On another occasion, Mr. Akhmetshin wrote ECVK's counsel stating, "patrick, simon [a reporter for The Guardian, another UK newspaper] is trying to run a piece in the guardian about yr case, can u send a link or some info where their lawyers can confirm the filing?" Priv No. 197. Minutes later, he asks Intervenor's counsel for information to answer questions from another reporter. Priv No. 198.

Later, Ed Lieberman, a lawyer whom Mr. Akhmetshin contends is his personal counsel, forwarded Mr. Akhmetshin a copy of a news story from The Guardian. Priv No. 217.<sup>4</sup> Mr. Akhmetshin responds,

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<sup>4</sup> Despite Mr. Akhmetshin's claims to the contrary, this particular e-mail exchange is not subject to attorney-client privilege because there is absolutely nothing to indicate it was made for the purpose of giving or receiving legal advice.

"i MADE that!! Thanks meester!" Priv No. 218. Mr. Lieberman answers, "Who didn't know that[?]" Priv No. 219.

Finally, if there was any doubt that Mr. Akhmetshin was performing public relations and strategic communications work on ECVK's behalf, ECVK's counsel felt the need to clarify the following in an e-mail ending Mr. Akhmetshin's relationship with ECVK: "to avoid any further confusion, if you [Mr. Akhmetshin] receive any inquiries form the press or other outsiders about our case, just ask them to contact [ECVK's] press relations department directly." Priv No. 254.

In short, despite his assertions to the contrary, there is overwhelming evidence that Mr. Akhmetshin, in fact, engaged in strategic communications and public relations on ECVK's behalf.

Mr. Akhmetshin and ECVK have never claimed that such documents are subject to the non-testifying expert privilege (instead, they falsely claimed that such documents did not exist). Resp't's Opp'n at 16; Intervenor's Opp'n at 11-12. Moreover, strategic communications-related documents are not subject to the work-product or attorney-client privilege, because even if such privileges could apply to some of the underlying documents, sharing the information with journalists looking to disseminate them would, of course, constitute waiver. In re Veiga, 746 F. Supp. 2d at 34-35.

Accordingly, Mr. Akhmetshin must produce to IMR all documents related to strategic communications, including any e-mails providing information to journalists, any e-mails between Mr. Akhmetshin and ECVK's counsel containing information also provided to journalists, and any e-mails between Mr. Akhmetshin and ECVK's counsel concerning Mr. Akhmetshin's conduct of the strategic communications and/or public relations campaign. Those documents are listed as Privilege Log entries: 4, 22-24, 55-56, 76, 97-98, 103, 104, 152, 153, 155, 163-165, 169-71, 175, 177-82, 187-93, 197-203, 205, 208, 216-219, 238, 240, 241, 243-254, 261.

**C. News Articles**

The next group of documents that are very clearly not subject to any privilege are news articles appearing in major publications. Many of the withheld documents are simply copies of articles reprinted from the internet without any analysis or indication that they were used for any particular purpose (or even read by Mr. Akhmetshin). Because the Court concludes that Mr. Akhmetshin was engaged in non-privileged, strategic communications work, and has no reason to believe these news articles were used for anything other than that work, it follows that the news articles themselves are not privileged and must be produced. These documents are Privilege Log entries: 137, 166, 174, 194, 204, 206, 210-213, 215, 223, 236, 239, and 242.

**D. Documents Subject to Non-Testifying Expert Privilege**

Despite Mr. Akhmetshin's overbroad assertions of privilege discussed above and below this section, several of the documents listed in Mr. Akhmetshin's Privilege log do, in fact, contain "facts known or opinions held" by Mr. Akhmetshin in his capacity as an expert on Eurasian business and political affairs hired by ECVK in anticipation of litigation. Fed. R. Civ. P. 26(b)(4)(D). As discussed in the next section, many of these documents must be produced under the crime-fraud exception, but a fair number do not appear to be connected to the wrongdoing IMR alleges. Therefore, the following Privilege Log entries are privileged under Rule 26(b)(4)(D) and need not be produced: 25, 26, 45, 46, 64, 65, 77, 89-92, 107, 108, 114-117, 130, 149-151, 154, 156-162, 168, 172, 173, 176, 183-186, 209.

**E. Crime-Fraud Exception**

In its Motion to Compel, IMR alleged that Mr. Akhmetshin had organized the hacking of computer systems belonging to IMR and affiliated companies and then proceeded to disseminate that information to ECVK and journalists. More specifically, IMR contended that Mr. Akhmetshin had accessed a thumb-drive containing the hacked files and that the thumb-drive was later given to IMR's agents by an anonymous source. According to IMR,

these actions violated 18 U.S.C. §§ 1030 and 2701.<sup>5</sup> See In re Application, 2015 WL 4555248, at \*4-\*7 for a more extended discussion of IMR's allegations.

The Court held in its previous Memorandum Opinion that the crime-fraud exception applicable to most forms of privilege also applies to the non-testifying expert privilege under Fed. R. Civ. P. 26(b)(4)(D). In re Application, 2015 WL 4555248, at \*3. When invoking the crime-fraud exception to defeat a claim of privilege, a party "satisfies its burden of proof if it offers evidence that if believed by the trier of fact would establish the elements of an ongoing or imminent crime or fraud." In re Sealed Case, 754 F.2d 395, 399 (D.C. Cir. 1985). This prima facie showing "does not have to be established entirely with independent evidence—the documents themselves are commonly the best evidence available." Tri-State Hospital Supply Corp. v. United States, 238 F.R.D. 102, 104 (D.D.C. 2006) (citing United States v. Zolin, 491 U.S. 554, 567 (1989)). Once a party has made its prima facie showing, in

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<sup>5</sup> Under § 1030, it is a crime to gain unauthorized access to and obtain information from a "computer . . . which is used in or affecting interstate or foreign commerce or communication, including a computer located outside the United States that is used in a manner that affects interstate or foreign commerce." 18 U.S.C. § 1030(a)(2)(C) & (e)(2). Under § 2701, it is a crime to "intentionally access[] without authorization a facility through which an electronic communication service is provided; or intentionally exceed[] an authorization to access that facility; and thereby obtain[]...a wire or electronic communication while it is in electronic storage."

order to obtain discovery of a particular communication it must "establish some relationship between the communication at issue and the prima facie violation." In re Sealed Case, 754 F.2d 395, 399 (D.C. Cir. 1985).

The Court previously concluded that IMR had made a sufficient showing to trigger in camera review. Now the Court concludes that the evidence submitted by IMR with its Motion together with several of the withheld documents are sufficient to make the prima facie showing necessary to overcome the non-testify expert privilege.

IMR's claims that Mr. Akhmetshin organized the hacking of IMR-related computers and searched for specific information located there are supported by e-mails between Mr. Akhmetshin and ECVK's counsel. See Priv No. 54 (Mr. Akhmetshin writes, "the project is already up and running and it is churning up the info."); Priv No. 57 (To ECVK's counsel: "patrick, the indexing is done, can you, pls send me a list of terms/names for a scan?"); Priv No. 67 ("dear patrick, looks like the work is finally completed."); Priv No. 119 ("just spoke with the guy - he said they pulled everything there was available. Need to go collect it some time after the holidays").

Other e-mails reference an object - mentioned only as "the thing" - which must be dropped off. See Priv No. 66 (Mr. Akhmetshin writes, "i really hope to be able to have the thing in the next



day or two."); Priv No. 70 (Mr. Akhmetshin writes, "plan to get that thing in London tomorrow, can take it anywhere, pls advise where should I go."); Priv No. 121 ("i plan to collect the thing in london on wed this week and be traveling to msk after that. . . . can drop the thing with you afternoon dec.10."). A reasonable fact finder could conclude that this object is the thumb-drive containing sensitive IMR files that IMR's agents later recovered in London.

IMR has thus made the requisite showing, and therefore, Mr. Akhmetshin must produce all documents related to the alleged crime. The related documents are Privilege Log entries 54, 57, 66, 67, 70, and 118-24.<sup>6</sup>

#### **F. Attorney-Client Privilege**

Mr. Akhmetshin claims that his e-mails corresponding with his "personal counsel" Mr. Lieberman are protected by attorney-client privilege and the work-product doctrine. They are not.

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<sup>6</sup> ECVK contends that any crime allegedly committed by Mr. Akhmetshin could not overcome a privilege owned by ECVK unless IMR could make a showing that ECVK had somehow been implicated in the wrongdoing. The Court need not reach that contention because the communications make clear that ECVK's counsel had knowledge of Mr. Akhmetshin's alleged activities taken on ECVK's behalf. See In re Sealed Case, 676 F.2d 793, 815 (D.C. Cir. 1982) ("The prima facie violation may also be the attorney's, since attorney misconduct negates the premise that the adversary system furthers the cause of justice.").



As discussed above, several of Mr. Akhmetshin's e-mails with Mr. Lieberman involve not legal advice or work produced in anticipation of litigation, but discussion of Mr. Akhmetshin's strategic communications work. Priv Nos. 207, 217-219.

Other e-mails that on first blush appear to be of a legal nature, see Priv Nos. 220, 221, and 222, are likewise not subject to attorney-client privilege. Whether or not these communications were originally made for the purpose of receiving legal advice, Mr. Akhmetshin waived whatever privilege the e-mails had by acknowledging in later Privilege Log entries that he forwarded the communications to a third-party, see Priv No. 224, 225, whose job apparently was "to sell it[,]" see Priv No. 222. See also Priv No. 228 (sharing communication with Mr. Lieberman with third party); Priv No. 229 (communication from Mr. Lieberman); Priv No. 230 (forwarding Priv No. 229 to third party).

Finally, two e-mails between Mr. Lieberman and Mr. Akhmetshin are simply not of a legal nature and do not fall under any asserted privilege. Priv Nos. 231, 232.

For these reasons, none of Mr. Akhmetshin's communications with Mr. Lieberman are privileged and the following Privilege Log entries must be produced: 207, 217-222, 224, 225, 228-232.

**G. E-mails with Third Party**

The documents produced for in camera review include numerous e-mails between Mr. Akhmetshin and the owner of the e-mail address 2703tarazuisun@gmail.com. Mr. Akhmetshin contends that two of his e-mails with 2703tarazuisun@gmail.com are protected by attorney-client privilege. See Priv Nos. 228, 230. But the mere inclusion of Mr. Lieberman on e-mails sent to 2703tarazuisun@gmail.com does not bring the communications within the bounds of attorney-client privilege. Instead, the inclusion of a third party's e-mail address waives the privilege that Mr. Akhmetshin's communications with Mr. Lieberman might have otherwise enjoyed. In re Veiga, 746 F. Supp. 2d at 34; United States v. Singhal, 800 F. Supp. 2d 1, 7 (D.D.C. 2011) (e-mails between lawyer and client including "third party recipients" were not privileged).

Mr. Akhmetshin contends that the rest of the e-mails sent to or from 2703tarazuisun@gmail.com are protected from discovery by the non-testifying expert privilege and the work product doctrine. Respondent's basis for asserting the protection of the work product doctrine is hard to understand, as none of the documents appear to have been created by a party's representative in anticipation of litigation as Rule 26(b)(3)(A) requires. Moreover, even if the e-mails contained work product, Mr. Akhmetshin has not put forth a reasonable basis for concluding that the owner of

2703tarazuisun@gmail.com would keep the information confidential, and thus, sharing the information waives the asserted privilege. In re Veiga, 746 F. Supp. 2d at 35.

Finally, with respect to the non-testifying expert privilege, IMR contends that Mr. Akhmetshin's e-mails with 2703tarazuisun@gmail.com constitute waiver of the privilege provided by Rule 26(b)(4)(D). Mr. Akhmetshin argues that the non-testifying expert privilege simply is not waivable.

As the Court has noted earlier, the law is unsettled as to whether the protections of Rule 26(b)(4)(D) may be waived. Eidos Display, 296 F.R.D. at 8. However, the Court need not reach that issue because context makes clear that Mr. Akhmetshin's e-mails with 2703tarazuisun@gmail.com fall within the scope of Mr. Akhmetshin's strategic communications and public relations role rather than his role as an expert.

Many of the e-mails between Mr. Akhmetshin and 2703tarazuisun@gmail.com simply share news coverage. See e.g., Priv No. 2, 99, 111. Others discuss the news. See e.g., Priv No. 3, 112, 113. In others, Mr. Akhmetshin forwards his communications with journalists to 2703tarazuisun@gmail.com. See e.g., Priv No. 250 (forwarding journalist's question).

Nowhere in his e-mails with 2703tarazuisun@gmail.com does Mr. Akhmetshin appear to be acting as an "expert," and accordingly,

the e-mails are not covered by Rule 26(b)(4)(D). The following Privilege Log entries must be produced: 1-3, 92, 99, 105, 106, 109-13, 150, 151, 157, 167, 175, 177, 179, 181, 182, 191, 214, 228, 230, and 250.

**H. Documents Post-Dating May 27, 2013**

By Mr. Akhmetshin's own admission in Privilege Log entry 255, whatever role he played as IMR's agent ceased on May 27, 2013. Priv No. 255. Yet, he claims that 17 e-mails post-dating May 27, 2013, are protected by various privileges.

E-mails written or received by Mr. Akhmetshin after he severed his relationship with EVCK are not subject to the non-testifying expert or work-product privileges. Work-product doctrine protects the work of a "party or its representative," which on May 27, 2013, Mr. Akhmetshin had ceased to be. Fed. R. Civ. P. 26(b)(3)(A). The non-testifying expert privilege protects facts and opinions known to or held by an expert "retained or specially employed by another party." Fed. R. Civ. P. 26(b)(4)(D). After May 27, 2013, Mr. Akhmetshin was no longer retained or employed by ECVK, so facts and opinions made known after that date cannot be privileged. Accordingly, Privilege Log entries 247-263 must be released.<sup>7</sup>

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<sup>7</sup> Except for several e-mails that address Mr. Akhmetshin's negotiation of his final payment from ECVK, these e-mails also relate to strategic communications and would also be discoverable on that ground.

### III. RULE 11

Federal Rule of Civil Procedure 11 provides:

By presenting to the court a pleading, written motion, or other paper . . . an attorney . . . certifies that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances:

(1) it is not being presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation;

(2) the claims, defenses, and other legal contentions are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law;

(3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and

(4) the denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on belief or a lack of information.

Fed. R. Civ. P. 11(b). The Rule goes on to state that "[i]f, after notice and a reasonable opportunity to respond, the court determines that Rule 11(b) has been violated, the court may impose an appropriate sanction on any attorney, law firm, or party that violated the rule or is responsible for the violation." Fed. R. Civ. P. 11 (c).

As explained above, the vast majority of Respondent's and Intervenor's assertions of privilege are utterly baseless. Moreover, Mr. Akhmetshin and Intervenor have made groundless

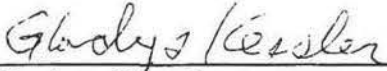
factual contentions. They have also denied other factual contentions that are, in fact, supported by the documents they sought to withhold. All of these actions have unnecessarily delayed the proceedings before this Court and appear to have needlessly increased the costs of litigation.

"On its own, the court may order an attorney, law firm, or party to show cause why conduct specifically described in the order has not violated Rule 11(b)." Fed. R. Civ. P. 11(c)(3). The Court shall do so here.

#### IV. CONCLUSION

In response to IMR's discovery requests and Motion to Compel, Mr. Akhmetshin has made - and ECVK has supported - overbroad and unwarranted assertions of privilege. Mr. Akhmetshin must now produce all unprivileged documents to IMR, and both Mr. Akhmetshin and Intervenor must show cause, by September 1, 2015, why their unwarranted assertions of privilege do not violate Rule 11(b).

August 19, 2015

  
\_\_\_\_\_  
Gladys Kessler  
United States District Judge

Copies to: attorneys on record via ECF



2015 WL 7180277 (N.Y.Sup.) (Trial Pleading)  
Supreme Court of New York.  
New York County



INTERNATIONAL MINERAL RESOURCES B.V., Plaintiff,

v.

Rinat AKHMETSHIN, Patrick P. Salisbury, Salisbury & Ryan LLP, Eurochem Volga-Kaliy LLC, Defendants.

No. 161682/2015.  
November 12, 2015.

### Summons

Jonathan D. Cogan (NY Bar No. 4167276), Steven W. Perlstein (NY Bar No. 2982478), Rebecca G. Mangold (NY Bar No. 4741021), Kobre & Kim LLP, 800 Third Avenue, New York, New York 10022, Tel: 212.488.1200, Fax: 212.488.1220, [REDACTED]  
John (Fritz) Scanlon (NY Bar No. 4538781), Kobre & Kim LLP, 1919 M Street, NW, Washington, DC 20036, Tel: 202.664.1900, Fax: 202.664.1920, [REDACTED], Counsel for Plaintiff International Mineral Resources B.V.

### INTRODUCTION

1. This lawsuit concerns Defendants' unlawful scheme to hack highly confidential and/or commercially sensitive communications and other private information from IMR's computer systems.
2. The scheme — which, upon information and belief, was conceived of and has been largely executed in the United States — has been carried out at the direction of a New York lawyer (Salisbury) and his New York City law firm (S&R). Salisbury and S&R are U.S. counsel to Russian potassium-mining company ECVK in a \$1 billion litigation against IMR that is currently pending in the Netherlands (the "Dutch Action").
3. In connection with the Dutch Action, Salisbury, S&R, and ECVK hired Akhmetshin, a former Soviet military counterintelligence officer. Upon being retained, Mr. Akhmetshin hacked into IMR's computer systems and stole IMR's sensitive and confidential materials. Defendants then sought to inflict maximum damage on IMR, including by using the fruits of this hacking to assist ECVK in the Dutch litigation.
4. In addition, Defendants disseminated the stolen materials and other negative information to journalists and other third parties as part of a smear campaign against IMR designed to harm IMR's business reputation.
5. ECVK then made applications in the Dutch Action that relied on negative press articles authored by individuals to whom Defendants have disseminated IMR's stolen electronic information.
6. That Defendants would resort to such underhanded tactics comes as no surprise. The primary ultimate beneficiary and owner of ECVK is Andrey Melnichenko, who has personally, and through companies he owns, been associated with a number of allegedly improper and illegal activities throughout the world, as described further below.
7. Defendants' unlawful actions in hacking IMR's computer systems and disseminating its confidential information have caused IMR significant damage by, among other things, (1) causing IMR to incur substantial expenses in investigating and responding to the hacking of and theft from its computer systems, (2) causing IMR to incur substantial additional

expenses in the Dutch Action (as described in more detail below), and (3) causing serious injury to IMR's business reputation.

8. Defendants' conduct constitutes common law trespass to chattels and civil conspiracy. As a result, Defendants' misconduct entitles IMR to, among other relief, (a) injunctive relief precluding Defendants from further retaining, using or disseminating IMR's stolen electronic information in any way, (b) compensatory, consequential, statutory and/or punitive damages resulting from Defendants' malicious hacking of IMR's computer systems and subsequent use and dissemination of IMR's stolen electronic information, and (c) the fees and costs associated with bringing this action.

Date Purchased: November 12, 2015

**TO THE ABOVE NAMED DEFENDANTS: Rinat Akhmetshin**

[REDACTED]

Washington, D.C. [REDACTED]

**Patrick P. Salisbury**

1325 Avenue of the Americas

New York, New York 10019

**Salisbury & Ryan LLP**

1325 Avenue of the Americas

New York, New York 10019

**EuroChem Volga-Kaliy LLC**

7 Lenin Street

Kotelnikovo 404350, Russia

You are hereby summoned to answer the complaint in this action and to serve a copy of your answer on the Plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Plaintiff designates New York County as the place of trial. The basis of venue is Defendant SALISBURY & RYAN LLP's principal office address, which is 1325 Avenue of the Americas, New York, New York 10019. *See* CPLR § 503(d)

Dated: New York, New York

November 12, 2015

**KOBRE & KIM LLP**



By: <<signature>>

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*Counsel for Plaintiff International Mineral Resources B. V.*

## **COMPLAINT**

Plaintiff International Mineral Resources B.V. ("IMR") for its Complaint against Rinat Akhmetshin ("Akhmetshin"), Patrick P. Salisbury ("Salisbury"), Salisbury & Ryan LLP ("S&R"), and EuroChem Volga-Kaliy LLC ("ECVK") alleges:

## ***PARTIES***

9. Plaintiff IMR is a private limited liability company organized under the laws of the Netherlands. IMR regularly invests in the mining and metal industries.

10. Upon information and belief, Defendant Akhmetshin is an individual residing in Washington, D.C.

11. Upon information and belief, Defendant ECVK is a private limited liability company organized under the laws of Russia that engages in the mining of potassium. ECVK is a wholly-owned subsidiary of EuroChem MCC, an open joint-stock company organized under the laws of Russia (together with ECVK, "EuroChem").

12. Upon information and belief, Defendant S&R is a limited liability partnership organized under the laws of New York with its principal office in New York, New York.

13. Upon information and belief, Defendant Salisbury is an individual residing in the State of New York. Salisbury is one of the founding partners of S&R. S&R and Salisbury were retained by ECVK in connection with foreign proceedings, including the Dutch Action.

#### ***RELEVANT NON-PARTIES***

14. Shaft Sinkers (Proprietary) Limited ("Shaft Sinkers") is a shaft-sinking company in which IMR held an indirect ownership interest.

15. Eurasian Natural Resources Corporation PLC ("ENRC") was a publicly listed diversified natural resources company. Some shareholders of the former ENRC, and its successor entity, Eurasian Resources Group, hold a beneficial ownership in IMR. These shareholders include three Eastern European industrialists named Patokh Chodiev, Alexander Machkevitch, and Alijan Ibragimov. The business holdings of these three industrialists, including ENRC, were the subject of Akhmetshin's negative media campaign aimed at harming IMR.

16. EuroChem MCC, ECVK's 100% shareholder, claims to be Russia's largest producer of mineral fertilizers. The primary ultimate beneficiary and owner of EuroChem MCC is Andrey Melnichenko. Melnichenko has an estimated net worth of approximately \$8 billion, making him one of the wealthiest men in the world and one of the top 15 wealthiest people in Russia, according to Forbes.

#### ***JURISDICTION AND VENUE***

17. This court has jurisdiction pursuant to CPLR §§ 301 and 302. Venue is proper pursuant to CPLR § 503(d) because Defendant S&R is a partnership with its principal office in New York County.

#### ***BACKGROUND***

##### ***I. Akhmetshin's Background in Counterintelligence and Negative Public Relations Campaigns***

18. Akhmetshin is a former Soviet military counterintelligence officer who moved to Washington, D.C. to become a lobbyist.

19. While working in Washington, D.C., Akhmetshin developed a special expertise in running negative public relations campaigns.

20. In connection with these negative public relations campaigns, Akhmetshin conducted media and legislative outreach, encouraged journalists to write negative articles in connection with his client matters, and developed close relationships with reporters in New York, Washington, D.C., and elsewhere.
21. Akhmetshin has been linked to numerous journalists, including a former editor of *Harper's*, a publisher of *Main Justice* and writer for the *Wall Street Journal*, and an investigative reporter who contributes to *The Nation* and *The Huffington Post*.
22. Akhmetshin has gained notoriety for his work, and his negative public relations campaigns were even discussed in Steve LeVine's 2007 book *The Oil and the Glory*.
23. The attorneys at S&R, including Salisbury, were among the people who were familiar with Akhmetshin's work.
24. S&R previously represented an individual named Peter Zalmayev in *Egiazaryan v. Zalmayev*, No. 11-2670 (S.D.N.Y.). In that case, the plaintiff alleged that Akhmetshin worked with Mr. Zalmayev to orchestrate a "black (*i.e.*, negative) public relations campaign" that was "designed to discredit" the plaintiff in order to benefit the plaintiff's "litigation foes" (among others).
25. The plaintiff in that case specifically alleged that Akhmetshin strategically planted negative articles about the plaintiff in various publications, and encouraged non-profit organizations to write letters to Congress about the plaintiff that they later had to retract when they realized that they had been "misled."

## II. Andrey Melnichenko, EuroChem, and Patrick Salisbury

26. The fact that ECVK would hire someone like Akhmetshin is not surprising in light of widespread reports concerning improper and illegal activities regularly undertaken by EuroChem, its owner, Andrey Melnichenko, and/or those associated with them.
27. As noted above, Melnichenko is a Russian billionaire who has been linked to improper acts throughout the world.<sup>1</sup>
28. Those close to Melnichenko have been at the center of high profile scandals that have been reported in the press. For example, Melnichenko served on the Board of Directors of Greencorp SA with Daniel Clauw and Kendrick Wallace, former officers of chemical producer Yara International. Yara International became the subject of Norway's largest corporate corruption case and, earlier this year, both Clauw and Wallace were reportedly found guilty of paying bribes to officials in Libya and/or India and sentenced to prison.
29. Like Melnichenko and his associates, Melnichenko's companies are the frequent subject of investigations and scandals.
30. For example, MDM Bank, founded by Melnichenko, was reportedly approached by U.S. authorities after employees of Bank of New York were accused of aiding Russian oligarchs launder billions of dollars through a Moscow-based bank that MDM controlled.
31. Melnichenko is also the co-founder of coal producer Siberian Coal Energy Company (SUEK), which was the subject of a series of scandals and allegations. In 2002, SUEK was reportedly the subject of a criminal investigation by The Russian Ministry of Internal Affairs for tax evasion allegedly totaling over 1 billion rubles in connection with the purchase of shares in three surface coal mines from its subsidiary, Krasnoyarsk Coal Company (KCC). Officers of SUEK and one of its subsidiaries are reportedly under criminal investigation for unlicensed coal mining in the Chita region of Russia.

32. EuroChem MCC, despite being one of the most profitable mineral fertilizer producers in the world, has also been the subject of a number of allegations, and its business practices have been repeatedly called into question.

33. For example, EuroChem MCC has been accused of environmental violations and was the target of protests on at least two occasions. In 2010, an alleged fertilizer spill at its Tuapse shipping terminal on the coast of the Black Sea is said to have caused illnesses among residents and killed marine life. Similarly, in 2012, Ville Niinistö, Finland's Minister for Environmental Affairs, reportedly accused EuroChem MCC of contaminating the Baltic Sea with phosphoric waste from its fertilizer plant in the Leningrad Region.

34. EuroChem MCC has also been accused of questionable dealings with its subsidiaries and business partners. For instance, minority shareholders of Nevinnomyssky Azot, the largest producer of nitrogen fertilizers in Russia and a subsidiary of EuroChem MCC, reportedly accused the parent company of orchestrating an illegal takeover in 2008, under the guise of a set of mandatory buyouts from the minority shareholders. Similarly, in February 2015, EuroChem MCC allegedly purchased shares in Astrakhan Oil & Gas Company OJSC from the Astrakhan Regional Administration at a price well below market value.

35. Melnichenko and EuroChem MCC's business interests outside Russia have also been called into question. Kazakh citizens reportedly sent a public letter to President Nursultan Nazarbaev expressing concern over Melnichenko's plans to develop Kazakh phosphorus deposits while receiving preferential prices for gas without paying taxes to the Kazakh government.

36. Eurochem MCC's long-time business partner, Togliatti Azot (ToAz), has reportedly been accused of evading tax payments to the Russian government by engaging in offshore transfer-pricing schemes. Melnichenko's connection to ToAz may go beyond their business relations, however. Amicorp Group is a company that is located at the same address as Melnichenko's private family office in Monaco and has been linked to numerous Melnichenko business interests, including Melnichenko-controlled entities in the United Kingdom and Switzerland. Upon information and belief, some time ago, Amicorp effectively acquired control over ToAz by taking control of four offshore companies who are shareholders of ToAz (Bairiki, Inc.; Kamara Ltd; Instantania Holdings Ltd.; and Trafalgar Developments Ltd.). ToAz, like Eurochem, produces urea.

37. Salisbury and his law firm, S&R, have a long-standing relationship with Melnichenko and his companies.

38. Over the years, Salisbury has performed all manner of legal work for Melnichenko and the entities under Melnichenko's control, including representing Melnichenko-controlled entities in disputes over an allegedly defective paint job of "A" (Melnichenko's yacht) and an allegedly undersized sculpture purchased by Melnichenko.

39. Thus, it should come as no surprise that Melnichenko turned to Salisbury and his law firm to represent ECVK in its legal dispute with IMR. It should also come as no surprise that this group engaged in the wrongful hacking of IMR's computer systems to gain an unfair advantage in those legal proceedings and cause IMR harm.

### **III. ECVK Hires S&R in Connection with Potential Foreign Legal Disputes**

40. In 2007, ECVK engaged Shaft Sinkers to design and construct a mine shaft for one of its mining projects near the Russian town of Kotelnikovo (the "Kotelnikovo Mining Project").

41. In 2012, the business relationship between Shaft Sinkers and ECVK broke down, and in March 2012, ECVK retained Salisbury and his New York law firm, S&R, to investigate potential legal claims that it sought to assert in connection with the Kotelnikovo Mining Project.



42. When S&R was retained, ECVK and S&R did not have specific information about Shaft Sinkers's organizational structure or its relationship to other corporate entities. S&R was retained, among other things, to investigate these issues and determine whether ECVK could initiate legal actions against any corporate entities in addition to Shaft Sinkers.

43. At all relevant times, S&R and Salisbury acted as ECVK's agents and acted at ECVK's direction. In fact, S&R and Salisbury reported directly to EuroChem's Chairman, Melnichenko, EuroChem's CEO, Dmitry Strezhnev, and EuroChem's General Counsel, Valery Sidnev, who was responsible for retaining and instructing outside litigation counsel for EuroChem and its subsidiaries, including ECVK.

44. Upon information and belief, S&R and Salisbury directed and coordinated their work for ECVK from S&R's offices in New York.

45. ECVK gave S&R and Salisbury full authority to hire people and conduct background research in connection with the potential legal proceedings.

#### **IV. ECVK, S&R, and Salisbury Approach Akhmetshin**

46. In early 2012, S&R and Salisbury reached out to Akhmetshin to discuss his potential engagement in connection with the ECVK matter.

47. When S&R and Salisbury reached out to Akhmetshin, they were familiar with his counterintelligence background and his experience in running negative public relations campaigns. As discussed above, S&R previously worked with Akhmetshin on a case where Akhmetshin was alleged to have orchestrated a "black public relations campaign" that was "designed to discredit" the plaintiff in order to benefit the plaintiff's "litigation foes." S&R and Salisbury also reached out to Akhmetshin specifically because they understood that Akhmetshin could gain access to private sources of information concerning IMR.

48. In response to S&R's interest in his work, Akhmetshin proposed developing a "strategic communication" campaign for ECVK. Akhmetshin has stated that his strategic communications campaigns simply involve "encouraging journalists to look into [his] client[s] matters" and "get[ting] the [client's] story out" in media and legislative forums. In reality, however, Akhmetshin's practice is to forward derogatory information to his network of media contacts in the hopes that negative stories will be written about the campaign's target.

#### **V. Akhmetshin Hacks into IMR's Computers and Steals Confidential Information at the Direction of Salisbury, S&R, and ECVK**

49. IMR and its executives, employees, and administrative staff lawfully possessed files and other electronic information that were stored on computers, computer systems, and computer servers.

50. Upon information and belief, before Akhmetshin even signed a formal engagement agreement with Salisbury, S&R, and ECVK, Akhmetshin began organizing the hacking of IMR's computer systems and searching for specific information at Salisbury, S&R, and ECVK's direction.

51. Upon information and belief, Salisbury and S&R directed and coordinated the scheme on ECVK's behalf from S&R's offices in New York. Throughout the relevant time period, Akhmetshin had multiple meetings in furtherance of the scheme with Salisbury and S&R at S&R's offices in New York.

52. In a July 13, 2012 email, Akhmetshin informed Salisbury that “the project is already up and running and it is churning up the info.” Upon information and belief, “the project” referred to the hacking project.

53. Upon information and belief, in this time period, Salisbury, S&R, and ECVK intentionally directed Akhmetshin to work with his collaborators to repeatedly access, use, and physically interfere with IMR's computers and computer servers to collect and copy confidential files and other electronic information without IMR's knowledge or authorization. Upon information and belief, Akhmetshin did just that.

54. Akhmetshin and his collaborators collected files from multiple individuals at IMR, including executives and administrative staff who were likely to have access to important documents.

55. The files that Akhmetshin and his collaborators stole included confidential and commercially sensitive information, such as passport information, emails, and personal contact lists for executives within IMR; IMR bank account information; loan agreements; business strategy documents; board meeting minutes; board and governance documents; drafts of market-sensitive documents; and financial forecasts and projections.

56. Upon information and belief, after collecting the files, Akhmetshin indexed them for use by Salisbury, S&R, and ECVK.

57. On July 23, 2012, Akhmetshin e-mailed Salisbury to tell him that “the indexing is done” and to ask Salisbury to send him “a list of terms/names for a scan” of the information.

#### **VI. Salisbury, S&R, and ECVK Formally Retain Akhmetshin**

58. On July 26, 2012, Salisbury and Akhmetshin finalized an engagement letter covering Akhmetshin's “research” work. Upon information and belief, both Salisbury and Akhmetshin signed the engagement letter while in S&R's offices in New York.

59. The engagement letter provided that “Salisbury & Ryan LLP, as attorney agent for its client and not in its individual capacity (the ‘Client’), has engaged you to provide the services described below.”

60. Under the heading “Services,” the engagement letter stated, “you will provide the Client with assistance in the Client's investigation of claims it may have against companies relating to a mining project being built by the Client in Russia which has encountered delays. You will assist in such endeavors by researching and providing information concerning the relevant parties and other requested information.”

61. Under the heading “Compensation,” the engagement letter stated, “[w]e shall transfer to you on behalf of the Client an initial payment of \$45,000 and you will bill as discussed as the work progresses. The Client will reimburse you for all pre-approved travel and related expenses incurred by you on the Client's behalf. The Client shall be solely responsible for payment of your fees and expenses.”

62. Finally, the engagement letter stated that it “shall be governed by and construed in accordance with New York law.”

63. On the following day, July 27, 2012, Salisbury and S&R transferred \$45,000 to Akhmetshin on behalf of ECVK, to compensate Akhmetshin for his work on the hacking and smear campaign.

#### **VII. Akhmetshin Continues the Hacking and Smear Campaign at the Direction of ECVK, S&R, and Salisbury**

64. After Akhmetshin was formally retained, he continued to intentionally access, use, and physically interfere with IMR's computers and computer servers to collect and copy confidential IMR files and other electronic information at the direction of ECVK, S&R, and Salisbury.

65. On August 30, 2012, Akhmetshin informed Salisbury that "the work is finally completed."

66. Upon information and belief, Akhmetshin then arranged to pick up the fruits of the hacking, which were saved to a storage device that Akhmetshin referred to as "the thing." For example, in an email dated September 1, 2012, Akhmetshin informed Salisbury that he "plan[ned] to get that thing in London tomorrow, can take it anywhere, pls advise where I should go."

67. Upon information and belief, Akhmetshin then turned over the fruits of the hacking to Salisbury, S&R, and ECVK.

68. A few days later, Salisbury put Akhmetshin directly in touch with a EuroChem executive so that Akhmetshin and ECVK could coordinate on the smear campaign. In his e-mail to the EuroChem executive, Salisbury stated, "Rinat is advising on the international PR campaign we have been discussing.... He has thoughts as to how we should proceed and can help your PR and IR people."

69. Upon information and belief, Akhmetshin thereafter worked with his collaborators to access, use, and physically interfere with IMR's computers and computer servers to collect and copy additional confidential IMR files and other electronic information requested by Salisbury, S&R, and ECVK, which Akhmetshin then delivered to Salisbury, S&R, and ECVK.

70. On November 19, 2012, Akhmetshin emailed Salisbury, informing him that he "just spoke with the guy — he said they pulled everything there was available. Need to go collect it some time after the holidays." A week later, Akhmetshin notified Salisbury that he would be heading to London to pick up a storage device with the fruits of the hacking, again referred to as "the thing," and could deliver the materials to Salisbury approximately two weeks later: "[I] plan to collect the thing in [L]ondon [W]ed[nesday] this week and [will] be traveling to msk after that .... can drop the thing with you afternoon [D]ec. 10."

### **VIII. ECVK, S&R, and Salisbury Initiate the Dutch Action and Other Foreign Proceedings**

71. In late 2012, ECVK filed two arbitration proceedings against Shaft Sinkers (the "Arbitration Proceedings"). In the Arbitration Proceedings, ECVK alleged, among other things, that Shaft Sinkers committed misconduct in connection with the Kotelnikovo Mining Project.

72. In addition, S&R and Salisbury concluded that ECVK should assert claims against IMR in the Netherlands. Upon information and belief, S&R and Salisbury came to this conclusion based, at least in part, on the hacked information that Akhmetshin provided.

73. In March 2013, ECVK commenced the Dutch Action alleging, among other things, that IMR should be held liable for any judgment entered against Shaft Sinkers in the Arbitration Proceedings.

74. In June 2013, ECVK filed an application in the Dutch Action seeking a pre-judgment attachment of approximately €886,000,000 — or USD \$1.2 billion — of IMR's assets pending a final judgment in the case (the "Freezing Application"). The Dutch court granted the application in July 2013.



**IX. Akhmetshin Distributes IMR's Stolen, Confidential Material to Third Parties and  
Conducts a Smear Campaign against IMR at the Direction of Salisbury, S&R, and ECVK**

75. In late 2012 through May 2013, consistent with Akhmetshin's strategic communication proposal, Akhmetshin disseminated negative information about IMR and associated companies such as Shaft Sinkers and ENRC to his contacts in the media, and urged his contacts to publish negative articles.

76. Throughout this period, Salisbury and S&R intentionally directed Akhmetshin's activities in order to further ECVK's strategy in the Dutch Action and Arbitration Proceedings and harm IMR's business reputation.

77. Upon information and belief, Akhmetshin carried out the publicity work, at least in part, in coordination with employees and officers at EuroChem.

78. At the direction of Salisbury, S&R, and ECVK, Akhmetshin also disseminated to certain of his media contacts the confidential, commercially sensitive information that was stolen from IMR.

79. Ultimately, numerous publications that Akhmetshin reached out to ran negative press articles about IMR and other associated companies.

80. In addition, negative press articles written and published by individuals and entities with whom Akhmetshin has ties also served as part of the basis for actions taken by ECVK against IMR in the Dutch Action.

81. For example, ECVK's Freezing Application contains disparaging allegations about IMR, certain entities associated with IMR, and their ultimate beneficial shareholders — certain of which are based on negative press articles about IMR written by individuals and entities with whom Akhmetshin has ties.

82. On July 1, 2013, Salisbury and S&R transferred \$100,000 to Akhmetshin on behalf of ECVK to compensate Akhmetshin for his work on the hacking and smear campaign.

**X. Akhmetshin Continues to Distribute IMR's Stolen, Confidential Material to Third Parties**

83. In the following months, Akhmetshin continued to distribute IMR's stolen, confidential information.

84. For example, on January 30, 2014, Akhmetshin met with a client at the Café Royal Coffee Shop on Regent Street in central London and gave him a copy of the stolen IMR materials.

85. Specifically, at approximately 11:25 a.m., Akhmetshin met his client at the coffee shop and handed him an external hard drive, explaining that the drive contained numerous folders of documents that included memoranda, emails, and financial information.

86. Akhmetshin described his process for obtaining the documents, stating that he had a team that hacked materials from IMR senior executives and from individuals in key administrative positions whose computers were likely to contain important internal documents.

87. Akhmetshin said that his team had collected approximately 50 gigabytes worth of material. The businessman commented on the volume of material, and Akhmetshin responded, "there is a lot of the stuff, so — but that's why you are paying money."



88. Akhmetshin stated that he had met with lawyers for Melnichenko, the owner of EuroChem, in New York.

89. Akhmetshin identified one of these lawyers as Salisbury, and said that Salisbury was representing EuroChem in the Arbitration Proceedings and Dutch Action.

90. Akhmetshin added that he was hired because there were certain things that the law firm could not do. Upon information and belief, Akhmetshin's reference to "certain things that the law firm could not do" was a reference to the unlawful hacking of IMR's computer systems.

#### **XI. IMR Wins the Dutch Action**

91. On June 25, 2014, the court in the Dutch Action rejected ECVK's theories of liability, found that ECVK's factual assertions were unsubstantiated, and entered a judgment in favor of IMR.

92. ECVK filed a formal notice of appeal on September 18, 2014, and that appeal is still pending. The Freezing Application is still in place pending appeal.

#### **XII. IMR Suffered Significant Harm as a Result of Defendants' Hacking and Dissemination of Confidential Information**

93. As a direct result of the hacking of IMR's computer systems, IMR has been forced to expend significant amounts of money to investigate and otherwise respond to Defendants' unlawful conduct.

94. For example, IMR was forced to incur substantial expenses to replace certain servers, whose integrity and security were impaired due to the hacking that was organized by Akhmetshin.

95. IMR incurred other substantial expenses in connection with its response to the hacking, including investigative and remedial costs.

96. In addition, IMR has suffered significant harm in connection with the Dutch Action.

97. Upon information and belief, but for the hacked information provided by Akhmetshin, ECVK would not have initiated the meritless Dutch litigation against IMR.

98. The confidential information stolen from IMR's computer systems included documents that are relevant to the substance of the Dutch Action. IMR has therefore suffered, and continues to suffer, harm arising from its litigation adversary's access to and, upon information and belief, review of information relevant to the foreign legal proceedings themselves.

99. In addition, IMR has incurred substantial additional expenses defending against applications in the Dutch Action that are premised, in part, on negative articles published by media outlets and individuals to whom Akhmetshin has, upon information and belief, disseminated some or all of the hacked documents. As explained above, ECVK's Freezing Application contains numerous allegations based on negative press articles about IMR and certain associated entities, including ENRC, published by such entities and individuals.

100. IMR has also suffered significant harm to its business reputation as a result of the negative articles appearing in the press that, upon information and belief, are based in whole or in part on information that Defendants hacked from its computer systems.

## **CLAIMS FOR RELIEF**

### **COUNT ONE**

#### **(Trespass to Chattels)**

101. IMR realleges and incorporates herein by reference each and every foregoing paragraph of this Complaint as if set forth in full.

102. As described above, Defendants have intentionally, unlawfully, knowingly and willfully combined, conspired, confederated and agreed together and with others to maliciously harm IMR through the unauthorized hacking of IMR's computer systems and subsequent use of the hacked material to damage IMR's business reputation and cause it pecuniary and non-pecuniary harm.

103. Defendants thus intentionally and maliciously interfered with IMR's lawful possession of its computer system and electronic information and inflicted substantial damage on IMR, including the cost of replacing a portion of the computer system, the cost of investigating and responding to the hacking, and the costs associated with the harm to IMR's business reputation that resulted from the hacking and dissemination of IMR's sensitive, confidential information.

104. Defendants maliciously sought to inflict the maximum amount of harm possible through their intentional interference with IMR's lawful possession of its computer system and electronic information, and through the dissemination of IMR's confidential information to third parties.

105. IMR is entitled to recover the damages it sustained as a result of Defendants' malevolent conduct in hacking IMR's computer systems, stealing IMR's confidential information, and then disseminating that information to third parties.

### **COUNT TWO**

#### **(Civil Conspiracy)**

106. IMR realleges and incorporates herein by reference each and every foregoing paragraph of this Complaint as if set forth in full.

107. As set forth above, Defendants have committed torts against IMR, including acts that constitute common law trespass to chattels.

108. Defendants agreed to participate in a common scheme against IMR. Defendants intentionally participated in the furtherance of a plan for the purpose of obtaining property from IMR and using that property to harm IMR. In furtherance of this plan or purpose, Defendants committed overt and unlawful acts alleged herein.

109. As a direct and proximate result of Defendants' conspiracy, the overt acts committed in furtherance of that conspiracy, and the torts committed against IMR, IMR has been damaged in its business and property.

110. Defendants have engaged in the malicious, willful, and fraudulent commission of wrongful acts and, because of the reprehensible and outrageous nature of these acts, IMR is entitled to, and should be awarded, punitive damages against each of the Defendants.

111. IMR is further entitled to, and should be awarded, an injunction that enjoins Defendants, their assignees, and anyone else acting in concert with them from (i) engaging in any further unauthorized accessing of IMR's computer systems and (ii) using or distributing IMR's stolen confidential information in any way.

***PRAYER FOR RELIEFF***

WHEREFORE, IMR respectfully requests the following relief:

- A. An order requiring Defendants to relinquish all of the stolen materials in their possession, custody, or control and return the same to IMR and to immediately refrain from using them for any purpose;
- B. An order enjoining Defendants, their assignees, and anyone else acting in concert with them from (i) engaging in any further unauthorized accessing of IMR's computer systems, and (ii) using or distributing IMR's stolen confidential information in any way; and
- C. An award against Defendants for:
  - a. Compensatory damages in an amount to be determined at trial for losses incurred by IMR;
  - b. Punitive damages in an amount to be determined at trial for losses incurred by IMR;
  - c. Consequential damages in an amount to be determined at trial for losses incurred by IMR;
  - d. Interest;
  - e. Reasonable attorneys' fees and costs of bringing this suit; and
  - f. Such other relief as is just, fair and equitable.

***JURY DEMAND***

IMR demands a trial by jury on all issues so triable in this action.

Dated: 11/12/2015

New York, New York

Respectfully submitted,

<<signature>>

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#### Footnotes

- 1 Melnichenko is most well-known for owning a lavish 394-foot, \$300 million motor yacht named "A," which reportedly includes six guest suites featuring furniture made with crystal and crocodile skin, bomb-proof glass windows, three swimming pools (one of them glass-bottomed), three motor boats valued at \$1 million each, and an escape pod. Melnichenko's recent work on building the world's largest sailing yacht, a 480-foot ship that reportedly cost approximately \$450 million, has also attracted attention. His new sailing yacht is reported to have eight floors, three 300-foot masts, an underwater observation room, and a touch-and-go helicopter pad.





U.S.

## Lobbyist at Trump Campaign Meeting Has a Web of Russian Connections

By SHARON LaFRANIERE, DAVID D. KIRKPATRICK and KENNETH P. VOGEL AUG. 21, 2017

WASHINGTON — Rinat Akhmetshin, a Russian immigrant who met last summer with senior Trump campaign officials, has often struck colleagues as a classic Washington mercenary — loyal to his wife, his daughter and his bank account. He avoided work that would antagonize Moscow, they suggested, only because he profited from his reputation as a man with valuable connections there.

But interviews with his associates and documents reviewed by The New York Times indicate that Mr. Akhmetshin, who is under scrutiny by the special counsel Robert S. Mueller III, has much deeper ties to the Russian government and Kremlin-backed oligarchs than previously known.

He has an association with a former deputy head of a Russian spy service, the F.S.B., and a history of working for close allies of President Vladimir V. Putin. Twice, he has worked on legal battles for Russian tycoons whose opponents suffered sophisticated hacking attacks, arousing allegations of computer espionage. He helped federal prosecutors bring corruption charges against an American businessman in the former Soviet Union who turned out to be working for the C.I.A.

He also helped expose possible corruption in government contracting that complicated American efforts to keep troops at an air base in Kyrgyzstan — an American presence that the Russians fiercely opposed.

In short, Mr. Akhmetshin's projects over two decades in Washington routinely advanced the Kremlin's interests, especially after he became an American citizen in 2009. American counterintelligence agents took notice of his activities, but drew no conclusions about where his allegiances lay, according to a former law enforcement official who spoke on condition of anonymity, citing government secrecy rules.

Mr. Akhmetshin's meeting with Trump campaign officials is of keen interest to Mr. Mueller, who is investigating the Kremlin's efforts to interfere in the 2016 election. Of all the visitors who attended the June 2016 session at the Trump Tower, he appears to have the most direct ties to Russian intelligence. The session was arranged by a Russian businessman close to Mr. Putin whose emissary promised damaging information about Hillary Clinton as "part of Russia and its government's support for Mr. Trump."

Mr. Akhmetshin, who did not respond to repeated requests to be interviewed for this article, has said he was a last-minute guest at an inconsequential get-together. Trump campaign officials have dismissed the meeting as part of an effort to amend an American law that placed sanctions on Russians for human rights abuses. The 2012 law, known as the Magnitsky Act, infuriated Mr. Putin, whose government retaliated by restricting adoptions of Russian children by Americans.

Ronald J. McNamara, a former staff member of the United States Commission on Security and Cooperation in Europe who met with Mr. Akhmetshin about Central Asian issues, said Mr. Akhmetshin openly alluded to involvement with Russian intelligence. "My understanding was that he had come from the security agencies in the Soviet Union-Russian Federation," Mr. McNamara said. "He did not make it a secret."

Mr. Akhmetshin, 49, said he is no Russian spy. "I am the target of a well-coordinated and financed smear campaign," he said last month in a text message to The Times.

Keenly intelligent, relentlessly charming and assiduously opaque about his work, Mr. Akhmetshin sometimes referred to his contacts by pseudonyms and collected his salary in stacks of hundred-dollar bills. A trained biochemist who speaks four languages, he described himself on one official document as a "househusband." He identified himself as the head of a Washington think tank for years after it was officially dissolved.

"I think he works for us. I don't think he works for them," said Lanny Wiles, a veteran Republican political operative who has worked with Mr. Akhmetshin for more than 15 years. "But I don't know what he really does."

### Rise of an Influence Peddler

Born in Kazan, Russia, about 500 miles east of Moscow, Rinat Rafkatovitch Akhmetshin was drafted at age 18 into the Soviet army's war against Afghanistan. He served from 1986 to 1988 and again in 1991. He described himself on his visa application for the United States as a sergeant who rose to the rank of lieutenant in the military police, specializing in communications. He told some journalists that he worked with a military counterintelligence unit, but said he never joined Russian intelligence services — unlike his father, sister and godfather.

In 1992 he graduated with honors from Kazan Federal University, and two years later arrived in Washington as a graduate student in chemistry at the Catholic University of America. He married a fellow Russian chemistry student and received his Ph.D. But he immediately abandoned his esoteric study of mechanistic enzymes and burrowed into Washington's foreign lobbying scene, promoting clients from Russia and former Soviet states.

He never formally studied English, he said, or owned a car: He pedaled about Washington on a bright orange bicycle. But he was witty and erudite, a lover of literature, opera and snowboarding. Matthew Bryza, a former staff member in charge of Central Asia issues at the National Security Council under President George W. Bush, remembers Mr. Akhmetshin as "very smart, slick guy" serving as "the paid drone of unsavory, out-of-fashion former Soviet leaders looking to launder their reputations."

"He would boast about ties and experience in Soviet intelligence and counterintelligence to give himself some cachet and make himself a mystery man," he said.

Mr. Akhmetshin's gateway to Washington was Edward Lieberman, a lawyer with corporate and political clients in former Soviet countries who was married to President Bill Clinton's former deputy chief of staff, Evelyn S. Lieberman, who died in 2015. He called Mr. Lieberman, who could not be reached for comment, a personal adviser.

Together the two started the Eurasian Institute for Economic and Political Research. Supposedly set up to promote democratic reforms in former Soviet states, it was essentially a vehicle to burnish the reputation of one client, Akezhan Kazhegeldin, an ex-K.G.B. officer and the former prime minister of Kazakhstan. Mr. Kazhegeldin had fled under a cloud of corruption charges and was seeking Washington's support to challenge his rival, Kazakhstan's president, Nursultan Nazarbayev.

Mr. Akhmetshin worked to undercut his client's rival by funneling information to American prosecutors pursuing bribery charges against James Giffen, an American businessman close to the Kazakh president, according to people involved with the case. The prosecutors discovered only belatedly that Mr. Giffen had worked for the C.I.A. in the former Soviet Union.

By 2005 the government of another former Soviet republic, Kyrgyzstan, had hired Mr. Akhmetshin to investigate whether Washington had bribed the family of the country's former president to keep an American air base there. The Manas base, established as a staging ground for American forces in Afghanistan, was a major source of friction with the Russians.

The Kyrgyz ambassador to Washington at the time, Zamira Sydykova, said Mr. Akhmetshin arranged an interview with a Times reporter and escorted her to it. The resulting article helped set off a Washington controversy and ultimately, a congressional investigation. Kyrgyzstan finally forced the United States to abandon the base in 2014.

In an affidavit that year, Mr. Akhmetshin said he worked closely with the American government about the location of the base. But Thomas Graham, the National Security Council's Russia specialist from 2002 to 2007, said the controversy put Washington on the defensive. "Looking into allegations of fraud or bribery — anything that would complicate our presence at that air base — was in Russia's interests," he said.

Mr. Akhmetshin's work took him back and forth to Europe more than once a month, on trips lasting a few days each. Senator Charles E. Grassley, the Iowa Republican who is now chairman of the Senate Judiciary Committee, has sought to determine whether his travel pattern raised concerns among immigration officials who approved Mr. Akhmetshin's application for American citizenship in 2009.

Once naturalized, Mr. Akhmetshin began traveling regularly to Moscow and taking on more overtly pro-Russian projects. The new work led him into legal entanglements, the halls of Congress and eventually Trump Tower.

## The Hacking Campaigns

Few episodes from Mr. Akhmetshin's past seem more relevant to Mr. Mueller's investigation than his work for two Russian billionaires accused of infiltrating their adversaries' computers during nasty legal battles.

The Trump Tower meeting in June 2016 took place less than a week before revelations that hackers had penetrated the Democratic National Committee's computers and obtained a trove of emails. Investigators have traced digital espionage to Russian spy agencies. There is no public evidence that Mr. Akhmetshin played any role in the D.N.C. hack.

The first hacking case, which has not previously been reported, began when Mr. Akhmetshin served an alliance of businessmen led by Suleiman Kerimov — a financier close to Mr. Putin in a commercial and political dispute with a Russian competitor, Ashot Egiazaryan.

In early 2011, two London lawyers on Mr. Egiazaryan's team separately received suspicious emails and hired forensic experts to scrutinize them, according to people involved in a Scotland Yard investigation. The experts found that the messages concealed spyware meant to infiltrate their computers, and they fed traceable documents into the spyware that were then opened by computers registered at the Moscow office park of one of Mr. Kerimov's companies.

After an inquiry of more than 18 months, Scotland Yard investigators concluded in January 2013 that they lacked sufficient evidence to bring any charges, a spokesman said. Representatives of the lawyers targeted declined to comment.

Mr. Akhmetshin has said in court papers that he was paid only by one businessman in the alliance with Mr. Kerimov, but coordinated with Mr. Kerimov's team.

Two years later, hacking accusations arose in another case, this time lodged directly against Mr. Akhmetshin. He worked as a consultant to a law firm representing EuroChem, a fertilizer and mining company controlled by another Russian billionaire close to Mr. Putin — Andrey Melnichenko. Mr. Akhmetshin's target was a rival mining company, International Mineral Resources.

Within months, documents stored in International Mineral Resources's computer systems began surfacing outside the company, leaked to journalists and others. The company concluded that its computers had been hacked, and replaced its servers. In lawsuits filed in federal court in Washington and state court in New York, the company accused EuroChem and Mr. Akhmetshin of computer espionage.

EuroChem's information technology chief, Vladimir Chibisov, previously worked in the Russian government. He had written a book promoted as "a hacker's Bible," which he described as a book "about us — about Russian programmers, men of the '80s and '90s" who "had done programming, and even a bit of hacking."

Mr. Akhmetshin personally handed a thumb drive containing stolen documents to a lawyer engaged in another matter potentially damaging to the rival company, according to a person familiar with the matter. The same thumb drive was later obtained by investigators, and someone using the initials "R.A." had gained access to its contents, according to court papers.

A spokesman for Mr. Melnichenko said in a statement that he has never condoned hacking or other illegal activity, nor had he ever met or known Mr. Akhmetshin. The spokesman said Mr. Chibisov's book was "tongue in cheek" and "cannot possibly be taken seriously."

An investigator for the targeted company also testified that he had followed Mr. Akhmetshin in January 2014 to a meeting at London's Cafe Royal and watched him hand over an external hard drive to another individual. He said he had overheard Mr. Akhmetshin claim that he had paid a team of Russian hackers "a lot of money" for the records.

Mr. Akhmetshin acknowledged in a deposition that he had turned over a hard drive with information about the firm's owners. But he said he had obtained the data from a Kazakh contact through a loose network he called the "London Information Bazaar." Asked about computer hacking, he replied, "I do not know a single person who could do that."

International Mineral Resources dropped the lawsuits without explanation in early 2016, withdrawing all allegations before they could be adjudicated. The company said in a statement Friday that it dropped the charges "after careful consideration."

## A Key Kremlin Contact

During the same period that Mr. Akhmetshin was accused of being involved in various hacking schemes, he appears to have been nurturing a relationship with Viktor Ivanov, once the deputy head of Russia's intelligence service, the F.S.B., and until last year a top aide to Mr. Putin.

From 2009 to 2014, Mr. Ivanov led the Russian side of a joint effort with the Americans to combat drug trafficking in Afghanistan, part of an early Obama administration initiative to improve relations between Moscow and Washington.

When Mr. Ivanov traveled to Washington to promote the effort in October 2010, Mr. Akhmetshin helped shepherd him around town. In a deposition filed in one of the hacking cases, Mr. Akhmetshin testified that he helped facilitate the Washington visit with one of Mr. Ivanov's aides, with whom he had served in the Red Army.

In an affidavit in that same case, Mr. Akhmetshin said he had been in email contact with Mr. Ivanov on matters ranging "from narco-trafficking and terrorism in Afghanistan to surveillance of undercover agents, suspected undercover agents and their identities."

Reporters who encountered Mr. Akhmetshin during his travels to Afghanistan said he grew a beard and wore a skullcap to blend in with the local population. He never identified whom he worked for, but two former American officials involved with the counternarcotics program said the American side did not hire him.

Mr. Ivanov, who retired early last year, could not be reached for comment about whether Mr. Akhmetshin was on the Russian government's payroll.

Russia ended the counternarcotics cooperation in 2014 after the United States imposed sanctions on Mr. Ivanov and other Putin allies in retaliation for Russia's invasion and seizure of Ukraine's Crimea region.

There, too, Mr. Akhmetshin had tried to ally with Ukraine's pro-Moscow elements. Before the 2014 invasion, he told reporters, he unsuccessfully sought consulting work with the political party dominated by the nation's pro-Putin president, Viktor F. Yanukovich. A popular revolt forced Mr. Yanukovich to flee to Russia.

Mr. Akhmetshin told journalists that he was a longtime acquaintance of Paul J. Manafort, who served as a high-paid consultant to Mr. Yanukovich for years before becoming chairman of the Trump campaign. Jason Maloni, a spokesman for Mr. Manafort, said, "Paul doesn't know and hasn't worked with the man."

Last year, Mr. Akhmetshin took on a new project high on the Kremlin's agenda: a \$240,000 lobbying campaign to amend the Magnitsky Act, which imposes sanctions on Russians for human rights abuses. The law was named after Sergei L. Magnitsky, a Russian tax lawyer who died in custody after he uncovered a \$230 million tax fraud allegedly tied to Russian officials. Several wealthy Russian businessmen financed a nonprofit group to spearhead the campaign, which was represented by Mr. Akhmetshin and a Russian lawyer named Natalia Veselnitskaya.

Donald J. Trump Jr. has said the promise of damaging information about Hillary Clinton was just an excuse for Ms. Veselnitskaya to get into Trump Tower to talk about why the law should be changed. Mr. Akhmetshin, a Washington resident, has told reporters that he just happened to be lunching with Ms. Veselnitskaya in Manhattan that day when she spontaneously invited him to the meeting with the president's son, son-in-law Jared Kushner and Mr. Manafort. He did not explain why she wanted him there.

After Mr. Akhmetshin's presence came to light, a spokesman for Mr. Putin, Dmitry Peskov, told reporters: "We don't know anything about this person."

***Correction: August 23, 2017***

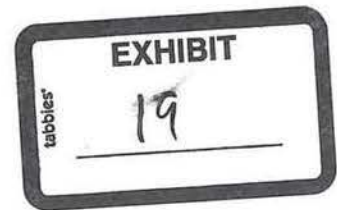
An article on Monday about a Russian immigrant who met last summer with senior Trump campaign officials referred incorrectly to the location of Kazan, Russia. It is 500 miles east of Moscow, not west.

Sharon LaFraniere and Kenneth P. Vogel reported from Washington, and David D. Kirkpatrick from London. Andrew E. Kramer and Sophia Kishkovsky contributed reporting from Moscow, and Michael S. Schmidt and Eileen Sullivan from Washington. Susan Beachy contributed research.

A version of this article appears in print on August 21, 2017, on Page A1 of the New York edition with the headline: Guest at Trump Tower Meeting Has Aided Close Allies of Putin.



**From:** rinat akhmetshin [REDACTED]  
**Sent:** Friday, March 4, 2011 10:30 AM  
**To:** peter zalmayev [REDACTED]  
**Subject:** Fwd: Op-Ed submission on the role of Russia in Afghanistan



----- Forwarded message -----

**From:** David Mastio <[REDACTED]>  
**Date:** Tue, Oct 19, 2010 at 12:22 PM  
**Subject:** Re: Op-Ed submission on the role of Russia in Afghanistan  
**To:** rinat akhmetshin [REDACTED]

will use later this week

David Mastio  
Deputy Editorial Page Editor

The Washington Times  
3600 New York Ave. NE  
Washington, DC 20002  
[www.washingtontimes.com](http://www.washingtontimes.com)  
[REDACTED]

On Oct 18, 2010, at 5:02 PM, rinat akhmetshin wrote:

Dear Mr. Mastio,

I would like to submit an op-ed by Mr. Victor Ivanov about the role of Russia in counter-narcotic efforts in Afghanistan. Mr. Ivanov is a member of the Russians Security Council and Director of the Federal Anti-Narcotics Committee of the Russian Federation. Mr. Ivanov will be visiting Washington this week to co-chair, with the U.S. Office of National Drug Control Policy Director Gil Kerlikowske, a session of US-Russia Counter-narcotics Working Group where he will be raising these points with the Obama Administration. I did translate Mr. Ivanov's original op-ed from Russian and am authorized to submit it on his behalf. I am a veteran of Russia's Afghanistan campaign and served with one of Mr. Ivanov's deputies there. I do strongly believe that it raises completely new and valid points about the future of Afghanistan and suggests new solutions allowing US troops to leave that place while having it stable and independent. Plus it talks about US-Russia cooperation in something important for both countries - Russia is suffering greatly because of this huge increase in drug production. I hope you will find this op-ed relevant and interesting for your readers. We are open to the editing process and would appreciate if you will consider it for publication.

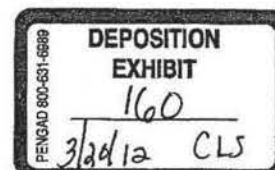
Sincerely,  
Rinat Akhmetshin  
tel. [REDACTED]

### **Opium Fields of Afghanistan are a Main Source of Terrorism**

Stabilization and peace in Afghanistan can only be achieved through efforts that include a decisive fight against the production and trafficking of Afghan heroin.

Drug money is seriously undermining international efforts to restore order in Afghanistan and fueling terrorism elsewhere. Drug money pays for IEDs and weapons that kill US and NATO troops and wreaks terror on the civilian population.

At the same time, the spread of heroin outside of Afghan borders brings



PZ002090

even more damage worldwide. Afghanistan produces 90% of the world's heroin. In Russia alone, Afghan heroin kills around 30,000 young people each year. Among NATO countries, the civilian death from a heroin overdose is fifty times the number of military casualties in the alliance operation in Afghanistan. Afghan heroin eventually ends up in the US--ruining lives, devastating American families.

The Afghan drug economy yields over 65 billion US dollars annually. Opium fields must be destroyed and the drug supply chain broken to cut financial support for Al Qaida and the Taliban.

Early on in its Afghan campaign, the US and NATO made a decision not to use aerial spraying to eradicate opium plantations. This was based on the assumption that it would alienate the local population. We cannot consider the argument -- that the poppy fields are a vital economic alternative for Afghan farmers, who would otherwise remain without means of livelihood and would fall easy prey to extremists-- to be convincing, moral or even accurate.

Recent reports by the UN Office on Drugs and Crime indicates the vast majority of Afghan farmers grow something other than poppies. Only 6.4% of the total population of Afghanistan or 12.9% of its rural population is involved in poppy cultivation. However, although opium production in Afghanistan dropped in 2009, farmers extracted more opium per bulb. Poppy farmers in Afghanistan obtain yields that are 5 times more per hectare than those in the countries of South-East Asia. It is clear that many landowners and drug lords would not willingly choose to forfeit huge sources of income from heroin nor willingly end their connections with the Trans border criminal networks that maintain the drug trade. Nor will terrorist groups give up the narcotics trade, which provides a steady flow of income and of new recruits for terrorist and extremist networks.

Russia, which is very well aware of the menace posed by Afghan drug trafficking has long called on the international community to take more rigorous measures against opium. We cannot sit idly by while it takes place within the borders of Afghanistan to the detriment of that country and the world.

Russia is taking an active part in helping stabilize the situation in Afghanistan. We facilitate transit of supplies for US and NATO troops in Afghanistan and exchange intelligence and information. Russia is actively fighting against the flows of Afghan heroin across our borders with neighboring countries, especially Kazakhstan and Tajikistan, and within Russia.

Recognizing the need to make a fresh start in relations between the U.S. and Russia, President Medvedev and President Obama created the U.S.-Russia Presidential Commission to address shared challenges and to explore new opportunities for partnership. The Counternarcotics

Working Group that I co-chair with the U.S. Office of National Drug Control Policy Director Gil Kerlikowske, has already achieved several important results. This summer we provided our US counterparts with intelligence on the whereabouts of Afghan drug lords and on the locations of 175 heroin labs inside Afghanistan. But we still need to address the core of the problem – opium plantations. Aerial spray eradication in Columbia is being used to destroy about 75% of the coca plantations in that country, an impressive success significantly decreasing the production of the drug. A similar approach must be applied in Afghanistan.

Eradication would not solve all of the complex problems in the Afghan heroin trade, but it will be a major game changing move. The drug threat is global; no nation can deal with the issue of drug production alone. The time has come to agree upon a tough, common struggle against the scourge of the heroin trade in Afghanistan, to elevate the problem to an international level, and to grant the UN Security Council a mandate to deal with it.

In addition to commencement of eradication, we suggest not less than 25 percent of the crop; we should consider conducting a registration of land ownership in South and South-Western Afghanistan, and then turning over to the UN for sanctions a list of those landlords offering their land for poppy cultivation.

The mandate of ISAF should be expanded to include the duty to destroy opium fields. Finally, we must continue to improve the level of operational confidence between Russia and the US through continued exchange of intelligence information, including the location of drug labs and information on shipments of heroin precursors.

Russia is extremely interested in and supportive of the efforts of the international community to comprehensively deal with the Afghan heroin problem and we are determined to responsibly carry out our part of the job to help to bring peace, health and safety to its people and the entire global community.

Victor Ivanov,

Director, Federal Anti-Narcotics Committee of the Russian Federation

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PZ002092



UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

EXHIBIT

20

IN RE:

APPLICATION OF INTERNATIONAL MINERAL  
RESOURCES, B.V. FOR AN ORDER TO TAKE  
DISCOVERY PURSUANT TO 28 U.S.C. § 1782

Jan Luijkenstraat 68  
Amsterdam, 1071CS  
Netherlands,

Applicant.

1:14-MC-00340  
JUDGE KESSLER  
Assigned: April 3, 2014  
Miscellaneous

AFFIDAVIT OF RINAT AKHMETSHIN

CITY OF WASHINGTON )  
 ) ss:  
DISTRICT OF COLUMBIA )

RINAT AKHMETSHIN, being first duly sworn, deposes and states:

1. My name is Rinat Akhmetshin and I am the individual that Applicant International Mineral Resources ("IMR") seeks to take discovery from under the pretext of this 28 U.S.C. § 1782 proceeding. I make this Affidavit to oppose IMR's application.
2. My only involvement with the litigation and arbitrations enumerated in the "Ex Parte Application For An Order Under 28 U.S.C. § 1782 . . ." dated April 3, 2014 ("Application") was as a retained consulting expert for the law firm Salisbury & Ryan LLP counsel for the litigant EuroChem Volga-Kaliy ("ECVK") in its Dutch litigation against IMR. Salisbury & Ryan is also counsel to ECVK in the Paris arbitration and Zurich arbitration against IMR's subsidiary Shaft Sinkers (Pty) Ltd, a South African company. My services were utilized with respect to all three proceedings. (A copy of my Salisbury & Ryan engagement letter is attached as Exhibit A).

3. I was hired specifically to assist Salisbury & Ryan as a consulting expert in connection with litigation brought by its client ECVK against IMR and Shaft Sinkers. Specifically, I was engaged to research and consult with respect to the unique legal, social, economic, and political issues that arise in Eurasia relevant to this litigation. That was important in these proceedings because two of the principals of IMR are nationals of Uzbekistan and one is a national of Kyrgyzstan. These three principals (the "Trio") made much of their money from aluminum extraction in Kazakhstan, a country with which I have considerable familiarity and expertise.

4. I am also Director and head of the Washington office of the International Eurasian Institute for Economic and Political Research ("IEI"). I founded IEI with others in 1998 to try to help expand democracy and the rule of law in Eurasia. One of the ways that IEI attempts to do so is through an educational program aimed at Western elites to inform them about political and economic conditions in Central Asia and Russia. It is a part of the world about which even the most educated Western citizens know very little. IEI also seeks to bring about democratization in Eurasia with a three-part program that focuses on fostering the development of an independent judiciary, safeguarding the rights of the individual, and promoting free and fair trade as a means of combating institutionalized corruption in Eurasia. There is a lot of work to do.

5. I also provide consulting services beyond IEI. My clients range from private citizens to corporate entities to sovereign governments. For example, I was retained by a national government controlling territory that formerly comprised part of the Soviet Union to assist with American military base relocations. We worked quite closely with the Defense Department, the State Department, and the Department of Justice to locate strategically

significant base locations. Other matters that my private consulting practice has worked on include issues relating to narco-trafficking, drug eradication, and terrorism in Afghanistan and surveillance of undercover agents and suspected undercover agents. I have been told that our efforts have helped save American lives, particularly in theatres such as Afghanistan, and reduced the flow of narcotics originating in Afghanistan worldwide. As a consulting expert, I have been retained by law firms involved with Russian and Central Asian disputes before, including as a consulting expert in *Egiazaryan v. Zalmayev*, a dispute venued in the Southern District of New York. In that matter, my client was seeking to prohibit political asylum in the United States for oligarch Ashot Egiazaryan, a former Duma member, and fund raiser for the Liberal Democratic Party, or LDPR, an anti-American, anti-Semitic Stalinist rump party. Mr. Egiazaryan was indicted, stripped of his legislative immunity, and fled to the United States.

6. It was in this capacity as a private consultant that I was retained by Salisbury & Ryan with respect to ECVK's issues with IMR and Shaft Sinkers. All of my involvement and activities were done at the request of attorneys at Salisbury & Ryan, led by Patrick Salisbury. In my role, I assisted the firm in doing due diligence research on IMR, Shaft Sinkers, and the Trio, and consulted with respect to legal, social, economic, and political realities in that part of the world. In the course of my engagement, I also developed and proposed to ECVK a strategic communications strategy relevant to the Dutch action. That proposal was rejected, and my engagement with Salisbury & Ryan terminated soon thereafter.

7. I am not sure what IMR means on page five of their Application when they alleged I was hired to give ECVK "an unfair advantage in the arbitrations and litigation." I was hired by Salisbury & Ryan. I assumed they hired me because they thought it would be helpful. I have not yet been hired to provide a client a disadvantage. Nor do I understand what



is unfair about hiring a consulting expert. That is one of the ways I make my living. Even Mr. Chodiev's Declaration admits that Salisbury & Ryan retained my services "to assist EuroChem against IMR in the Dutch action." (Chodiev Dec. at ¶ 11).

8. I am not a computer specialist and I am not capable of "hacking."

9. My own computer was stolen in the Berlin airport last year. A police report was filed. A copy of the Berlin police report regarding the theft of my computer is attached as Exhibit B.

10. The vast majority of the research that I did for Salisbury & Ryan was open source research, that is, fact-finding that was available in the public domain. For example, there is a NGO entity based in London known as Global Witness (found at [www.globalwitness.org](http://www.globalwitness.org)) that is financed in part by philanthropist George Soros. Global Witness publishes articles and acts as an information clearinghouse for good corporate governance and individual rights. They have made available substantial amounts of information about IMR and its public twin ENRC. There were also vast amounts of information available in the press. When the British Serious Fraud Office opened its criminal investigation of ENRC in April of 2013, it made headlines in serious newspapers such as the Guardian. ("ENRC: Serious Fraud Office launches criminal investigation," The Guardian, April 25, 2013, copy attached as Ex. C). There were volumes of information published on IMR, ENRC, the Trio, bribery, scandal, and kickbacks in Kazakhstan and Africa. This made my job relatively easy -- just reading the morning newspapers from around the world could bring me new information and insights on my research topics.

11. As noted elsewhere, ENRC was the publicly listed company of the Trio on the London Stock Exchange that became so bogged in scandal that it was delisted last year. There was even more information publicly available once the ENRC scandal became a *cause*

*celebre* in the London press. Indeed, the very nature of the Trio's "economic model" -- extraction of natural resources from the earth -- makes it a paradigm for bribery and private collusion with dictators, autocrats, and other regional strongmen that control that particular patch of earth.

12. During the investigations into ENRC in the spring of 2013, in an apparent effort to defend itself against the charges of corruption in Kazakhstan and Africa, ENRC issued a press release warning of certain electronic security issues. According to the London Telegraph, "a laptop containing staff details including bank account numbers, has mysteriously vanished in a 'domestic burglary,' while ENRC has also suffered 'an intrusion into the group's electronic systems by a third party.'" The obvious impact of the announcement was not lost on British authorities or the press: "It was enough to trigger all manner of conspiracy theories, not least that the computer hacking could be used as a convenient excuse if material now went missing relating to alleged corruption in Kazakhstan and Africa." ("Burglary And Computer Hacking Add To Woes At ENRC," The Telegraph, May 23, 2013, copy attached as Ex. D).

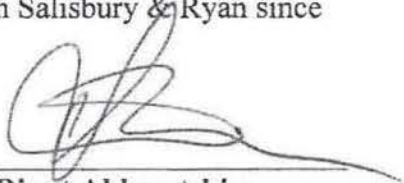
13. Not only were private watchdogs such as Global Witness and the London press publishing vast amounts of information about IMR and ENRC, but also once the publicly-held ENRC ship started sinking in 2012 and 2013, various directors, officers, employees, former employees, and disgruntled ENRC associates began leaking company information. The vast amount of material about ENRC that was leaked even became the butt of jokes in the press. According to the London Telegraph one ENRC insider was quoted as saying "ENRC leaks so badly why would anyone even bother to hack it." (See Exhibit D).

14. I have been in several London coffee shops in my life. It is entirely possible that I was overheard talking to a colleague or client in such a location. It is not possible




that I was overheard saying that I was turning over documents that I had hacked from an IMR or ENRC computer, because I have never done so, nor do I have the skills to do so. I have not worked on the Salisbury & Ryan matter for almost a year. Contrary to the Application at pages 7 and 8, I certainly had no conversation discussing Salisbury & Ryan matters in January of 2014. I might have mentioned to this relatively new client, an Israeli businessman, that I had done work for that firm in the past in describing to him the nature of my clientele. To the best of my recollection, all of my most recent meals in a London coffee shop were incidental to work I did for this new client, and had nothing at all to do with Salisbury & Ryan, the Dutch litigation, or the Paris or Zurich arbitrations.

15. All of the due diligence and related information that I presented to Salisbury & Ryan was publicly available or made available to me through my personal contacts in Central Asia and Russia. My services with Salisbury & Ryan were terminated on or about May 31, 2013. I am unfamiliar with events or proceedings in any of the European proceedings since that date. I have not had any substantive communications with Salisbury & Ryan since summer or early fall of 2013.



Rinat Akhmetshin

Sworn to before me this  
1<sup>st</sup> day of May, 2014



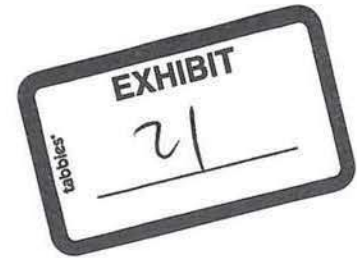
Notary Public

Chang Ho Choi  
Notary Public District of Columbia  
My Commission Expires 6/14/14



# U.S. DEPARTMENT OF THE TREASURY

## Press Center



### Treasury Sanctions Russian Officials, Members Of The Russian Leadership's Inner Circle, And An Entity For Involvement In The Situation In Ukraine

3/20/2014

*Sanctions Target Russian Government Officials, the Inner Circle that Supports Them, and Bank Rossiya, the Personal Bank for Officials of the Russian Federation*

**WASHINGTON** – The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) today designated sixteen Russian government officials, members of the Russian leadership's inner circle, including a Russian bank pursuant to Executive Order (E.O.) 13661, which was signed by President Obama on March 16, 2014. E.O. 13661 authorizes sanctions on, among others, officials of the Russian Government and any individual or entity that is owned or controlled by, that has acted for or on behalf of, or that has provided material or other support to, a senior Russian government official.

The sixteen individuals being sanctioned as Russian government officials are: Viktor Ozerov, Vladimir Dzhavarov, Evgeni Bushmin, Nikolai Ryzhkov, Sergei Zheleznyak, Sergei Mironov, Aleksandr Totoonov, Oleg Panteleev, Sergey Naryshkin, Victor Ivanov, Igor Sergun, Sergei Ivanov, Alexei Gromov, Andrei Fursenko, Vladimir Yakunin, and Vladimir Kozhin

Those being designated for acting for or on behalf of or materially assisting, sponsoring, or providing financial, material, or technological support for, or goods or services to or in support of, a senior official of the Government of the Russian Federation are: Gennady Timchenko, Arkady Rotenberg, Boris Rotenberg, Yuri Kovalchuk and Bank Rossiya. In addition to being designated for providing material support to Russian government officials, Bank Rossiya is also being designated for being controlled by designated inner circle member Kovalchuk.

"With its currency near an all-time low, its stock market down twenty percent this year and a marked rise in interest rates, Russia has already started to bear the economic costs of its unlawful effort to undermine Ukraine's security, stability, and sovereignty," said Under Secretary for Terrorism and Financial Intelligence David S. Cohen. "As President Obama has made clear, we will continue to impose costs in direct response to Russia's provocative acts, even as we have made clear there is a path to de-escalate the situation in Ukraine that respects Ukraine's sovereignty and territorial integrity and takes account of Russia's legitimate interests."

#### Russian Government Officials and Members of the Inner Circle:

##### *Government Officials*

The following sixteen individuals are being designated because they are officials of the Russian government. Although not the basis for the designation, several are also very close advisors to senior Russian government officials.

**Viktor Ozerov** is the Chairman of the Security and Defense Committee of the Federation Council of the Russian Federation. On March 1, 2014, Ozerov supported Russian President Vladimir Putin's appeal regarding the use of the Russian Armed Forces in Ukraine.

**Vladimir Dzhavarov** is the First Deputy Chairman of the International Affairs Committee of the Federation Council of the Russian Federation. On March 1, 2014, Dzhavarov supported the Putin's appeal regarding the use of the Russian Armed Forces in Ukraine.

**Evgeni Bushmin** is the Deputy Speaker of the Federation Council of the Russian Federation. On March 1, 2014, Bushmin publicly supported the deployment of Russian forces in Ukraine.

**Nikolai Ryzhkov** is a Senator in the Russian Upper House of Parliament (Federation Council). Ryzhkov publicly supported the deployment of Russian forces in Ukraine.

**Sergei Zheleznyak** is the Deputy Speaker of the State Duma of the Russian Federation.

**Sergei Mironov** is a Member of the Council of the State Duma, a Member of the State Duma Committee on Housing Policy and Housing and Communal Services, and Leader of the Fair Russia Faction in the Duma of the Russian Federation.

**Aleksandr Totoonov** is a Member of the Committee on Culture, Science, and Information, Federation Council of the Russian Federation. On March 1, 2014, Totoonov publicly supported the deployment of Russian forces in Ukraine.

**Oleg Panteleev** is the First Deputy Chairman of the Committee on Parliamentary Issues. On March 1, 2014, Panteleev publicly supported the deployment of Russian forces in Ukraine.

**Sergey Naryshkin** has been the Chairman of the Government Duma of the Federal Gathering of the Russian Federation since December, 2011. Additionally, he is a member of the National Security Council of the Russian Federation and of the United Russia party.

**Victor Ivanov** has been director of the Federal Drug Control Service (FSKN) of the Russian Federation since May 15, 2008; he was appointed as a member of the Security Council of the Russian Federation on May 25, 2008. Ivanov has served in a number of other government positions prior to that; he was Assistant to the President of the Russian Federation from 2004 - 2008; and Deputy Chief of the Administration of the Russian

Federation from 2000 - 2004. Ivanov joined the KGB in 1977 and eventually rose to become the Deputy Director of the Federal Security Service. Ivanov is a close ally of Putin and served alongside Putin as the chief of staff of the St. Petersburg Mayor's office in 1994 when Putin was first deputy head of the city's administration.

**Igor Sergun** is the head of Russia's military intelligence service (GRU) and is Deputy Chief of the General Staff.

**Sergei Ivanov** is the Chief of Staff of the Presidential Executive Office.

**Alexei Gromov** is the First Deputy Chief of Staff of the Presidential Executive Office.

**Andrei Fursenko** is an aide to the President of the Russian Federation and has been in that position since May 21, 2012. Fursenko has held a number of positions in the Government of the Russian Federation since 2001, including Minister of Education and Science from 2004 - 2012. Although not being designated for being a member of the Russian leadership's inner circle, Fursenko first met Putin in 1993 and they remain closely associated.

**Vladimir Yakunin** was appointed as chairman of the board of the Russian state-owned company Russian Railways on June 15, 2005; he has remained as head of the company ever since. Yakunin is being designated because of his official position in the Russian government, but he is also a close confidant of Putin. Yakunin regularly consults with Putin on issues regarding the Russian Railways company. In addition, Yakunin accompanies Putin on many domestic and international visits. Yakunin met Putin while both were working in St. Petersburg. Yakunin decided to create a business center in the city and contacted Putin for his support. In addition, Yakunin became a member of the board of the Baltic Maritime Steamship Company on Putin's instructions. Yakunin and Putin were also neighbors in the elite dacha community on the shore of Lake Komsomolsk and they served as cofounders of the Ozero Dacha Cooperative in November 1996.

**Vladimir Kozhin** was appointed the Head of Administration under the President of the Russian Federation by Putin on January 21, 2000. He has served continuously in that position until the present time. Kozhin is responsible for overseeing a staff of 60,000, over a hundred enterprises and institutions including the Kremlin and several other government buildings, and over four thousand vehicles. Kozhin's positions have been variously referred to as Head of Administration, Head of the Presidential Affairs Office, Head of the Presidential Business Management Directorate of the Russian Federation, and head of the Presidential Property Management Directorate.

#### *Members of the Inner Circle*

The following individuals are being designated because each is controlled by, has acted for or on behalf of, or has provided material or other support to, a senior Russian government official.

**Gennady Timchenko** is one of the founders of Gunvor, one of the world's largest independent commodity trading companies involved in the oil and energy markets. Timchenko's activities in the energy sector have been directly linked to Putin. Putin has investments in Gunvor and may have access to Gunvor funds.

**Arkady Rotenberg** and **Boris Rotenberg** have provided support to Putin's pet projects by receiving and executing high price contracts for the Sochi Olympic Games and state-controlled Gazprom. They have made billions of dollars in contracts for Gazprom and the Sochi Winter Olympics awarded to them by Putin. Both brothers have amassed enormous amounts of wealth during the years of Putin's rule in Russia. The Rotenberg brothers received approximately \$7 billion in contracts for the Sochi Olympic Games and their personal wealth has increased by \$2.5 billion in the last two years alone.

**Yuri Kovalchuk** is the largest single shareholder of Bank Rossiya and is also the personal banker for senior officials of the Russian Federation including Putin. Kovalchuk is a close advisor to President Putin and has been referred to as one of his "cashiers."

The following entity is being designated because it is controlled by, has acted for or on behalf of, or has provided material or other support to, senior Russian government officials.

**Bank Rossiya (ОАО АБ РОССИЯ)** is the personal bank for senior officials of the Russian Federation. Bank Rossiya's shareholders include members of Putin's inner circle associated with the Ozero Dacha Cooperative, a housing community in which they live. Bank Rossiya is also controlled by Kovalchuk, designated today. Bank Rossiya is ranked as the 17<sup>th</sup> largest bank in Russia with assets of approximately \$10 billion, and it maintains numerous correspondent relationships with banks in the United States, Europe, and elsewhere. The bank reports providing a wide range of retail and corporate services, many of which relate to the oil, gas, and energy sectors.

As a result of Treasury's action, any assets of the persons designated today that are within U.S. jurisdiction must be frozen. Additionally, transactions by U.S. persons or within the United States involving the individuals and entity designated today are generally prohibited.

#### Identifying Information

Name: Viktor Alekseevich Ozerov  
DOB: January 5, 1958  
POB: Abakan, Khakassia, Russia  
Chairman of the Security and Defense Committee of the Federation Council of the Russian Federation

Name: Vladimir Michailovich Dzhavarov  
AKA: Vladimir Dzhavarov  
DOB: September 29, 1952  
Title: First Deputy Chairman of the International Affairs Committee of the Federation Council of the Russian Federation

Name: Evgeni Viktorovich Bushmin  
AKA: Evgeny Bushmin  
AKA: Yevgeny Bushmin  
DOB: October 10, 1958  
POB: Lopatino, Sergachiisky Region, Russia



Title: Deputy Speaker of the Federation Council of the Russian Federation

Name: Nikolai Ivanovich Ryzhkov

AKA: Nikolai Ryzhkov

DOB: September 28, 1929

POB: Duleevka, Donetsk Region, Ukraine

Title: Member of the Committee for Federal Issues, Regional Politics and the North of the Federation Council of the Russian Federation

Title: Senator in the Russian Upper House of Parliament

Name: Sergei Vladimirovich Zheleznyak

AKA: Sergei Zheleznyak

AKA: Sergey Zheleznyak

DOB: July 30, 1970

POB: Saint Petersburg, Russia

Title: Deputy Speaker of the State Duma of the Russian Federation

Name: Sergei Mikhailovich Mironov

AKA: Sergei Mironov

DOB: February 14, 1953

POB: Pushkin, Saint Petersburg, Russia

Member of the Council of the State Duma, Member of the State Duma Committee on Housing Policy and Housing and Communal Services, and

Leader of the Fair Russia Faction in the Duma of the Russian Federation

Name: Aleksandr Borisovich Totoonov

AKA: Alexander B. Totoonov

AKA: Alexander Totoonov

DOB: March 3, 1957

POB: Ordzhonikidze, North Ossetia, Russia

POB: Vladikavkaz, North Ossetia, Russia

Title: Member of the Committee on Culture, Science, and Information, Federation Council of the Russian Federation

Name: Oleg Evgenevich Panteleev

AKA: Oleg Panteleev

DOB: July 21, 1952

POB: Zhitnikovskoe, Kurgan Region, Russia

Title: First Deputy Chairman of the Committee on Parliamentary Issues

Name: Sergey Yevgenyevich Naryshkin

AKA: Sergei Naryshkin

DOB: October 27, 1954

POB: Saint Petersburg, Russia

Name: Victor Petrovich Ivanov

AKA: Viktor Ivanov

DOB: May 12, 1950

alt. DOB: 1952

POB: Novgorod, Russia

Name: Igor Dmitrievich Sergun

DOB: March 28, 1957

Title: Lieutenant General; Chief of the Main Directorate of the General Staff (GRU), Deputy  
Chief of the General Staff

Name: Sergei Ivanov

AKA: Sergey Ivanov

DOB: January 31, 1953

POB: Saint Petersburg, Russia

Title: Chief of Staff of the Presidential Executive Office

Name: Alexei Gromov

DOB: 1960

POB: Zagorsk (Sergiev, Posad), Moscow Region, Russia

Title: First Deputy Chief of Staff of the Presidential Executive Office

Title: Presidential Administration Deputy Chief of Staff

Title: First Deputy Presidential Chief of Staff

Name: Andrei Alexandrovich Fursenko

AKA: Andrei Fursenko

AKA: Andrey Fursenko

DOB: July 17, 1949

POB: Saint Petersburg, Russia

Title: Aide to the President of the Russian Federation

Name: Vladimir Ivanovich Yakunin

DOB: June 30, 1948

POB: Zakharovo Village, Gus-Khrustalnny Rayon, Vladimir Oblast, Russia

alt. POB: Melenki, Vladimir Oblast, Russia

Name: Vladimir Igorevich Kozhin  
DOB: February 28, 1959  
POB: Troitsk, Chelyabinsk Oblast, Russia

Name: Gennady Timchenko  
AKA: Gennadiy Nikolayevich Timchenko  
AKA: Gennady Nikolayevich Timchenko  
AKA: Guennadi Timtchenko  
Address: Geneva, Switzerland  
DOB: November 9, 1952  
POB: Leninakan, Armenia  
alt. POB: Gyumri, Armenia  
Nationality: Finland, Russia, Armenia

Name: Arkady Rotenberg  
DOB: December 15, 1951  
POB: Saint Petersburg, Russia

Name: Boris Rotenberg  
DOB: January 3, 1957  
POB: Saint Petersburg Russia

Name: Yuri Valentinovich Kovalchuk  
AKA: Yury Valentinovich Kovalchuk  
DOB: July 25, 1951  
POB: Saint Petersburg, Russia

Name: Bank Rossiya  
FKA: Aktsionerny BANK Russian Federation  
Address: 2 Liter A Pl. Rastrelli, Saint Petersbrug, 191124, Russia  
E-mail: bank@abr.ru  
Web Site: www.abr.ru  
SWIFT/BIC: ROSY RU 2P