

**United States Senate**  
WASHINGTON, DC 20510

March 23, 2021

**VIA ELECTRONIC TRANSMISSION**

The Honorable Merrick Garland  
Attorney General  
Department of Justice

The Honorable Christopher Wray  
Director  
Federal Bureau of Investigation

Dear Attorney General Garland and Director Wray:

On October 8, 2019, several colleagues and I wrote a letter to Attorney General Barr and Director Wray requesting an update concerning their handling of criminal referrals made by the Committee following its investigation into allegations of decades-old misconduct by then-Judge Brett Kavanaugh.<sup>1</sup> To date, the Justice Department and FBI have failed to respond to our letter and have failed to apprise the Committee whether, and to what extent, any steps have been taken to investigate and hold accountable those individuals who criminally interfered with the Committee's investigation.

These failures are entirely unacceptable. As my colleagues and I stressed in our previous letter, the Committee's four criminal referrals, dated September 29, 2018, October 25, 2018, October 26, 2018, and November 2, 2018, were not made lightly. Those referrals highlighted serious cases in which individuals made materially false, fictitious, and fraudulent statements to Committee investigators.

For example, one of the referrals related to an individual from Rhode Island who falsely alleged to Congress that Judge Kavanaugh had assaulted a friend on a boat, only to later admit on social media that he lied about the event.<sup>2</sup> Two referrals related to allegations made by Mr. Michael Avenatti and his client, Ms. Julie Swetnick, who accused Judge Kavanaugh of being involved in gang rape activities. The Committee identified no verifiable evidence to support the allegations. The Committee found that Mr. Avenatti, who has since been convicted on felony extortion charges, and his client, Ms. Swetnick, had a long history of credibility issues and may have criminally conspired to mislead the Committee regarding those allegations and obstruct its investigation.<sup>3</sup> A final referral related to Ms. Judy Munro-Leighton, a woman who claimed to be

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<sup>1</sup> Letter from Senators Grassley, Graham, Cornyn, Crapo, Tillis, Blackburn, Lee, Kennedy and Cruz to Hon. William P. Barr, Attorney General, U.S. Department of Justice, and Hon. Christopher Wray, Director, Federal Bureau of Investigation (October 8, 2019).

<sup>2</sup> Letter from Sen. Charles E. Grassley, Chairman, U.S. Senate Committee on the Judiciary, to Hon. Jeff Sessions, Attorney General, U.S. Department of Justice, and Hon. Christopher A. Wray, Director, Federal Bureau of Investigation (September 29, 2018). Available at: <https://www.judiciary.senate.gov/imo/media/doc/2018-09-29%20Grassley%20to%20DOJ,%20FBI%20-%20Referral%20for%20Criminal%20Investigation.pdf>.

<sup>3</sup> Letter from Sen. Charles E. Grassley, Chairman, U.S. Senate Committee on the Judiciary, to Hon. Jeff Sessions, Attorney General, U.S. Department of Justice, and Hon. Christopher A. Wray, Director, Federal Bureau of Investigation (October 25, 2018). Available at: [https://www.judiciary.senate.gov/imo/media/doc/2018-10-25%20CEG%20to%20DOJ%20FBI%20\(Swetnick%20and%20Avenatti%20Referral\)\\_Redacted.pdf](https://www.judiciary.senate.gov/imo/media/doc/2018-10-25%20CEG%20to%20DOJ%20FBI%20(Swetnick%20and%20Avenatti%20Referral)_Redacted.pdf); Letter from Sen. Charles E. Grassley, Chairman, U.S. Senate Committee on the Judiciary, to Hon. Jeff Sessions, Attorney General, U.S. Department of Justice, and Hon. Christopher A. Wray, Director, Federal Bureau of Investigation (October 26, 2018). Available at:

the author of an anonymous letter stating that Judge Kavanaugh and a friend raped her “several times each” in the back seat of a car. Ms. Munro-Leighton later admitted that she falsely claimed that she was the author of the letter and its allegations and only claimed authorship of the letter “as a way to grab attention.”<sup>4</sup> These false allegations materially impeded the Committee’s work and diverted important Committee resources during its time-sensitive investigation.

As Chairman, I rigorously performed my constitutional oversight role to vet Judge Kavanaugh, instructing my Committee investigators to investigate each and every serious allegation. My office later released a 414 page report of those investigative findings which did not include so much as a shred of evidence to support any of the allegations made against Judge Kavanaugh.

The FBI background checks – two of them – didn’t uncover any such evidence, either. Both of those investigations followed the normal process for FBI background checks of judicial nominees. As then-Chairman of the Senate Judiciary Committee Joe Biden remarked in 1991, in a background investigation the FBI “do[es] not reach conclusions” and “do[es] not make recommendations.”<sup>5</sup> It is the Senate’s responsibility to weigh the information that it collects from the background investigations and from its own investigative work and make a fully informed decision. That’s what happened here. In the end, the Senate weighed evidence assembled by the FBI and by veteran congressional investigators and fulfilled its Constitutional responsibility by confirming Judge Kavanaugh to the Supreme Court.

It is, however, the responsibility of the Justice Department and FBI to hold those who mislead and obstruct Congress accountable for their criminal behavior. Accordingly, I ask that you provide a response to the questions posed in the October 8, 2019, letter no later than April 6, 2021. Your response should include a full explanation of the steps the Justice Department and FBI have taken to investigate the Committee’s four criminal referrals for investigation of potential violations of 18 U.S.C. §§ 1001 (materially false statements), 1505 (obstruction), and 371 (conspiracy). If no actions have been taken in response to those referrals, please explain why not.

Thank you for your attention to this important matter.

Sincerely,



Charles E. Grassley  
Ranking Member  
Senate Judiciary Committee

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[https://www.judiciary.senate.gov/imo/media/doc/2018-10-](https://www.judiciary.senate.gov/imo/media/doc/2018-10-26%20CEG%20to%20DOJ%20FBI%20(Second%20Avenatti%20Referral)%20-%20with%20enclosures_Redacted.pdf)

[26%20CEG%20to%20DOJ%20FBI%20\(Second%20Avenatti%20Referral\)%20-%20with%20enclosures\\_Redacted.pdf](https://www.judiciary.senate.gov/imo/media/doc/2018-10-26%20CEG%20to%20DOJ%20FBI%20(Second%20Avenatti%20Referral)%20-%20with%20enclosures_Redacted.pdf).

<sup>4</sup> Letter from Sen. Charles E. Grassley, Chairman, U.S. Senate Committee on the Judiciary, to Hon. Jeff Sessions, Attorney General, U.S. Department of Justice, and Hon. Christopher A. Wray, Director, Federal Bureau of Investigation (November 2, 2018). Available at: [https://www.judiciary.senate.gov/download/grassley-to-justice-dept-fbi\\_-munro-leighton-referral-](https://www.judiciary.senate.gov/download/grassley-to-justice-dept-fbi_-munro-leighton-referral-).

<sup>5</sup> Hearings before the Committee on the Judiciary U.S. Senate One Hundred Second Congress First Session on The Nomination of Clarence Thomas to be Associate Justice of the Supreme Court of the United States (October 11, 12, and 13, 1991), Part 4 of 4 Parts at 268.

Enclosures:

- (1) Letter from U.S. Senators to Attorney General William Barr and FBI Director Christopher Wray (October 8, 2019)
- (2) First Criminal Referral Letter (September 29, 2018)
- (3) Second Criminal Referral Letter (October 25, 2018)
- (4) Third Criminal Referral Letter (October 26, 2018)
- (5) Fourth Criminal Referral Letter (November 2, 2018)

# Attachment 1



# United States Senate

WASHINGTON, DC 20510

October 8, 2019

## VIA ELECTRONIC TRANSMISSION

The Honorable William P. Barr  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

The Honorable Christopher A. Wray  
Director  
Federal Bureau of Investigation  
935 Pennsylvania Avenue, NW  
Washington, DC 20535

Dear Attorney General Barr and Director Wray:

A full year has passed since the Judiciary Committee completed its investigation into allegations of decades-old misconduct by Brett Kavanaugh in the course of its consideration of his nomination to the U.S. Supreme Court. During its investigation, the Committee interviewed numerous individuals claiming to have relevant information. While most of those individuals appear to have contacted the Committee in good faith, some did not. The Committee referred four individuals to the DOJ and FBI for investigation of potential violations of 18 U.S.C. §§ 1001 (materially false statements) and 1505 (obstruction), for false statements made to the Committee during the course of its investigation. It also referred two of those same individuals for potential violations of 18 U.S.C. § 371 (conspiracy). We seek information about what actions DOJ and FBI are taking in response to these referrals.

These criminal referrals were not made lightly. In each of the aforementioned cases, the referred individual(s) made false allegations against then-Judge Kavanaugh. These allegations were taken seriously and carefully investigated by Committee staff, resulting in the diversion of significant resources.

1. The first referral, dated September 29, 2018, relates to a false allegation made by an individual who told the Committee that he had direct knowledge that Judge Kavanaugh assaulted a close friend on a boat in the harbor at Newport, Rhode Island in 1985.<sup>1</sup> After the Committee extensively questioned Judge Kavanaugh about the allegation, the individual recanted and apologized on social media for making the false allegation.
2. The second referral, dated October 25, 2018, relates to false allegations made by Mr. Michael Avenatti and his client, Ms. Julie Swetnick.<sup>2</sup> In a September 23, 2018, email to Committee staff, Mr. Avenatti stated that he and Ms. Swetnick were aware of evidence that during the 1980s, Judge Kavanaugh participated in the “targeting of women with

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<sup>1</sup> Letter from Sen. Charles E. Grassley, Chairman, U.S. Senate Committee on the Judiciary, to Hon. Jeff Sessions, Attorney General, U.S. Department of Justice, and Hon. Christopher A. Wray, Director, Federal Bureau of Investigation (September 29, 2018). Available at: <https://www.judiciary.senate.gov/imo/media/doc/2018-09-29%20Grassley%20to%20DOJ,%20FBI%20-%20Referral%20for%20Criminal%20Investigation.pdf>.

<sup>2</sup> Letter from Sen. Charles E. Grassley, Chairman, U.S. Senate Committee on the Judiciary, to Hon. Jeff Sessions, Attorney General, U.S. Department of Justice, and Hon. Christopher A. Wray, Director, Federal Bureau of Investigation (October 25, 2018). Available at: [https://www.judiciary.senate.gov/imo/media/doc/2018-10-25%20CEG%20to%20DOJ%20FBI%20\(Swetnick%20and%20Avenatti%20Referral\)\\_Redacted.pdf](https://www.judiciary.senate.gov/imo/media/doc/2018-10-25%20CEG%20to%20DOJ%20FBI%20(Swetnick%20and%20Avenatti%20Referral)_Redacted.pdf).

alcohol/drugs in order to allow a ‘train’ of men to subsequently gang rape them.”<sup>3</sup> Committee staff interviewed Judge Kavanaugh and ten other individuals in connection with these allegations, which were outlined in graphic detail in a sworn statement to the Committee purportedly written and signed by Ms. Swetnick. After a thorough investigation, the Committee found no verifiable evidence to support any of the allegations made in the declaration. The Committee also found that both Mr. Avenatti and Ms. Swetnick had a long history of credibility issues and may have criminally conspired to mislead the Committee and obstruct its investigation.

3. The third referral, dated October 26, 2018, relates to evidence that Mr. Avenatti falsified a sworn statement to the Committee in order to provide support for Ms. Swetnick’s unfounded allegations.<sup>4</sup> The sworn statement by an unknown declarant claimed that Judge Kavanaugh had spiked the punch at house parties with Quaaludes and/or grain alcohol in order to make “girls more likely to engage in sexual acts and less likely to say ‘No.’”<sup>5</sup> NBC News later reported on a series of contacts with the purported declarant, who stated that she had denied the key allegations in the declaration both before and after the statement was publicly released and that Mr. Avenatti had “twisted [her] words.”<sup>6</sup>
4. The fourth referral, dated November 2, 2018, relates to allegations made by Ms. Judy Munro-Leighton.<sup>7</sup> On October 3, 2018, Committee staff received an email from Ms. Munro-Leighton stating that she was the author of an unsigned letter containing highly graphic sexual-assault accusations against Judge Kavanaugh previously received by the office of Senator Kamala Harris. Ms. Munro-Leighton included the text of the letter in her e-mail to the Committee, claiming that Judge Kavanaugh and a friend had raped her “several times each” in the back seat of a car.<sup>8</sup> When Committee staff interviewed Ms. Munro-Leighton, she admitted that she falsely identified herself as the author of the letter and its allegations and had only claimed authorship “as a way to grab attention.”<sup>9</sup> When asked by Committee investigators if she had ever met Judge Kavanaugh, she said: “Oh Lord, no.”<sup>10</sup>

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<sup>3</sup> *Id.* at 2.

<sup>4</sup> Letter from Sen. Charles E. Grassley, Chairman, U.S. Senate Committee on the Judiciary, to Hon. Jeff Sessions, Attorney General, U.S. Department of Justice, and Hon. Christopher A. Wray, Director, Federal Bureau of Investigation (October 26, 2018). Available at: [https://www.judiciary.senate.gov/imo/media/doc/2018-10-26%20CEG%20to%20DOJ%20FBI%20\(Second%20Avenatti%20Referral\)%20-%20with%20enclosures\\_Redacted.pdf](https://www.judiciary.senate.gov/imo/media/doc/2018-10-26%20CEG%20to%20DOJ%20FBI%20(Second%20Avenatti%20Referral)%20-%20with%20enclosures_Redacted.pdf).

<sup>5</sup> *Id.* at 2.

<sup>6</sup> Kate Snow and Anna Schecter, *New Questions Raised About Avenatti Claims Regarding Kavanaugh*, NBC NEWS (Oct. 25, 2018), available at <https://www.nbcnews.com/politics/justicedepartment/newquestions-raised-about-avenatti-claims-regarding-kavanaugh-n924596>.

<sup>7</sup> Letter from Sen. Charles E. Grassley, Chairman, U.S. Senate Committee on the Judiciary, to Hon. Jeff Sessions, Attorney General, U.S. Department of Justice, and Hon. Christopher A. Wray, Director, Federal Bureau of Investigation (November 2, 2018). Available at: [https://www.judiciary.senate.gov/imo/media/doc/2018-11-02%20CEG%20to%20DOJ%20FBI%20\(Munro-Leighton%20Referral\)%20with%20redacted%20enclosures.pdf](https://www.judiciary.senate.gov/imo/media/doc/2018-11-02%20CEG%20to%20DOJ%20FBI%20(Munro-Leighton%20Referral)%20with%20redacted%20enclosures.pdf).

<sup>8</sup> *Id.* at 9.

<sup>9</sup> *Id.* at 2.

<sup>10</sup> *Id.* at 3.



As the Committee stressed in each of the referrals issued during and after the investigation into allegations against then-Judge Kavanaugh, investigations in support of the judicial nomination process are an essential part of the constitutional role in confirming judges. As Committee members, we are grateful to citizens who come forward with relevant information in good faith, even if they are not entirely sure about the accuracy of that information. But, when individuals intentionally mislead the Committee, they divert important Committee resources during time-sensitive investigations and materially impede its work. Such acts are not only unfair; they are potentially illegal. It is illegal to make materially false, fictitious, or fraudulent statements to Congressional investigators. It is illegal to obstruct Committee investigations.

It is important to protect the constitutional process from being hijacked by bad actors involved in insidious partisan operations. The Committee can bring bad actors to the attention of law enforcement and the American people by being as transparent as possible about its investigative findings. However, it is up to the FBI and the Justice Department to hold those who mislead Congress accountable for the criminal aspects of their behavior. The DOJ has not shied away from selectively filing charges against individuals for alleged violations of 18 U.S.C. §§ 1001 in the past. Martha Stewart, former Illinois governor Rod Blagojevich, and ex-Presidential aide Scooter Libby are just a few individuals who have been charged with lying to federal investigators.<sup>11</sup> Lying to Congress is and should be treated as an equally serious offense.

The next Supreme Court nominee should not have to defend himself or herself against baseless and fabricated allegations, and Committee staff should not have to spend valuable time investigating them.

Accordingly, please respond to the following no later than October 21, 2019:

1. For each criminal referral made by the Committee to the FBI, did the FBI open a criminal investigation? If so, which investigation(s) resulted in a referral to the Justice Department for prosecution? If not, why not?
2. For each case that was referred to the Justice Department for prosecution, which cases were rejected and which were accepted for prosecution?

Thank you for your prompt attention to this matter. If you have any questions, please contact a professional staff investigator in Senator Grassley's Oversight and Investigations Unit at (202) 224-4515.

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<sup>11</sup> Josh Saul, What Do Michael Flynn and Martha Stewart Have in Common? A List of the People Charged With Lying to the FBI, NEWSWEEK (December 1, 2017), available at <https://www.newsweek.com/michael-flynn-martha-stewart-charged-lying-fbi-728874>.

Sincerely,

Chuck Grassley Tom Harkin

John Cornyn

Mike Cryer

Tom Tillis

Marsha Blackburn

Jeff Flake

John Kennedy

John

cc: The Honorable Dianne Feinstein  
Ranking Member  
Senate Judiciary Committee

# Attachment 2

CHARLES E. GRASSLEY, IOWA, CHAIRMAN

ORRIN G. HATCH, UTAH  
LINDSEY O. GRAHAM, SOUTH CAROLINA  
JOHN CORNYN, TEXAS  
MICHAEL S. LEE, UTAH  
TED CRUZ, TEXAS  
BEN SASSE, NEBRASKA  
JEFF FLAKE, ARIZONA  
MIKE CRAPO, IDAHO  
THOM TILLIS, NORTH CAROLINA  
JOHN KENNEDY, LOUISIANA

DIANNE FEINSTEIN, CALIFORNIA  
PATRICK J. LEAHY, VERMONT  
RICHARD J. DURBIN, ILLINOIS  
SHELDON WHITEHOUSE, RHODE ISLAND  
AMY KLOBUCHAR, MINNESOTA  
CHRISTOPHER A. COONS, DELAWARE  
RICHARD BLUMENTHAL, CONNECTICUT  
MAZIE HIRONO, HAWAII  
CORY A. BOOKER, NEW JERSEY  
KAMALA D. HARRIS, CALIFORNIA

**United States Senate**

COMMITTEE ON THE JUDICIARY  
WASHINGTON, DC 20510-6275

KOLAN L. DAVIS, *Chief Counsel and Staff Director*  
JENNIFER DUCK, *Democratic Chief Counsel and Staff Director*

September 29, 2018

**VIA ELECTRONIC TRANSMISSION**

The Honorable Jeff Sessions  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

The Honorable Christopher A. Wray  
Director  
Federal Bureau of Investigation  
935 Pennsylvania Avenue, NW  
Washington, DC 20535

Dear Attorney General Sessions and Director Wray:

As you know, the Senate Judiciary Committee recently processed the nomination of Judge Brett M. Kavanaugh to serve as an Associate Justice on the Supreme Court. As part of that process, the Committee has been investigating various allegations made against Judge Kavanaugh. The Committee's investigation has involved communicating with numerous individuals claiming to have relevant information. While many of those individuals have acted in good faith in providing the Committee information during the investigation, unfortunately it appears some have not. As explained below, I write today respectfully referring Mr. [REDACTED] for investigation of potential violations of 18 U.S.C. §§ 1001 and 1505, for materially false statements Mr. [REDACTED] made to the Committee as part of its investigation of allegations against Judge Kavanaugh.

According to Senator Whitehouse and his Committee staff, on the morning of September 24, 2018, Mr. [REDACTED] contacted the Senator's office to report an allegation of sexual misconduct by Judge Kavanaugh. Mr. [REDACTED] claimed that in August of 1985, Judge Kavanaugh sexually assaulted a close acquaintance of Mr. [REDACTED] on a boat in the harbor at Newport, Rhode Island. Committee staff took Mr. [REDACTED]'s allegation seriously, and asked Judge Kavanaugh numerous questions about it under penalty of felony during an interview on September 25, 2018. He categorically denied the allegation. On September 26, 2018, the Committee publicly released a redacted transcript of that interview, with Mr. [REDACTED]'s name redacted. Afterwards, at 7:51 pm that same evening, Mr. [REDACTED] "recanted" and apologized for his allegation via social media. I have enclosed the relevant materials documenting these facts.

Committee investigations in support of the judicial nomination process are an essential part of the Committee's constitutional role. The Committee is grateful to citizens who come forward with relevant information in good faith, even if they are not one hundred percent sure about what they know. But when individuals provide fabricated allegations to the Committee, diverting Committee resources

during time-sensitive investigations, it materially impedes our work. Such acts are not only unfair; they are potentially illegal. It is illegal to make materially false, fictitious, or fraudulent statements to Congressional investigators. It is illegal to obstruct Committee investigations.

Accordingly, in light of the seriousness of these facts, and the threat these types of actions pose to the Committee's ability to perform its constitutional duties, I hope you will give this referral the utmost consideration.

Thank you for your prompt attention to this matter. If you have any questions, please contact a professional staff investigator in the Committee's Oversight and Investigations Unit at (202) 224-5225.

Sincerely,



Charles E. Grassley  
Chairman  
Committee on the Judiciary

Enclosures:

Letter from Senator Whitehouse to Chairman Grassley and Ranking Member Feinstein  
Email from Senator Whitehouse' Staff  
Transcript of Kavanaugh Interview  
Tweet by Mr. [REDACTED]

cc: The Honorable Dianne Feinstein  
Ranking Member  
Committee on the Judiciary

The Honorable Sheldon Whitehouse  
Ranking Member  
Subcommittee on Crime and Terrorism  
Committee on the Judiciary

SHELDON WHITEHOUSE  
RHODE ISLAND

COMMITTEES:  
BUDGET  
ENVIRONMENT AND PUBLIC WORKS  
FINANCE  
JUDICIARY

**United States Senate**  
WASHINGTON, DC 20510-3905

<http://whitehouse.senate.gov>  
(202) 224-2921  
TTY (202) 224-7746  
170 WESTMINSTER STREET, SUITE 200  
PROVIDENCE, RI 02903  
(401) 453-5294

September 24, 2018

The Honorable Charles E. Grassley  
Chairman  
Committee on the Judiciary  
United States Senate  
224 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Dianne Feinstein  
Ranking Member  
Committee on the Judiciary  
331 Hart Senate Office Building  
Washington, DC 20510

Dear Chairman Grassley and Ranking Member Feinstein:

This morning, a constituent contacted my office to report another allegation of sexual misconduct by Judge Brett Kavanaugh, nominee to be Associate Justice of the Supreme Court of the United States. At the constituent's request, I provided the constituent with the contact information of a reporter who might investigate the allegation. I have also alerted the Federal Bureau of Investigation.

I look forward to hearing what further action you would like to take.

Sincerely,

  
Sheldon Whitehouse  
United States Senator



**From:** [REDACTED] (Judiciary-Dem)  
**Sent:** Monday, September 24, 2018 6:25 PM  
**To:** [REDACTED] (Judiciary-Rep) [REDACTED] (Judiciary-Rep)  
[REDACTED] (Judiciary-Dem)  
**Cc:** [REDACTED] (Judiciary-Dem)  
**Subject:**

All—

Please find attached a letter from Senator Whitehouse to Chairman Grassley and Ranking Member Feinstein. I believe he handed your bosses hard copies at the vote. Below is a summary of the substance of the allegations referenced in the letter:

Our office received a call this morning from a Rhode Island constituent, [REDACTED], who made allegations regarding U.S. Supreme Court nominee Brett Kavanaugh. [REDACTED] reported that early on a Sunday morning in August of 1985, a close acquaintance of the constituent was sexually assaulted by two heavily inebriated men she referred to at the time as "Brett and Mark." The event took place on a 36' maroon and white boat in the harbor at Newport, Rhode Island, after the three had met at a local bar. According to [REDACTED], when he learned of the assault at approximately 5:00 a.m. that same morning, he and another individual went to the harbor, located the boat the victim had described, and physically confronted the two men, leaving them with significant injuries. [REDACTED] recently realized that one of the men was Brett Kavanaugh when he saw Kavanaugh's high school yearbook photo on television over the weekend. He promptly reported the incident to our office on Monday morning, September 24, 2018.

If your office wishes to pursue this matter, we can provide contact information for Mr. [REDACTED]. It is not clear that the victim is aware that Mr. [REDACTED] has brought these allegations forward or that she wishes to come forward herself.

Thanks,

[REDACTED]

[REDACTED]

Senator Sheldon Whitehouse  
Subcommittee on Crime & Terrorism  
Senate Committee on the Judiciary

[REDACTED]

1 SENATE JUDICIARY COMMITTEE

2 U.S. SENATE

3 WASHINGTON, D.C

4  
5  
6  
7 INTERVIEW: [REDACTED]

8  
9  
10  
11 TUESDAY, SEPTEMBER 25, 2018

12  
13  
14  
15  
16 The interview convened at 12:34 p.m.

1 [Telephone ringing.]

2 [REDACTED] Hello?

3 [REDACTED] Hi, this is [REDACTED] from the Senate

4 Judiciary Committee.

5 [REDACTED] Oh, hi, [REDACTED] How are you?

6 [REDACTED] Great.

7 [REDACTED] This is [REDACTED] I'll put you on

8 speaker with the judge. I'm with Alex Walsh, his counsel,

9 and then the rest of us will head out of the room.

10 [REDACTED] Okay. Thank you.

11 [REDACTED] Can you hear us?

12 [REDACTED] Yes.

13 [REDACTED] [REDACTED]

14 [REDACTED] Yes. Can you hear us?

15 [REDACTED] Yes, it's a little quiet.

16 [REDACTED] Is this any better?

17 Judge Kavanaugh. I can hear you. This is Brett

18 Kavanaugh. And Alex Walsh is here. It sounds like you're

19 in kind of a wind tunnel, but --

20 [REDACTED] Okay. I'm not sure how to fix that.

21 [REDACTED] Why don't we try calling them back?

22 [REDACTED] We're happy to try one more time. We'll

23 just dial the number one more time and see if it's a better

24 connection.

25 Judge Kavanaugh. Okay. Great.

1 [Pause.]

2 [Telephone ringing.]

3 Judge Kavanaugh. Hello?

4 [REDACTED] Hi, it's [REDACTED] Is this any better?

5 Judge Kavanaugh. It sounds like it. Let me put you

6 on speaker.

7 You there?

8 [REDACTED] Yes, how is it?

9 Judge Kavanaugh. We'll make do.

10 Female Speaker. Yeah, it's fine. We can hear you.

11 [REDACTED] All right. Well, we apologize. If

12 there's any question you need us to repeat because you

13 didn't hear it very well, please just let me know.

14 Okay. Well, again, thank you very much for jumping on

15 the phone with us today.

16 I am here with several colleagues. I'll let them

17 introduce themselves, and then we will get started.

18 [REDACTED] I'm [REDACTED] I'm [REDACTED]

19 [REDACTED] for Chairman Grassley.

20 [REDACTED] [REDACTED]

21 for Chairman Grassley.

22 [REDACTED] Hi, Judge. [REDACTED] with the

23 minority. We've spoken in the past.

24 Judge Kavanaugh. Yes.

25 [REDACTED] [REDACTED] Hi, Judge. We've also

1 spoken. I'm with the ranking member.

2 Judge Kavanaugh. Yeah, thanks, [REDACTED]

3 [REDACTED] Hi, Judge. It's [REDACTED] I'm a  
4 [REDACTED] for the ranking member.

5 Judge Kavanaugh. Okay. Thank you.

6 [REDACTED] Before we begin, I just want to make clear  
7 that the Democratic members have asked the FBI to  
8 investigate these allegations, and they believe that's  
9 necessary to a fair process and fairness more generally.  
10 The Democratic members do not believe that it's appropriate  
11 for staff to be discussing allegations with you that have  
12 not yet been investigated.

13 Also want to make clear that we just learned about the  
14 possibility of this phone call today at 11:15 a.m. and  
15 weren't advised that it would be happening at 12:30 p.m.  
16 until about 11:50 a.m. today. So it's likely that we will  
17 primarily be listening during this call.

18 And again, I just want to reiterate that the  
19 Democratic members do not believe that this is a fair or  
20 sufficient process, and this is not how the committee  
21 usually handles allegations of this sort.

22 [REDACTED] I would just say -- this is [REDACTED] I  
23 would just say that we can have these political discussions  
24 offline. Our job today is to gather evidence in the form  
25 of Judge Kavanaugh's testimony, and that's how we're going

1 to proceed. And we can have the political discussions  
2 offline.

3 [REDACTED] Judge, for your knowledge, this is being  
4 transcribed as well.

5 Okay. So we are here because we have received in  
6 various forms, but not through the normal BI process,  
7 various allegations. And when we receive allegations, we  
8 typically go to the nominee to get their take on it. So  
9 I'm going to run through some questions, and if anyone has  
10 follow-up or clarifications, feel free to jump in.

11 Judge Kavanaugh, by now we assume that you've heard  
12 about the New Yorker article published on Sunday. Have you  
13 reviewed the article?

14 Judge Kavanaugh. Yes.

15 [REDACTED] The article alleges that during your  
16 freshman year at Yale, you attended a -- and I quote -- "a  
17 drunken dormitory party at which you exposed yourself,  
18 thrust your penis in Deborah Ramirez's face, and caused her  
19 to touch it without her consent as she pushed you away."

20 Did that happen?

21 Judge Kavanaugh. That did not happen.

22 [REDACTED] Do you know Deborah Ramirez?

23 Judge Kavanaugh. I do.

24 [REDACTED] When did you meet her?

25 Judge Kavanaugh. I knew her in college.

1           [REDACTED]   And when did you last talk to her?

2           Judge Kavanaugh.   Many, many years ago.

3           [REDACTED]   Would you say that was post college?

4           Judge Kavanaugh.   I'm pretty sure we were at a wedding  
5 together.   [REDACTED] [REDACTED] and [REDACTED] wedding,  
6 which I believe was in 1997 in the Baltimore area.   And I  
7 don't think I've seen her since then.

8           [REDACTED]   Okay.   Will you describe your  
9 relationship with her?

10          Judge Kavanaugh.   I knew her.   Friendly.   Friendly,  
11 but not friends.

12          [REDACTED]   Okay.   So we're on the same page, I'm  
13 going to define "sexual or romantic behavior" as kissing,  
14 touching, or penetrating her genitals, anus, or breasts;  
15 touching or penetrating your -- her touching or penetrating  
16 your genitals or anus; seeing her genitals, anus, or  
17 breasts; or her seeing your genitals or anus.

18          With that definition in mind, did you have any sexual  
19 or romantic encounters with Deborah Ramirez?

20          Judge Kavanaugh.   No.

21          [REDACTED]   Are you aware of any reason Deborah  
22 Ramirez would lie about you?

23          [Pause.]

24          Judge Kavanaugh.   I don't want to speculate.

25          [REDACTED]   Okay.   Ms. Ramirez says that she was

1 invited by a friend on the women's soccer team to a dorm  
2 room party that occurred at Lawrence Hall. And again, she  
3 says this occurred when you were both freshmen.

4 Did you attend any such party?

5 Judge Kavanaugh. I lived in Lawrence Hall freshman  
6 year in the basement, and I have no recollection at all of  
7 the party she's describing. And of course, I've said the  
8 incident, the specific incident didn't happen.

9 [REDACTED] So did you attend any such party with  
10 Ms. Ramirez?

11 Judge Kavanaugh. I -- I don't know all the parties in  
12 Lawrence Hall or get-togethers in Lawrence Hall that might  
13 have occurred. What I do know is this incident, this  
14 specific incident alleged did not happen, and I don't  
15 recall the general party that she's describing in  
16 particular.

17 [REDACTED] Okay.

18 Judge Kavanaugh. But people got together, of course,  
19 in the dorm rooms, if that's the question. So I don't want  
20 to imply that people weren't in the dorm rooms.

21 And the dorms had common rooms, just so you know. So  
22 there were not my -- not the room I lived in, but some of  
23 the other rooms in Lawrence Hall were six rooms off a  
24 common room in a what was called a suite. So in the common  
25 rooms, there would often be people just hanging out.



1           ██████████ Okay. Ms. Ramirez says at the party she  
2 identified, a small group of students decided to play a  
3 drinking game together at which students were sitting in a  
4 circle, and people would pick who drank. She says that she  
5 was chosen repeatedly to the point that she later was on  
6 the floor, foggy and slurring her words.

7           Did you attend any such party?

8           Judge Kavanaugh. I have no recollection of that.

9           ██████████ Ms. Ramirez says that at one point during  
10 the drinking game at the party she identified, a male  
11 student pointed a gag plastic penis in her direction.

12          Did you attend any party at which a male student  
13 pointed a gag plastic penis at Ms. Ramirez?

14          Judge Kavanaugh. I have no recollection of that.

15          ██████████ Ms. Ramirez says that after she was on  
16 the floor, foggy and slurring her words, a male student  
17 exposed herself -- himself to her. She says, "I remember a  
18 penis being in front of my face. I knew that's not what I  
19 wanted, even in that state of mind."

20          According to the article, she recalled remarking,  
21 "That's not a real penis," and the other students laughing  
22 at her confusion and taunting her, one encouraging her to  
23 kiss it. She said that she pushed that person away,  
24 touching it in the process.

25          Did you attend a party at which any of this happened,

1     whoever that student was?

2             Judge Kavanaugh. I know that -- I couldn't hear all  
3     of the question.

4             ██████████ Repeat it.

5             Judge Kavanaugh. I guess, I have no recollection of  
6     what you're describing generally, and of course, no -- did  
7     not -- the specific incident you're describing didn't  
8     happen. I never saw anything like that.

9             ██████████ Judge, we're going to repeat the question.

10            Judge Kavanaugh. Okay.

11            ██████████ Ms. Ramirez says that after Ms. Ramirez  
12     was on the floor, foggy and slurring her words, a male  
13     student exposed herself -- himself to her. She says, "I  
14     remember a penis being in front of my face. I knew that's  
15     not what I wanted, even in that state of mind."

16            According to the article, she recalled remarking,  
17     "That's not a real penis," and the other students laughing  
18     at her confusion and taunting her, one encouraging her to  
19     kiss it. She said that she pushed that person away,  
20     touching it in the process.

21            Did you hear all of that?

22            Judge Kavanaugh. Yes. And the question is?

23            ██████████ Did you attend a party at which any of  
24     this happened, whoever that student was?

25            Judge Kavanaugh. Never -- I never saw anything like

1   that.

2           [REDACTED]   Ms. Ramirez says that after this event  
3   occurred, she remembers you standing to her right and  
4   laughing, pulling up your pants.  According to her, you  
5   were laughing, and she can still see your face and your  
6   hips coming forward like when you pull up your pants.

7           She states that another student shouted about the  
8   event, "Somebody yelled down the hall, 'Brett Kavanaugh  
9   just put his penis in Debbie's face.'  It was his full  
10   name.  I don't think it was just 'Brett,' and I remember  
11   hearing and being mortified that this was out there."

12          Did this ever happen?

13          Judge Kavanaugh.  That did not happen.

14          [REDACTED]   The article reports that an anonymous  
15   classmate is 100 percent sure that he was told at the time  
16   that Kavanaugh was the student who exposed himself to  
17   Ramirez and that he independently recalled many of the same  
18   details offered by Ramirez, including the party's location.  
19   The article also suggests that some of your classmates have  
20   discussed this alleged event.

21          At any point, have you ever heard a rumor that you  
22   exposed yourself to Ms. Ramirez?

23          Judge Kavanaugh.  No, and I would have, because it  
24   would have been the talk of campus.

25          [REDACTED]   Okay.  The article identifies Mr. James

1 Roche as your roommate. Is that his -- how do you  
2 pronounce his name?

3 Judge Kavanaugh. Roche. Jamie.

4 [REDACTED] Roche. Okay.

5 Judge Kavanaugh. Jamie is what he went by then.

6 [REDACTED] Okay. Generally speaking, he supports  
7 Ms. Ramirez's account of the story. When did you first  
8 meet Mr. Roche?

9 Judge Kavanaugh. Can you hold on one second?

10 [REDACTED] Yes.

11 [Pause.]

12 Judge Kavanaugh. Okay. I'm here.

13 [REDACTED] Great. When did you first meet  
14 Mr. Roche?

15 Judge Kavanaugh. I would have met him when we moved  
16 in to Lawrence Hall in September of 1983 when I was 18.

17 [REDACTED] And when did you last communicate with  
18 him?

19 Judge Kavanaugh. I saw him probably at our 25th  
20 reunion, which would have been 2000 and -- 2012. It might  
21 have been our 20th reunion, but I saw him briefly at one of  
22 those reunions.

23 [REDACTED] And will you describe your relationship  
24 with him?

25 Judge Kavanaugh. So there were three guys who lived,

1 in essence, in a room together -- Dave White, Jamie Roche,  
2 and myself. Jamie and Dave White hated each other. They  
3 got in fights, fist fights during the year. One time Dave  
4 White was away for the weekend. Jamie -- when he came  
5 back, Jamie had moved all Dave White's furniture,  
6 everything, like into some other area of Lawrence Hall in a  
7 hallway.

8 So he came back, and Dave White's room was entirely  
9 empty. They had a very contentious -- they had a  
10 contentious relationship, didn't like each other, at least  
11 as I recall it.

12 I got -- I was friends with Dave White more than  
13 Jamie. I tried to be civil. Jamie wasn't around a lot. I  
14 don't know, I think his parents lived nearby, and so he was  
15 elsewhere or with a girl, I don't know, a woman at Yale.

16 [REDACTED] He didn't hang out with us very  
17 much, wasn't a great situation.

18 [REDACTED] Are you aware of any reason Mr. Roche  
19 would lie about you?

20 Judge Kavanaugh. I'm not going to speculate beyond --  
21 I'm not going to speculate beyond what I've said. My  
22 understanding, of course, is that he does not corroborate  
23 the incident.

24 [REDACTED] [REDACTED]  
25 [REDACTED] [REDACTED] [REDACTED]

1 [REDACTED]  
2 [REDACTED] [REDACTED]  
3 [REDACTED]  
4 [REDACTED] [REDACTED]  
5 [REDACTED]  
6 [REDACTED] O [REDACTED]  
7 [REDACTED] [REDACTED] [REDACTED]  
8 [REDACTED]  
9 [REDACTED] [REDACTED] [REDACTED]  
10 [REDACTED] [REDACTED]  
11 [REDACTED]

12 [REDACTED] What is your knowledge about the  
13 relationship between Mr. Roche and Ms. Ramirez while at  
14 Yale?

15 Judge Kavanaugh. I don't think I have much knowledge  
16 of that, or at least not much -- I don't have much  
17 recollection of that.

18 [REDACTED] Do you have any recollection about their  
19 relationship after their time at Yale?

20 Judge Kavanaugh. I don't.

21 [REDACTED] So Mr. Roche says, "Debbie and I became  
22 close friends shortly after we both arrived at Yale. She  
23 stood out as being exceptionally honest and gentle. I  
24 cannot imagine her making this up."

25 Do you have any other understanding about the nature

1 of their relationship, either then or now?

2 Judge Kavanaugh. I don't.

3 [REDACTED] According to the article, Mr. Roche never  
4 saw you engage in any sexual misconduct, but did recall you  
5 being frequently incoherently drunk.

6 Were you frequently incoherently drunk in college?

7 Judge Kavanaugh. No. Like -- like most people in  
8 college, I went to parties and had beers, but that's --  
9 that's not an accurate description, in my view.

10 [REDACTED] Do you have any understanding of why  
11 Mr. Roche would characterize you as frequently incoherently  
12 drunk in college?

13 Judge Kavanaugh. I'm not going to speculate on what's  
14 going on right now. We're in the twilight zone.

15 [REDACTED] In a recent interview --

16 [REDACTED] Can I ask a question?

17 [REDACTED] Of course.

18 [REDACTED] Let me jump in here, Judge. Talk about  
19 your academic performance at Yale.

20 Judge Kavanaugh. Yeah. So two things I was doing the  
21 most at Yale College were studying and going to class and  
22 working very hard on my academics, doing well enough to get  
23 into Yale Law School, which was not obvious when I arrived  
24 in September of 1983. I worked my ass off.

25 And the second thing was basketball. Throughout the

1 freshman year when I lived there, I was playing basketball  
2 every day. I tried out for the varsity basketball team.  
3 As soon as we got there, literally the first day, the  
4 workouts started. Not -- not with coaches present because  
5 they weren't allowed by NCAA rules to be present, but the -  
6 - the play, the captain-led workouts started immediately.  
7 Butch Graves was the captain of the Yale basketball team.  
8 Chris Dudley was my classmate.

9       So we had basketball every day. Those were intense,  
10 really intense afternoons, early evenings of basketball.  
11 And then I played JV basketball that year, practice every  
12 day, lots of games, and then in the spring, basketball  
13 again for the same kind of captain-led workouts, which were  
14 every weekday, a lot of running, a lot of lifting.

15       So the two primary focuses of my life were academics  
16 and basketball. And of course, we all lived on Old Campus.  
17 So, of course, it was also social. I had friends. Louisa  
18 Garry, who testified at the hearing for me, who I met on  
19 the first day of Yale College, the other college women  
20 friends who have written, who joined that letter, talked  
21 about what I was like from the beginning in college.

22       So thank you for the question. Happy to answer any  
23 follow-up, but I was very focused on doing as well as I  
24 could in school, and I was very focused on trying to be the  
25 best basketball player I could be.



1           [REDACTED] So, in a recent interview, you denied  
2 ever getting blackout drunk. Would anything about your  
3 college drinking in any way impair your ability to remember  
4 whether you engaged in the conduct Ms. Ramirez identifies?

5           Judge Kavanaugh. No.

6           [REDACTED] All right. The article reports Mr. Roche  
7 as saying, "Is it believable that she was alone with a  
8 wolfy group of guys who thought it was funny to sexually  
9 torment a girl like Debbie? Yeah, definitely. Is it  
10 believable that Kavanaugh was one of them? Yes."

11          So did you ever, either alone or with other men,  
12 sexually torment any student at Yale?

13          Judge Kavanaugh. No.

14          [REDACTED] And do you -- do have any understanding  
15 of why your college roommate would make such an accusation?

16          Judge Kavanaugh. Well, I'm not going to speculate.  
17 I've described the contentious relationship in that room  
18 generally and his issues generally.

19          [REDACTED] And his issues you testified being [REDACTED]  
20 [REDACTED]?

21          Judge Kavanaugh. That's my understanding.

22          [REDACTED] According to the New Yorker article,  
23 Ms. Ramirez continued to socialize with one of the male  
24 classmates who had egged Kavanaugh on during the party  
25 during college. She even invited the classmate to her

1 house for Thanksgiving one year after he told her that he  
2 had nowhere to go. She also attended his wedding years  
3 later as a guest of his wife, and she said that she posed  
4 for photographs with Kavanaugh, smiling.

5 You mentioned that you believed you were probably at a  
6 wedding with her. So have you interacted with Ms. Ramirez  
7 since you graduated college, including potentially that  
8 wedding or any other time?

9 Judge Kavanaugh. Yeah, so her best friend was Karen  
10 Yarasavage. Karen Yarasavage said she never heard about  
11 any such incident like this and that she would have heard  
12 about it. That's what she said, as I understand it, in the  
13 story -- or some story.

14 [REDACTED] would have been the person who had  
15 the wedding, marrying [REDACTED], who also lived -- who  
16 was also a student at Yale College at that time. And so,  
17 anyway, I would have been at [REDACTED] and -- I was at [REDACTED]  
18 and [REDACTED] wedding. And like I said, [REDACTED] said she  
19 never heard about any such thing as this incident.

20 [REDACTED] Did you interact with Ms. Ramirez at the  
21 wedding?

22 Judge Kavanaugh. I'm sure -- I'm sure I saw her  
23 because it wasn't a huge wedding. And at any wedding, you  
24 would see the people that you went to school with. But I  
25 don't have a specific recollection.

1           [REDACTED] Other than the wedding, have you had  
2 postgraduation interactions with Ms. Ramirez?

3           Judge Kavanaugh. Not that I'm remembering right now.

4           [REDACTED] The incident that she alleges in the  
5 article, was that discussed at the wedding?

6           Judge Kavanaugh. No, because it didn't happen. With  
7 me, or with anyone as far as I know, but not with me.

8           [REDACTED] All right. My last question on this  
9 subject is since you graduated from college, but before the  
10 New Yorker article publication on September 23rd, have you  
11 ever discussed or heard discussion about the incident  
12 matching the description given by Ms. Ramirez to the New  
13 Yorker?

14          Judge Kavanaugh. No.

15          [REDACTED] Judge, I want to get your general reaction  
16 to this New Yorker story, including the allegations made in  
17 this story.

18          Judge Kavanaugh. This didn't happen. I've never done  
19 anything like that. The story, as described -- back up.  
20 Karen Yarasavage, her best friend, says she never heard  
21 anything like this. If something like this had happened,  
22 it would have been the talk of campus.

23          The New York Times says as recently as last week, she  
24 was calling around to other classmates saying she wasn't  
25 sure I had done this. And you know, I think -- I think

1 we're -- this is an outrage for this kind of thin,  
2 uncorroborated, 35-year-old accusation to be leveled in  
3 this fashion at this time. I've been in the public eye for  
4 24 years, since I started with the independent counsel in  
5 the fall of 1994, very public at various points in my life.

6 I've been through six background checks. I worked in  
7 the White House at the highest levels, senior staff,  
8 traveling with the President all over the world, seeing the  
9 most highly sensitive secrets of our Nation for years. I  
10 went through a difficult confirmation process for the D.C.  
11 Circuit that was public with two separate confirmation  
12 hearings in 2004 and 2006.

13 I've been a judge for 12 years in a very public way.  
14 I've been identified repeatedly as a potential Supreme  
15 Court nominee. Whether that was accurate or not, I've been  
16 publicly identified. My decisions have been publicly  
17 discussed.

18 I've been very much a presence at the Yale College  
19 reunions. I've been on multiple panels there. So I've  
20 been active in the class. The class newsletter has talked  
21 about me. The people in my class have been at those  
22 reunions and those events.

23 In all that time, not a word. And then 4 days, you  
24 know, when just right before a vote for the Supreme Court,  
25 after the nomination itself has been pending for months,

1 and I've been through the hearings and 65 Senate meetings  
2 and all the written questions, and then -- and then, after  
3 all these years, with all this time, and all these  
4 descriptions with no corroboration and with her best friend  
5 saying she never heard about it, you know, I'm -- I'm  
6 really just, you know, stunned. And outraged.

7 It's the twilight zone. I guess we're going to get to  
8 a few more of these twilight zone things, but --

9 [REDACTED] Well, actually, are you aware that the New  
10 York Times passed up on this story before the New Yorker  
11 ran the story?

12 Judge Kavanaugh. That's what I read in the New York  
13 Times.

14 [REDACTED] What's your reaction to that?

15 Judge Kavanaugh. They couldn't -- the New York Times  
16 couldn't corroborate this story and found that she was  
17 calling around to classmates trying to see if they  
18 remembered it. And I, at least -- and I, myself, heard  
19 about that, that she was doing that. And you know, that  
20 just strikes me as, you know, what is going on here? When  
21 someone is calling around to try to refresh other people,  
22 is that what's going on? What's going on with that?

23 That doesn't sound -- that doesn't sound good to me.  
24 It doesn't sound fair. It doesn't sound proper. It sounds  
25 like an orchestrated hit to take me out. That's what it

1 sounds like.

2 [REDACTED] The New Yorker story discussed how  
3 Ms. Ramirez had a lapse of memory related to this incident  
4 until she had several days of conversations with her  
5 attorney. Did you read that?

6 Judge Kavanaugh. I did. Six days of --

7 [REDACTED] What's your -- what's your reaction to  
8 that, Judge?

9 Judge Kavanaugh. I mean, what is that all about?  
10 What are we talking about here? This is serious stuff, and  
11 they're -- you know, they're calling around to other people  
12 either to refresh them, or I don't know what's going on in  
13 those conversations, but it takes 6 days to kind of dredge  
14 up something with a lawyer, as I understand it.

15 And in the context of a highly contentious Supreme  
16 Court nomination where people understandably, and that is  
17 understandably, feel strongly about the Supreme Court. I  
18 don't -- I don't want to say anything -- that's appropriate  
19 in America. It's appropriate in America for people to feel  
20 strongly about the Supreme Court.

21 It's not appropriate for people to be dredging up  
22 uncorroborated stories and trying to refresh other people's  
23 recollections and then stoke the media and create a feeding  
24 frenzy and destroy my family and destroy my reputation and  
25 take me down. This is not right. It's an outrage.

1           [REDACTED] Judge, your wife, Ashley, and you recently  
2 did an interview on Fox News with Martha MacCallum. Is  
3 that correct?

4           Judge Kavanaugh. That is correct.

5           [REDACTED] Everything that you said on that  
6 interview, do you -- do you affirm that today? Do you  
7 adopt that as your testimony today?

8           Judge Kavanaugh. Yes.

9           [REDACTED] And do you understand that what you tell a  
10 reporter is not subject to felony prosecution if you're  
11 lying? Do you understand that?

12          Judge Kavanaugh. Yes.

13          [REDACTED] Do you understand that what you tell  
14 congressional investigators is subject to felony  
15 prosecution for lying? Correct?

16          Judge Kavanaugh. Correct.

17          [REDACTED] So are you saying that you're -- again,  
18 with that in mind, are you adopting today that what you --  
19 as your testimony what you told Martha MacCallum on Fox  
20 News?

21          Judge Kavanaugh. Yes.

22          [REDACTED] Hey, Judge. So we have a few more  
23 questions, as we've had a few more allegations. So I just  
24 want to start walking through those with you now.

25          Michael Avenatti has conveyed to the committee and the

1 press allegations about your alleged involvement in gang  
2 rape parties while in high school.

3 Have you had the opportunity to review those  
4 allegations?

5 Judge Kavanaugh. I've heard about them generally.

6 [REDACTED] Well --

7 Judge Kavanaugh. Happy to -- happy to answer  
8 questions.

9 [REDACTED] So tell us what you've heard about these  
10 allegations, Judge.

11 Judge Kavanaugh. Well, can you just give me an  
12 allegation? I think I saw generally described in an email  
13 the allegations. So if you can ask me --

14 [REDACTED] So the committee investigators --  
15 Mr. Avenatti made allegations that he had secret evidence  
16 against you. Committee investigators reached out to him  
17 immediately via email and asked him for his allegations and  
18 his evidence. The allegations that he made are, to  
19 summarize, he alleged a drug- and alcohol-induced gang rape  
20 that you participated in.

21 Judge Kavanaugh. That is false. I've never  
22 participated in a gang rape. I've never participated in  
23 sexual activity with more than one woman present and me. I  
24 think -- yeah. Just making sure I accurately described  
25 that. In other words, I've never had a threesome or more



1     than a threesome.

2             [REDACTED]     So, specifically, Mr. Avenatti said, "We are  
3     aware of significant evidence of multiple house parties in  
4     the Washington, D.C., area during the early 1980s during  
5     which Brett Kavanaugh, Mark Judge, and others would  
6     participate in the targeting of women with alcohol/drugs in  
7     order to allow a 'train of men' to subsequently gang rape  
8     them."

9             Were you involved in any way in such parties?

10            Judge Kavanaugh.   No.   And I've never heard of such a  
11     thing.   It's an outrageous accusation.   Ridiculous.

12            [REDACTED]     Okay.   So we have some more specific  
13     questions.   These are -- these are Mr. --

14            Judge Kavanaugh.   Good.

15            [REDACTED]     Mr. Avenatti's questions.   The first one,  
16     did you ever target one or more women for sex or rape at a  
17     house party?

18            Judge Kavanaugh.   No.

19            [REDACTED]     Did you ever assist Mark Judge or others in  
20     doing so?

21            Judge Kavanaugh.   No.

22            [REDACTED]     Did you ever attend any house party during  
23     which a woman was gang raped or used for sex by multiple  
24     men?

25            Judge Kavanaugh.   No.

1           ██████████ Did you ever witness a line of men outside a  
2 bedroom at any house party where you understood a woman was  
3 in the bedroom being raped or taken advantage of?

4           Judge Kavanaugh. No.

5           ██████████ Did you ever participate in any sexual  
6 conduct with a woman at a house party with whom you  
7 understood to be intoxicated or under the influence of  
8 drugs?

9           Judge Kavanaugh. No.

10          ██████████ Did you ever communicate with Mark Judge or  
11 anyone else about your participation in a "train" involving  
12 an intoxicated woman?

13          Judge Kavanaugh. No.

14          ██████████ Did you ever object or attempt to prevent  
15 one or more men from participating in the rape or taking  
16 advantage of a woman at any house party?

17          Judge Kavanaugh. I never saw such a thing. So the  
18 premise, the question is off.

19          ██████████ Mr. Avenatti has also conveyed certain  
20 allegations about your yearbook and calendar. First, he  
21 says your yearbook and calendar refer to "FFFFFFFourth of  
22 July," that is "Fourth of July" with a total of seven Fs.  
23 For clarity, I'll just refer to that as the "FFFFFFFourth  
24 of July entry."

25          Does your yearbook contain the "FFFFFFFourth of July

1 entry" described by Mr. Avenatti?

2 Judge Kavanaugh. Can you -- sorry, you were breaking  
3 out. Can you just speak a little closer to the phone and  
4 speak up?

5 [REDACTED] Sure

6 [REDACTED] Reread the question, please.

7 [REDACTED] Right. Sorry. It's kind of a long one.

8 Mr. Avenatti says that your yearbook and calendar  
9 refer to "FFFFFFFFFourth of July," that is "Fourth of July"  
10 with a total of seven Fs. For clarity, I'll just refer to  
11 that as the "FFFFFFFFFourth of July entry."

12 Does your yearbook contain the "FFFFFFFFFourth of July  
13 entry" described by Mr. Avenatti?

14 Judge Kavanaugh. So "FFF," all that refers to is a  
15 friend of ours in the class, when he would say "fuck you,"  
16 he would often say it with a wind-up like "fffuck you."  
17 And for reasons that are not clear to me today, at age 15  
18 and 16, the whole group of guys thought that was a funny,  
19 inside thing, and it got shortened to the sound I just made  
20 was a number of Fs rolling together.

21 And that guy would sometimes get in fights, either on  
22 the football field or otherwise, where he would say "fuck  
23 you" and then, you know, be in a fight. And that was the  
24 reference.

25 [REDACTED] Okay. But what does "FFFFFFFFFourth of July"

1 specifically refer to?

2 Judge Kavanaugh. That must refer to a specific  
3 incident where that guy -- hold on one second.

4 [Pause.]

5 Judge Kavanaugh. Best recollection would be that it's  
6 a specific party where he got in a fight.

7 [REDACTED] But you don't recall that party or that  
8 fight?

9 Judge Kavanaugh. I don't recall the specifics, no. I  
10 think it's referring to Rehoboth Beach.

11 [REDACTED] Okay. Mr. Avenatti says he has reason -- he  
12 has reason to believe that the "FFFFFFFourth of July entry"  
13 stands for "find them, French them, feel them, finger them,  
14 fuck them, and forget them."

15 Have you ever used such a reference?

16 Judge Kavanaugh. That's wrong. It refers to this one  
17 guy and his -- and a joke that everyone had about him and  
18 how he said "fuck you."

19 [REDACTED] Have you ever heard of such a reference as  
20 Mr. Avenatti described it being used?

21 Judge Kavanaugh. I have never heard that as a  
22 reference, and I know for a fact that that was not the  
23 reference with respect to the yearbook.

24 [REDACTED] Why did you include the "FFFFFFFourth of  
25 July entry" in your yearbook and your calendar?

1           Judge Kavanaugh. I can't remember. The yearbook is a  
2 lot of humor, a lot of farce, a little bit of serious where  
3 you list your activities. But it's a lot of humor and a  
4 lot of farce at a time when the editors of the yearbook  
5 were probably following a model -- model of -- hold on one  
6 second.

7           [Pause.]

8           Judge Kavanaugh. Yeah, the yearbook editors, I think,  
9 had a mindset of like "Caddyshack," "Fast Times at  
10 Ridgemont High," "Animal House," or something and made the  
11 yearbook into kind of a farce in that respect. And that's  
12 -- you know, that explains some of the yearbook.

13           [REDACTED] Judge, I just want to get some clarity on  
14 the first question that [REDACTED] asked you on this line of  
15 questioning. I just want to make sure that your answer is  
16 what we suspect it is.

17           So let me repeat the question, and then I'm going to  
18 ask you the first question again to get a clear answer.

19           Mr. Avenatti says he has reason to believe that the  
20 "FFFFFFFourth of July entry" stands for "find them, French  
21 them, feel them, finger them, fuck them, and forget them."

22           And here's the question. Have you ever used such a  
23 reference?

24           Judge Kavanaugh. No, never. Nor has anyone else, to  
25 my understanding. And I know for a fact that that is not

1 the reference in the yearbook or the reference related to  
2 the person in question talking about his use of it and how  
3 that became a joke among some of the classmates.

4 [REDACTED] Thank you, Judge, for the clarification on  
5 our part, and [REDACTED] will continue the questioning.

6 [REDACTED] So do you have any understanding of why  
7 Mr. Avenatti would interpret the "FFFFFFFourth of July  
8 entry" as he has?

9 Judge Kavanaugh. No. We all know about -- no, I'm  
10 not going to speculate further.

11 [REDACTED] Well, Judge, tell us about your general  
12 reaction to Mr. Avenatti and his allegations.

13 Judge Kavanaugh. I think it's absurd, outrageous, a  
14 joke, a farce, the twilight zone.

15 [REDACTED] Have you ever met Mr. Avenatti?

16 Judge Kavanaugh. No.

17 [REDACTED] We have not received any evidence from  
18 Mr. Avenatti, despite Senate investigators requesting his  
19 evidence for his allegations. We don't even know who his  
20 client is, or clients, he's apparently representing in this  
21 matter.

22 Are you aware of any client or clients of Mr. Avenatti  
23 related to this matter?

24 Judge Kavanaugh. I am not.

25 [REDACTED] Are you aware of any evidence that

1 Mr. Avenatti may have that he says that he's going to  
2 present to us at some indeterminate time in the near  
3 future?

4 Judge Kavanaugh. I am not.

5 [REDACTED] Okay. So we have a few more questions about  
6 some of these yearbook entries. Mr. Avenatti also says  
7 that your yearbook and calendar include the phrase "devil's  
8 triangle." For clarity, I'll refer to that as the "devil's  
9 triangle entry."

10 Does your yearbook contain the devil's triangle entry  
11 described by Mr. Avenatti?

12 Judge Kavanaugh. Hold on one second.

13 [Pause.]

14 Judge Kavanaugh. Yes. I should just clarify, too,  
15 you've referred to my calendars a couple of times. He has  
16 no -- he's never seen my calendars.

17 [REDACTED] You say "he," you mean Mr. Avenatti?

18 Judge Kavanaugh. Yes, Mr. Avenatti, of course, has  
19 never seen my calendars.

20 [REDACTED] And you say that -- you've referred to  
21 your calendars, are you -- you mean -- are you looking at  
22 your calendars today?

23 Judge Kavanaugh. No. I'm just saying your question,  
24 or at least the lead-up to the question, the last two  
25 questions referred to calendar and yearbook, and I'm just

1 pointing out that Mr. Avenatti has never seen my calendars.

2 So we're talking about the yearbook entry.

3 On the yearbook entry, yes, there is a reference to  
4 devil's triangle.

5 [REDACTED] What does the devil's triangle entry refer  
6 to?

7 Judge Kavanaugh. It refers to a drinking game where  
8 there were three glasses in a triangle. Beer drinking.

9 [REDACTED] Mr. Avenatti says he has -- he has reason to  
10 believe the devil's triangle entry refers to a situation  
11 where two men engage in sex with one woman at the same  
12 time.

13 Have you ever used the term "devil's triangle" to  
14 refer to sexual behavior?

15 Judge Kavanaugh. No.

16 [REDACTED] Have you ever heard "devil's triangle" being  
17 used to refer to sexual behavior?

18 Judge Kavanaugh. No.

19 [REDACTED] Why did you include the devil's triangle  
20 entry in your yearbook?

21 Judge Kavanaugh. I don't know. We were 17.

22 [REDACTED] Do you have any understanding of why  
23 Mr. Avenatti would interpret the devil's triangle entry as  
24 he has?

25 Judge Kavanaugh. I think I'll refer back to my prior



1 answer about my reaction to his allegations.

2 [REDACTED] Thank you, Judge.

3 [REDACTED] This is [REDACTED] again. I'm going to jump  
4 to the next set of questions unless you have anything else  
5 to add on that past topic?

6 Judge Kavanaugh. That's fine by me. Thank you.

7 [REDACTED] Okay. Judge Kavanaugh, on September 22nd  
8 of this year, Senator Gardner received an anonymous letter,  
9 apparently sent from Denver, alleging that you engaged in  
10 certain conduct in 1998.

11 Have you had an opportunity to review that letter?

12 Judge Kavanaugh. I did look at that, I believe, yeah.

13 [REDACTED] Okay. I'm going to read -- read from it.  
14 The letter states, "I will remain anonymous, but I feel  
15 obligated to inform you of this 1998 incident involving  
16 Brett Kavanaugh." When you were the author of the Starr  
17 Report, the author's daughter from Boulder, Colorado,  
18 occasionally socialized with Brett Kavanaugh. She and a  
19 group of four, including Kavanaugh, met in a Washington,  
20 D.C., bar.

21 "Her friend was dating him, and they left the bar  
22 under the influence of alcohol. They were all shocked when  
23 Brett Kavanaugh shoved her friend up against the wall very  
24 aggressively and sexually. There were at least four  
25 witnesses, including my daughter. Her friend, still

1   traumatized, called my daughter yesterday, September 21,  
2   2018, wondering what to do about it. They decided to  
3   remain anonymous."

4           Did the events described in the letter occur?

5           Judge Kavanaugh. No, and we're dealing with an  
6   anonymous letter about an anonymous person and an anonymous  
7   friend. It's ridiculous. Total twilight zone. And no,  
8   I've never done anything like that.

9           [REDACTED] Just a few more specific questions. At  
10  any point while you were involved in the Starr  
11  investigation, did you ever shove a woman up against a wall  
12  very aggressively or sexually as you left a bar?

13          Judge Kavanaugh. No.

14          [REDACTED] At any point while you were involved in  
15  the Starr investigation, did you ever behave violently  
16  toward a woman?

17          Judge Kavanaugh. No.

18          [REDACTED] All right. Just one moment, please.

19          [Pause.]

20          [REDACTED] When you were involved in the Starr  
21  investigation, do you recall ever socializing with a woman  
22  from Boulder, Colorado?

23          Judge Kavanaugh. No.

24          [REDACTED] While you were involved in the Starr  
25  investigation, do you recall ever dating a woman who would

1 fairly fit the description in the letter provided to  
2 Senator Gardner?

3 [REDACTED] The anonymous letter.

4 Judge Kavanaugh. What's the description?

5 [REDACTED] Just based on what I --

6 Judge Kavanaugh. Describe her appearance.

7 [REDACTED] No, it's -- all we have is what I read.

8 Judge Kavanaugh. Well, then I don't know what I'm  
9 responding to then.

10 [REDACTED] Judge, I want to give you the opportunity  
11 again to respond more generally to these series of  
12 allegations that are made against you either by  
13 Mr. Avenatti or anonymous sources or others. I just want  
14 to get your general reaction to this.

15 Judge Kavanaugh. I think this is -- this is crazy  
16 town. It's a smear campaign. I've been in the public eye  
17 for 24 years, really public at various points. Certainly  
18 1998, when I was in the Starr investigation, that was a  
19 very public year. In the Bush White House, very public,  
20 especially in 2003 to 2006. Two notable confirmation  
21 hearings in '04 and '06. As a judge for 12 years. Named,  
22 whether correctly or not, a few times as a possible Supreme  
23 Court nominee, very public around those times.

24 You know, go through this whole process, and the FBI  
25 background, six FBI backgrounds, intense scrutiny, and then

1 for something like this and the Avenatti thing are just  
2 absurd and outrageous, coordinated perhaps. I don't know.  
3 Twilight zone. And I don't -- you know, it's just  
4 outrageous. It's trying to take me down, trying to take  
5 down my family.

6 It's bad -- it's doing damage to the Supreme Court.  
7 It's doing damage to the country. It's doing damage to  
8 this process. It's become a total feeding frenzy, you  
9 know? Every -- just unbelievable.

10 [REDACTED] The committee has received four separate  
11 allegations related to you and sexual misconduct. Is there  
12 a kernel of truth in any of these allegations?

13 Judge Kavanaugh. No. Are we going to talk Rhode  
14 Island?

15 [REDACTED] We are.

16 Judge Kavanaugh. Okay. Let's get that one out of the  
17 way, too.

18 [REDACTED] Okay, Judge.

19 Judge Kavanaugh. I don't mean to cut off questions  
20 about the other one.

21 [REDACTED] Oh, no, I think we were finished. Judge  
22 Kavanaugh, a Rhode Island man named [REDACTED]  
23 recently called Senator Whitehouse's office making  
24 allegations concerning a rape on a boat in August of 1985.  
25 Have you had the opportunity to review those allegations?

1 Judge Kavanaugh. Yes.

2 [REDACTED] So, for the record, the report from Senator  
3 Whitehouse states, "Senator Whitehouse received a call this  
4 morning from a Rhode Island constituent, [REDACTED],  
5 who made allegations regarding U.S. Supreme Court nominee  
6 Brett Kavanaugh. [REDACTED] reported that early on a Sunday  
7 morning in August of 1985, a close acquaintance of the  
8 constituent was sexually assaulted by two heavily  
9 inebriated men she referred to at the time as Brett and  
10 Mark.

11 "The event took place on a 36-foot maroon and white  
12 boat in the harbor at Newport, Rhode Island, after the  
13 three had met at a local bar. According to [REDACTED], when  
14 he learned of the assault at approximately 5:00 a.m. that  
15 same morning, he and another individual went to the harbor,  
16 located the boat the victim had described and physically  
17 confronted the two men, leaving them with significant  
18 injuries.

19 "[REDACTED] recently realized that one of the men was  
20 Brett Kavanaugh when he saw Kavanaugh's high school  
21 yearbook photo on television over the weekend. He promptly  
22 reported the incident to our office on Monday morning,  
23 September 24, 2018."

24 Judge, did this event happen?

25 Judge Kavanaugh. No. I was not in Newport, haven't

1 been on a boat in Newport. Not with Mark Judge on a boat,  
2 nor all those three things combined. This is just  
3 completely made up, or at least not me. I don't know what  
4 they're referring to.

5 [REDACTED] Did you ever sexually assault a woman or  
6 women in Rhode Island?

7 Judge Kavanaugh. No.

8 [REDACTED] Were you ever in a situation where two men  
9 injured you and someone named Mark?

10 Judge Kavanaugh. No.

11 [REDACTED] Do you have any knowledge of such a boat?

12 Judge Kavanaugh. No.

13 [REDACTED] Do you know [REDACTED]?

14 Judge Kavanaugh. No.

15 [REDACTED] [REDACTED] appears to have a Twitter  
16 account with the handle [REDACTED]. Among other  
17 things, the information identifies the account holder as a  
18 "hippie" from "[REDACTED], Rhode Island."

19 Are you aware that on June 27th of this year, the  
20 account tweeted, "A question, when will the United States  
21 military decided to do what they have vowed and remove the  
22 domestic threat to the Constitution that lives in the White  
23 House?"

24 Judge Kavanaugh. Can you repeat -- you broke out. So  
25 I just want to make sure I got it. I think I got it, but

1 can you repeat it?

2 [REDACTED] Sure. So [REDACTED] has a Twitter account  
3 with the handle [REDACTED]. Among other things, the  
4 information identifies the account holder as a "hippie"  
5 from "[REDACTED], Rhode Island."

6 Are you aware that on June 27 of this year, this  
7 account tweeted, "A question, when will the United States  
8 military decided to do what they have vowed and remove the  
9 domestic threat to the Constitution that lives in the White  
10 House?"

11 Judge Kavanaugh. I'm not aware of his Twitter account  
12 or what might be on his Twitter account, if that's the  
13 question.

14 [REDACTED] So you are not aware that on July 8th of  
15 this year, this account tweeted, "Dear Pentagon, please  
16 save my country from the parasite that occupies the White  
17 House. Our you waiting until Russians parachute in like in  
18 Red Dawn? Please help!"

19 Judge Kavanaugh. I'm not aware of that.

20 [REDACTED] So you are also not aware that on August 18  
21 of this year, this account tweeted, "I am making for the  
22 military to do their constitutional duty --"

23 [REDACTED] I am asking.

24 [REDACTED] "I am asking" -- excuse me. "-- for the  
25 military to do their constitutional duty and protect us

1 from the domestic terrorist in the Oval Office. Please,  
2 please, please."

3 Judge Kavanaugh. I'm not aware of that.

4 [REDACTED] Having heard this information, do you know  
5 or remember, [REDACTED]?

6 Judge Kavanaugh. I don't.

7 [REDACTED] What are your general reactions to this  
8 allegation, Judge?

9 Judge Kavanaugh. It's just totally made up.  
10 Ridiculous.

11 [REDACTED] Okay. So, Judge Kavanaugh, we've asked you  
12 now about a number of very recently made allegations of  
13 sexual misconduct, and I want to make sure that we fully  
14 understand your testimony.

15 Again, you understand that falsely answering my  
16 questions -- our questions can carry criminal penalties.  
17 Correct?

18 Judge Kavanaugh. I understand that, yes.

19 [REDACTED] Committee investigators previously asked you  
20 about Dr. Ford's allegations. You categorically and  
21 unequivocally denied them.

22 Do you stand by that testimony?

23 Judge Kavanaugh. I do.

24 [REDACTED] Today, we've ask you about some other  
25 allegations that became public after Dr. Ford's allegations



1 became public. You have denied all of them.

2 Do you stand by that testimony?

3 Judge Kavanaugh. I do.

4 [REDACTED] Have you ever sexually assaulted anyone?

5 Judge Kavanaugh. I have not.

6 [REDACTED] Have you ever committed any kind of sexual  
7 misconduct?

8 Judge Kavanaugh. No.

9 [REDACTED] Are you looking forward to testifying at  
10 Thursday's hearing?

11 Judge Kavanaugh. I am looking forward to it. And to  
12 reiterate what I said last Monday, now 8 days ago, I wanted  
13 to testify last Tuesday so that I can clear my name, defend  
14 my integrity, defend a lifetime of good work that I have  
15 done and the record I've built as a judge for 12 years,  
16 worked in the White House for 5 1/2, working in public  
17 service, working for Justice Kennedy. I look forward to  
18 defending my name, defending my integrity.

19 And to reiterate also, listen to all the people who  
20 knew me best. The women I went to high school with who've  
21 spoken. You know, Julie and Suzanne and Meghan and Maura,  
22 and Maura, and I'll go on, who were my friends and are  
23 still my friends, and who knew me then and have known me  
24 since age 13 or 14. And the college friends like Louisa  
25 and Carolyn and Karen, and the people I -- the women I

1 worked with in the Bush White House who have repeatedly  
2 spoken on my behalf and signed a letter on my behalf and  
3 talked about how I've always treated women with dignity and  
4 respect throughout my life.

5       The law clerks that I've hired, and I've been the  
6 leading judge in the United States, Federal judge in the  
7 United States in my time on the bench in promoting women  
8 law clerks to Supreme Court clerkships and hired more women  
9 than men, and they've all spoken out in support of me and  
10 how I've been an advocate for women's equality throughout  
11 my life.

12       As a coach for the last 7 years of girls basketball  
13 teams, and training and encouraging and inspiring girls to  
14 do -- to have confidence and do better at basketball and  
15 prepare them for life and listen to their moms and dads.

16       And all this inspired by my mom, who taught me at a  
17 young age to break barriers and who, herself, was a  
18 trailblazer and overcame sexual harassment and barriers  
19 that were omnipresent at that time for women trying to  
20 break into the legal profession. And I watched her do that  
21 and learned from her and was inspired by her.

22       And one facet of my life that has been important to me  
23 in all aspects is I've always been friends with lots of  
24 people, and I'm blessed by my friends, and I've talked  
25 about that in my opening statement last time. And one of

1 the things that's been true throughout my life is how many  
2 women I've been friends with. Not talking about dating  
3 now, talking about friends.

4 From an early age, Julie Hurson DeVol on TV the other  
5 night talking about how I always helped her with her  
6 homework in high school. Suzanne Hohman Matan and Amy  
7 O'Neill and Kristin Blomquist Treacy and Maura Fitzgerald  
8 and Maura Molloy Kane and Meghan Molloy McCaleb, all  
9 friends from high school who were with me all the time and  
10 were my friends and are still my friends. And I can go on  
11 and on on the names and the people in college.

12 I've been -- I've been a supporter and promoter of  
13 women's equality, and then the women -- women I've dated  
14 have talked about that as well and how I treated them. And  
15 some of the women on those letters are people I went out  
16 with. Most of them, of course, are friends and never had  
17 that kind -- but they've all talked about how I treated  
18 them with dignity and respect throughout my life.

19 And you know, who would want to go through this? Who  
20 is ever going to want to go through this in the future?  
21 What is this doing to the Court when -- and the country and  
22 the process when these kind of -- this kind of process  
23 happens where an allegation is held for this long, an  
24 allegation during the process that was known. And then I  
25 have -- known during the process, I mean, by a Senator.

1           And then I go through the hearing and the prompt  
2 background check and the individuals meetings, and then  
3 it's sprung in the way it was sprung. And you know, just  
4 to go back to that, that's the summer of 1982. Well, I  
5 wasn't at such thing in the summer of 1982. And the people  
6 who were there say it didn't happen.

7           And since we last talked, the other -- the woman who  
8 was there says she doesn't know me and has never seen me,  
9 as far as she can remember, at a party. It's just -- it's  
10 a disgrace. It is a total -- what this process has become.

11          I'll end with that, unless you have further questions.

12          [REDACTED] Just one more.

13          [REDACTED] Two more. Go ahead.

14          [REDACTED] Two more. Excuse me. Do you object to the  
15 public release of the transcript of this interview?

16          Judge Kavanaugh. I do not object.

17          [REDACTED] And Judge, we had a transcribed interview  
18 with you on Monday, September 17, 2018. Correct?

19          Judge Kavanaugh. Yes.

20          [REDACTED] And in that interview, we discussed the  
21 then-allegations by Dr. Ford contained in the July 30,  
22 2018, letter sent to Senator Feinstein's office. Correct?

23          Judge Kavanaugh. Correct.

24          [REDACTED] Do you -- for purposes of your testimony  
25 today, do you adopt your testimony from September 17th?

1 Judge Kavanaugh. Yes.

2 [REDACTED] And do you object to the public release of  
3 that testimony from September 17th?

4 Judge Kavanaugh. I do not object to that.

5 [REDACTED] So that was during -- that testimony was  
6 during a background investigation call with you between the  
7 ranking member's staff and the chairman's staff. Do you  
8 understand that?

9 Judge Kavanaugh. I thought it was just the chairman's  
10 staff, that call. Am I wrong about that?

11 [REDACTED] Excuse me. The chairman's staff. The  
12 ranking member's staff was invited, but did not  
13 participate. I stand corrected. But you understand that  
14 that's --

15 Judge Kavanaugh. Right. That --

16 [REDACTED] -- part of the BI process?

17 Judge Kavanaugh. That's correct.

18 [REDACTED] So I just want to make sure that this is  
19 crystal clear. You do not object to having that testimony,  
20 that transcript of that testimony attached, because you're  
21 adopting it for purposes of today's testimony, to your  
22 testimony today, and so we can publicly release both  
23 transcripts. Is that correct?

24 Judge Kavanaugh. That is correct.

25 [REDACTED] Do you have anything further to add,

1 Judge?

2 Judge Kavanaugh. Thank you all for your time.

3 [REDACTED] Thank you.

4 [Whereupon, at 1:36 p.m., the interview was  
5 concluded.]

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Do everyone who is going crazy about what I had said I have recanted because I have made a mistake and apologize for such mistake

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# Attachment 3



CHARLES E. GRASSLEY, IOWA, CHAIRMAN

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KOLAN L. DAVIS, *Chief Counsel and Staff Director*  
JENNIFER DUCK, *Democratic Chief Counsel and Staff Director*

**United States Senate**  
COMMITTEE ON THE JUDICIARY  
WASHINGTON, DC 20510-6275

October 25, 2018

**VIA ELECTRONIC TRANSMISSION**

The Honorable Jeff Sessions  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

The Honorable Christopher A. Wray  
Director  
Federal Bureau of Investigation  
935 Pennsylvania Avenue, NW  
Washington, DC 20535

Dear Attorney General Sessions and Director Wray:

As you know, the Senate Judiciary Committee recently processed the nomination of Judge Brett M. Kavanaugh to serve as an Associate Justice on the Supreme Court of the United States, leading to his eventual confirmation on October 6, 2018. As part of that process, the Committee has investigated various allegations made against Judge Kavanaugh. The Committee's investigation has involved communicating with numerous individuals claiming to have relevant information. While many of those individuals have provided the Committee information in good faith, it unfortunately appears some have not. As explained below, I am writing to refer Mr. Michael Avenatti and Ms. Julie Swetnick for investigation of potential violations of 18 U.S.C. §§ 371, 1001, and 1505, for materially false statements they made to the Committee during the course of the Committee's investigation.

**ALLEGATIONS BY MR. AVENATTI AND MS. SWETNICK**

On September 23, 2018, Mr. Avenatti posted a message on social media claiming that he was "represent[ing] a woman with credible information regarding Judge Kavanaugh and Mark Judge."<sup>1</sup> Minutes later, Committee staff contacted Mr. Avenatti acknowledging his claim and asking that he "advise [them] of this information immediately so that Senate investigators may promptly begin an inquiry."<sup>2</sup> Mr. Avenatti responded, failing to disclose the identity of his client but representing to Committee staff:

We are aware of significant evidence of multiple house parties in the Washington, D.C. area during the early 1980s during which Brett Kavanaugh, Mark Judge, and others would participate in the targeting of

<sup>1</sup> <https://twitter.com/MichaelAvenatti/status/1044006928416825344>.

<sup>2</sup> Email exchange between the Chief Counsel for Nominations Mike Davis and Michael Avenatti on Sept. 23, 2018, enclosed below.

women with alcohol/drugs in order to allow a ‘train’ of men to subsequently gang rape them.<sup>3</sup>

Noting Mr. Avenatti’s use of “we,” Committee staff asked Mr. Avenatti if he did in fact have a client making these claims or was solely doing so himself.<sup>4</sup> He responded that he did have a client, but again did not identify her.<sup>5</sup> On September 24, 2018, Mr. Avenatti posted an additional message on social media “[w]arning ...[t]he GOP and others” to “be very careful in trying to suggest that she [Mr. Avenatti’s unnamed client] is not credible.”<sup>6</sup> Then, on September 26, 2018, Mr. Avenatti publicly revealed that his client was Ms. Julie Swetnick.<sup>7</sup> Ms. Swetnick is a former client of the law firm of Ms. Debra Katz, the attorney for Dr. Christine Blasey Ford.<sup>8</sup>

That same day, September 26, 2018, Mr. Avenatti submitted a sworn statement to the Committee purportedly written and signed by Ms. Swetnick, in which she accused Judge Kavanaugh of repeatedly drugging women and/or spiking their punch with alcohol in order to render them inebriated and disoriented so that groups of boys, including Judge Kavanaugh, could gang rape them.<sup>9</sup> Specifically, she alleged in her sworn statement that she met Brett Kavanaugh “in approximately 1980-1981,” and that she “attended well over ten house parties in the Washington, D.C. area during the years 1981-1983,” some of which she claimed Brett Kavanaugh also attended. “During the years 1981-82,” Ms. Swetnick declared, “I became aware of efforts by Mark Judge, Brett Kavanaugh and others to ‘spike’ the ‘punch’ at house parties I attended with drugs and/or grain alcohol so as to cause girls to lose their inhibitions and their ability to say ‘No.’” She said that at these parties, which “were a common occurrence in the area and occurred nearly every weekend during the school year,” she witnessed Brett Kavanaugh participate in what she believed to be systematic sexual assaults of incapacitated women. “I ... witnessed efforts by Mark Judge, Brett Kavanaugh and others to cause girls to become inebriated so they could then be ‘gang raped’ in a side room or bedroom by a ‘train’ of numerous boys. I have a firm recollection of seeing boys lined up outside rooms at many of these parties waiting for their ‘turn’ with a girl inside the room,” Ms. Swetnick declared, and “[t]hese boys included Mark Judge and Brett Kavanaugh.”

Ms. Swetnick’s sworn statement, which the Committee received on September 26, 2018, also mentioned for the first time the “Beach Week” parties in Ocean City, Maryland. Ms. Swetnick said that she was “told by other women this conduct also occurred during the Summer months in Ocean City, Maryland,” and she “witnessed such conduct on one occasion in Ocean City, Maryland during ‘Beach Week.’” However, Mr. Avenatti did not reference “Beach Week” in his September 23, 2018 email to the Committee. Mr. Avenatti’s original email only alleged conduct at house parties in the Washington, D.C. area. Notably, Ms. Swetnick submitted her statement broadening the area of the alleged incidents from Washington, D.C.

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<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> <https://twitter.com/MichaelAvenatti/status/1044233074609811456>.

<sup>7</sup> <https://twitter.com/MichaelAvenatti/status/1044960940884709378>.

<sup>8</sup> Ariane de Vogue and Eli Watkins, *New Kavanaugh Accuser Has Tie to Firm of Christine Blasey Ford’s Attorney*, CNN (Sept. 26, 2018). Available at: <https://www.cnn.com/2018/09/26/politics/julie-swetnick-debra-katz-settlement/index.html>. Moreover, according to Dr. Ford’s testimony, Ranking Member Feinstein’s own staff facilitated Ms. Katz’ representation of Dr. Ford. See Mikhael Smits, *Christine Blasey Ford: Feinstein Recommended Attorney Debra Katz to Me*, THE WASHINGTON FREE BEACON (Sept. 27, 2018). Available at: <https://freebeacon.com/politics/ford-feinstein-recommended-attorney-debra-katz/>.

<sup>9</sup> Swetnick Sworn Statement, dated Sept. 25, 2018 and received on Sept. 26, 2018, enclosed below.

to Ocean City, Maryland, only after the Committee publicly released Judge Kavanaugh's 1982 calendar - which included a notation for Beach Week during the week of June 6-12.<sup>10</sup>

**DIVERSION OF COMMITTEE RESOURCES TO  
INVESTIGATE MR. AVENATTI'S AND MS. SWETNICK'S ALLEGATIONS**

The sworn statement Mr. Avenatti submitted on behalf of Ms. Swetnick materially affected the Committee's investigation of allegations against Judge Kavanaugh. Within hours of the submission, all the Democrats on the Senate Judiciary Committee sent a letter to me stating:

In light of shocking new allegations detailed by Julie Swetnick in a sworn affidavit, we write to request that the Committee vote on Brett Kavanaugh be immediately canceled and that you support the reopening of the FBI investigation to examine all of the allegations against Kavanaugh or withdrawal of his nomination.<sup>11</sup>

The Democrats' letter specifically referenced the fact that Ms. Swetnick's sworn statement was submitted to the Committee "[u]nder penalty of perjury, which would cause Ms. Swetnick to be subject to criminal prosecution" if her allegations are knowingly, willfully, and materially false.<sup>12</sup>

After receiving the allegations from Mr. Avenatti and Ms. Swetnick, Committee staff immediately began investigating the claims, diverting significant resources to the effort. This included questioning Judge Kavanaugh in a transcribed interview on September 25, 2018, about the allegations Mr. Avenatti made to the Committee via his September 23, 2018 email.<sup>13</sup> It also included questioning Judge Kavanaugh in another transcribed interview on September 26, 2018, about the specifics of Ms. Swetnick's allegations after the Committee received her statement.<sup>14</sup> Under penalty of felony, Judge Kavanaugh categorically denied the allegations and stated he did not know Ms. Swetnick. Committee staff also interviewed ten associates of Ms. Swetnick, working late nights and weekends to gather information to determine the veracity of Ms. Swetnick's claims and evaluate her credibility. Committee staff sought to interview Ms. Swetnick, but Mr. Avenatti refused.

**MS. SWETNICK'S AND MR. AVENATTI'S  
SUBSEQUENT CONTRADICTIONS OF THEIR ALLEGATIONS**

In short, Mr. Avenatti and Ms. Swetnick made grave allegations against Judge Kavanaugh, and the Committee diverted significant resources to investigate the claims. However, in light of Ms. Swetnick's and Mr. Avenatti's own statements to the media, information obtained from Committee interviews of her

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<sup>10</sup> Judge Kavanaugh's Summer 1982 Calendar, provided to Senate Judiciary Committee. Available at: <https://www.judiciary.senate.gov/imo/media/doc/Kavanaugh%20Summer%201982%20Calendar%20Pages1.pdf>.

<sup>11</sup> Letter from Judiciary Committee Democrats to Chairman Grassley (Sept. 26, 2018). Available at: [https://www.feinstein.senate.gov/public/\\_cache/files/f/d/fd184cdb-c9fa-49bc-93b8-972f63557de6/6E8DC1425692A07770016AB11DB35F1A.2018.09.26-jud-d-ltr-to-ceg-re-swetnick-withdrawl-or-investigate.pdf](https://www.feinstein.senate.gov/public/_cache/files/f/d/fd184cdb-c9fa-49bc-93b8-972f63557de6/6E8DC1425692A07770016AB11DB35F1A.2018.09.26-jud-d-ltr-to-ceg-re-swetnick-withdrawl-or-investigate.pdf)

<sup>12</sup> *Id.*

<sup>13</sup> Senate Judiciary Committee Interview with Judge Kavanaugh 22-25 (Sept. 25, 2018). Available at: [https://www.judiciary.senate.gov/imo/media/doc/09.25.18%20BMK%20Interview%20Transcript%20\(Redacted\).pdf](https://www.judiciary.senate.gov/imo/media/doc/09.25.18%20BMK%20Interview%20Transcript%20(Redacted).pdf).

<sup>14</sup> Senate Judiciary Committee Interview with Judge Kavanaugh 5-10 (Sept. 26, 2018). Available at: [https://www.judiciary.senate.gov/imo/media/doc/09.26.18%20BMK%20Interview%20Transcript%20\(Redacted\).pdf](https://www.judiciary.senate.gov/imo/media/doc/09.26.18%20BMK%20Interview%20Transcript%20(Redacted).pdf).

associates, and publicly reported information about her and Mr. Avenatti, it has become apparent that the statements Mr. Avenatti and Ms. Swetnick submitted to the Committee likely contained materially false claims.

On October 1, 2018, NBC News aired an interview of Ms. Swetnick by Ms. Kate Snow, in which Ms. Swetnick contradicted key claims she had made to the Committee via Mr. Avenatti.<sup>15</sup> When asked about the claim in her sworn statement that she was aware of Brett Kavanaugh spiking punch at parties with drugs and/or grain alcohol, Ms. Swetnick demurred, stating instead that “I saw [Kavanaugh] giving red Solo cups to quite a few girls” but that “I don’t know what he did” as far as spiking punch. In this revised account to NBC, she merely claimed she “saw him by” punch containers. This materially contradicted her statement in her sworn statement that she was “aware of efforts by ... Brett Kavanaugh ... to ‘spike’ the ‘punch’ at house parties ... to cause girls to become inebriated and disoriented so they could then be ‘gang raped.’”<sup>16</sup> Ms. Swetnick’s sworn statement to the Committee claimed she had “personal knowledge of the information” stated in it. Yet, when CNN later questioned Mr. Avenatti about the clear contradictions between Ms. Swetnick’s statements in her sworn declaration and those to NBC about Judge Kavanaugh spiking punch, he conceded: “One of her friends informed her of what she just put in the declaration or what was attested to in the declaration.”<sup>17</sup>

When the NBC interview with Ms. Swetnick addressed claims in her sworn statement that she had “a **firm recollection** of seeing boys,” including Brett Kavanaugh, “**lined up** outside rooms at many of these parties” to gang rape incapacitated women, Ms. Swetnick again contradicted her statement to the Committee. She denied both that there were lines of boys outside rooms and that she had any actual knowledge at the time of any gang rapes in those rooms by these boys.

Ms. Snow and Ms. Swetnick had the following exchange in which Ms. Swetnick contradicted her claim of seeing boys lined up outside rooms at these parties she supposedly attended:

Ms. Swetnick: I would see boys standing outside of rooms, congregated together.... I would see them laughing, a lot of laughing.

Ms. Snow: Standing in line outside a room?

Ms. Swetnick: Not a line, but definitely huddled by doors.<sup>18</sup>

So, contradicting her sworn statement claim that she had “a firm recollection” of seeing boys lined up outside bedrooms at parties to systematically rape women, her revised account to NBC merely claimed that she saw groups of boys standing together and laughing in the general vicinity of doors at house parties.

Similarly, although Ms. Swetnick claimed in her sworn statement that, based on “personal knowledge,” it was her “firm recollection” that these boys were lined up for the purpose of “waiting for

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<sup>15</sup> Kate Snow, *Kavanaugh Accuser Julie Swetnick Speaks Out on Sexual Abuse Allegations*, NBC News (Oct. 1, 2018). Available at <https://www.nbcnews.com/politics/supreme-court/kavanaugh-accuser-julie-swetnick-speaks-out-sexual-abuse-allegations-n915641>.

<sup>16</sup> See Swetnick Sworn Statement.

<sup>17</sup> See Daniel Chaitin, *Michael Avenatti: One of Julie Swetnick's Friends Told Her Kavanaugh Was Spiking the Punch*, THE WASHINGTON EXAMINER (Oct. 1, 2018) (quoting CNN interview). Available at: <https://www.washingtonexaminer.com/news/michael-avenatti-one-of-julie-swetnicks-friends-told-her-kavanaugh-was-spiking-the-punch>; Cuomo Prime Time, *Cuomo Pushes Back on Credibility of Swetnick*, CNN (Oct. 1, 2018). Available at: <https://www.cnn.com/videos/politics/2018/10/02/michael-avenatti-julie-swetnick-credibility-bts-cpt-vpx.cnn>.

<sup>18</sup> Kate Snow, *Kavanaugh Accuser Julie Swetnick Speaks Out on Sexual Abuse Allegations*, NBC News (Oct. 1, 2018).

their ‘turn’ with a girl inside the room,” *i.e.*, for their turn to rape a victim incapacitated by punch spiked with drugs or alcohol, she contradicted this as well in her NBC interview, instead admitting that she did not have any knowledge at the time that any such activity was actually happening, but only assumed as much after the fact, stating: “I didn’t know what was occurring ... and I didn’t understand what it could possibly be.” Ms. Snow attempted to clarify, asking: “So you’re suggesting that, **in hindsight**, you **think** he [Kavanaugh] was involved in this behavior [gang rapes]?” Ms. Swetnick responded: “I would say [pause] yes. It’s just too coincidental.”<sup>19</sup>

Ms. Swetnick also contradicted the timeline she provided in her sworn statement, in which she stated: “I attended well over ten house parties in the Washington D.C. area during the years 1981-83 where Mark Judge and Brett Kavanaugh were present.” In the NBC interview, Ms. Swetnick stated that she was sexually assaulted at one of these house parties when she was 19 and stopped going to them afterwards. According to public records, Ms. Swetnick would have turned 20 toward the end of 1982. So, her claim that she attended these parties through 1983 is contradicted by her claim she stopped attending when she was 19.<sup>20</sup>

In sum, the sworn statement Mr. Avenatti submitted to the Committee on behalf of Ms. Swetnick claimed she had “personal knowledge” that Judge Kavanaugh spiked punch with drugs and alcohol at house parties in 1981-83 in order to cause girls to become incapacitated so that lines of boys would systematically sexually assault them. She later contradicted each of those claims in her interview with NBC.

Those contradictions did not go unnoticed. When NBC introduced her interview segment, Ms. Snow explicitly stated: “There are things that she told us on camera that differ from her written statement last week.”<sup>21</sup> When later asked by an MSNBC anchor whether Ms. Swetnick has credibility issues, Ms. Snow stated: “I would say yes because there are – just to be clear there are things that she said to me that differ from her initial statement, which was a sworn statement last week, submitted to the Judiciary Committee.”<sup>22</sup> A CNN host similarly noted the contradictions and quizzed Mr. Avenatti about them.<sup>23</sup> While differences between a media report and a statement to the Committee would not necessarily rise to the level of warranting a referral, when the source of the contradictory media reports is the declarant herself, as is the case here, it does.

#### **LACK OF CREDIBLE EVIDENCE MS. SWETNICK EVER KNEW JUDGE KAVANAUGH**

Not only did Ms. Swetnick materially contradict the allegations of sexual misconduct she and Mr. Avenatti made to the Committee about Judge Kavanaugh, there is simply no credible evidence that Ms. Swetnick ever even met or socialized with Judge Kavanaugh. On the contrary, there is substantial evidence they did not know each other. Ms. Swetnick was older and attended a different high school in a different town – one whose students were reportedly not known to regularly socialize with students from Judge Kavanaugh’s high school. The only apparent commonality between Ms. Swetnick and Judge Kavanaugh is that they both lived in Montgomery County, Maryland in the early 1980s. That is not particularly

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<sup>19</sup> *Id.*

<sup>20</sup> In addition to contradicting her statement to the Judiciary Committee, Ms. Swetnick’s NBC interview was also internally inconsistent and contradictory, such as her baffling explanations of how and when she decided to come forward with her allegation.

<sup>21</sup> Kate Snow, *Kavanaugh Accuser Julie Swetnick Speaks Out on Sexual Abuse Allegations*, NBC News (Oct. 1, 2018).

<sup>22</sup> MSNBC Live with Craig Melvin (Oct. 2, 2018).

<sup>23</sup> Cuomo Prime Time, *Cuomo Pushes Back on Credibility of Swetnick*, CNN (Oct. 1, 2018).

meaningful for determining whether they knew each other; according to information from the U.S. Census Bureau, Montgomery County had a population of over 600,000 in 1982.

In addition to denying her allegations, Judge Kavanaugh told the Committee under penalty of felony that he did not know Ms. Swetnick.<sup>24</sup> Mark Judge similarly denied the allegations and stated to the Committee, also under penalty of felony, “I do not know Julie Swetnick.”<sup>25</sup> Michael Fegan, a friend of Judge Kavanaugh’s in high school who “attended most of the same social events” as Judge Kavanaugh, stated the following to the Committee under penalty of felony:

I have never heard of Ms. Swetnick. My understanding is that she graduated from Gaithersburg High School three years before we graduated from Georgetown Prep. During my high school years, I did not know any girls from Gaithersburg High School. We did not socialize with girls from Gaithersburg High School.<sup>26</sup>

Indeed, a letter to the Committee under penalty of felony signed by 64 “men and women who knew Brett Kavanaugh well in high school” called Ms. Swetnick’s allegations “[n]onsense” and noted: “In the extensive amount of time we collectively spent with Brett, we do not recall having ever met someone named Julie Swetnick.”<sup>27</sup>

For their part, it appears the media similarly could not find any evidence that Ms. Swetnick actually knew Judge Kavanaugh. As Ms. Snow from NBC News reported:

We’ve been trying independently to reach out to anyone who remembers attending parties with Julie Swetnick and Brett Kavanaugh, and we’ve been asking her attorney for names. So far, we’ve not found anyone who remembers that.... We asked him [Mr. Avenatti], I asked him at that point can you provide us with any names of people who went to the parties with her. Just because we couldn’t place her, NBC News has not since last week been able to place her in that time period at those house parties in that group of friends. There aren’t other people coming forward as happens in many other stories we cover, who say ‘yes I was there too.’ ... We’re just trying to do our reporting.... To date, as of today, we haven’t been able to find anyone who says ‘yes, I saw her in the same room with Brett Kavanaugh,’ and of course Judge Kavanaugh says he was not in the same room with her, he doesn’t even know who she is.<sup>28</sup>

Ms. Swetnick did eventually provide NBC News the names of four people she said attended these alleged parties with her, but according to NBC: “One of them said he does not recall a Julie Swetnick.

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<sup>24</sup> Senate Judiciary Committee Interview with Judge Kavanaugh 5-10 (Sept. 26, 2018). Available at: [https://www.judiciary.senate.gov/imo/media/doc/09.26.18%20BMK%20Interview%20Transcript%20\(Redacted\).pdf](https://www.judiciary.senate.gov/imo/media/doc/09.26.18%20BMK%20Interview%20Transcript%20(Redacted).pdf).

<sup>25</sup> Letter from Mark Judge to Chairman Grassley and Ranking Member Feinstein (Sept. 28, 2018), enclosed below.

<sup>26</sup> Letter from Michael C. Fegan to Chairman Grassley (Oct. 1, 2018), enclosed below.

<sup>27</sup> Letter from Kavanaugh high school friends to Chairman Grassley and Ranking Member Feinstein (Sept. 26, 2018), enclosed below.

<sup>28</sup> Kate Snow, *Kavanaugh Accuser Julie Swetnick Speaks out on Sexual Abuse Allegations*, NBC News (Oct. 1, 2018).

Another of the friends she named is deceased. We've reached out to the other two, and haven't heard back."<sup>29</sup>

After the media hubbub about Ms. Swetnick's contradictory interview and the lack of any corroboration for her claims, Mr. Avenatti belatedly produced a vague and anonymous declaration he claimed supported her allegations.<sup>30</sup> Mr. Avenatti did not provide the identity of this supposed declarant to the Committee, nor did he make him or her available for an interview with Committee staff. It does not appear any media outlet has been able report any interview with the purported declarant or validate anything in the anonymous declaration. Indeed, it is unclear who actually wrote the anonymous declaration. Mr. Avenatti also apparently has a history of claiming to have anonymous clients who never materialize in any verifiable form.<sup>31</sup>

### **ISSUES WITH MS. SWETNICK'S CREDIBILITY**

During the course of the Committee's investigation of allegations against Judge Kavanaugh, Committee investigators spoke with 45 individuals, obtained 25 written statements, and reviewed numerous other materials. This included speaking with ten associates of Ms. Swetnick who knew her at various times in her life ranging from junior high to the present day. In doing so, Committee investigators did not find any information to corroborate Ms. Swetnick's claims. On the contrary, they received substantial information calling into question her credibility. Based on this and public reports, it appears Ms. Swetnick has a history of making false legal claims and false accusations of sexual misconduct.

Through his attorney, Richard Vinneccy provided the Committee a signed statement regarding Ms. Swetnick.<sup>32</sup> According to his statement, Mr. Vinneccy was in a romantic relationship with Ms. Swetnick for seven years, and he said he submitted his statement to the Committee "to exercise [his] civic duty and attest to the credibility or lack thereof of Ms. Swetnick." Among other odd behavior by Ms. Swetnick that Mr. Vinneccy noted, he described how she "harassed and stalked" him after he ended their relationship. When he told her to stop calling because he had entered a relationship with a woman (who he later married) and that he and his new girlfriend were expecting a child, Mr. Vinneccy says Ms. Swetnick: 1) threatened to murder him, his girlfriend, and their unborn child; 2) threatened to falsely tell the police he had raped her; 3) threatened to have him deported; 4) stated she would not grant him a divorce; and 5) claimed she was pregnant with twins. As Mr. Vinneccy told the Committee, he and Ms. Swetnick were never married, so he found her reference to not granting him a divorce bizarre. Mr. Vinneccy is an American citizen, so he also found her threats of deportation bizarre. He also stated that he confirmed that Ms. Swetnick's claim of being pregnant with twins "was a complete fabrication and that there was no pregnancy."

Because he was afraid that she would harm him and his family, as she had threatened, Mr. Vinneccy filed a restraining order against her. He stated that a temporary injunction was granted, but he understood that for a permanent injunction to be issued in Florida, there would first need to be a hearing which Ms. Swetnick would attend. Fearing for his and his family's safety if Ms. Swetnick confronted him at the

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<sup>29</sup> *Id.*

<sup>30</sup> <https://twitter.com/MichaelAvenatti/status/1047447758993547265>. Mr. Avenatti emailed the same redacted declaration to the Committee on October 2, 2018.

<sup>31</sup> See, e.g., Avery Anapol, *Avenatti Claims He Represents Three More Women That Were Paid Hush Money*, THE HILL (July 27, 2018). Available at: <https://thehill.com/homenews/administration/399133-avenatti-claims-three-more-women-were-paid-hush-money-by-trump-cohen>.

<sup>32</sup> Statement of Richard Vinneccy for Senate Judiciary Committee Investigation (Oct. 4, 2018).

hearing, he did not go through with the hearing. Instead, he moved to a new residence and changed his phone numbers to avoid further contact from Ms. Swetnick.

In addition to describing those actions by Ms. Swetnick, Mr. Vinneccy also stated that during their seven-year relationship, Ms. Swetnick was often financially unstable and was “always seeking financial gain from frivolous law suits.” He also described other odd behavior relevant to her mental stability.<sup>33</sup> Mr. Vinneccy closed his letter by stating:

Based on my history with Ms. Swetnick, I do not believe her allegations against Judge Kavanaugh and it is my opinion that she is perpetuating a fraud against him. Her motives may be for financial gain or notoriety but they are certainly not to expose the truth.<sup>34</sup>

Furthermore, in a defamation lawsuit filed against Ms. Swetnick by one of her former employers, Webtrends, the company reportedly indicated that Ms. Swetnick engaged in a pattern of lies and made multiple false accusations of sexual misconduct.<sup>35</sup> The company stated Ms. Swetnick lied in her employment application, falsely claiming she had earned an undergraduate degree from Johns Hopkins University, but the company subsequently learned the University had no record of her attendance.<sup>36</sup> The company also stated that Ms. Swetnick misrepresented the length of time she had worked for a previous employer, and took medical leave while simultaneously claiming unemployment benefits in the District of Columbia.<sup>37</sup> Webtrends stated that a few weeks after Ms. Swetnick started working for the company, its human resources department received a complaint that she had engaged in unwelcome and inappropriate sexual conduct towards two male coworkers at a business lunch.<sup>38</sup> The company stated that, in response to the complaint received against her, Ms. Swetnick falsely accused multiple male coworkers of sexually harassing her and threatened to sue the company.<sup>39</sup> The company later found that Ms. Swetnick had engaged in misconduct but found no evidence to support her sexual harassment claims.<sup>40</sup>

The Committee was also contacted by multiple employees of a different company where Ms. Swetnick previously worked, who stated it was their understanding that when Ms. Swetnick was confronted there about possible misconduct on her part, she responded by making a false sexual harassment or assault claim against that company as well, which it settled in order to avoid negative publicity. The employees

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<sup>33</sup> *Id.* Many other associates of Ms. Swetnick also described to the Committee issues with her mental health, substance abuse, and/or credibility issues, but requested confidential treatment from the Committee, which we are honoring. One former associate of Ms. Swetnick, Dennis Ketterer, did provide a signed public statement under penalty of felony in which he told the Committee that Ms. Swetnick’s own father had told him “she had psychological and other problems.” Statement by Dennis Ketterer to Senate Judiciary Committee (Oct. 2, 2018), enclosed below.

<sup>34</sup> Statement of Richard Vinneccy for Senate Judiciary Committee Investigation (Oct. 4, 2018), enclosed below.

<sup>35</sup> Mike Rogoway, *Julie Swetnick, a Brett Kavanaugh Accuser, Faced Misconduct Allegations at Portland Company*, THE OREGONIAN (Sept. 28, 2018) available at [https://www.oregonlive.com/silicon-forest/index.ssf/2018/09/julie\\_swetnick\\_one\\_of\\_kavanaugh.html](https://www.oregonlive.com/silicon-forest/index.ssf/2018/09/julie_swetnick_one_of_kavanaugh.html); Michael Kunzelman, Michael Biesecker, and Martha Medoza, *3<sup>rd</sup> Kavanaugh Accuser Has History of Legal Disputes*, THE ASSOCIATED PRESS (Sept. 30, 2018). Available at <https://www.yahoo.com/news/3rd-kavanaugh-accuser-history-legal-disputes-100137653.html>.

<sup>36</sup> *Id.*

<sup>37</sup> *Id.*

<sup>38</sup> *Id.*

<sup>39</sup> *Id.*

<sup>40</sup> *Id.*



requested confidentiality from the Committee regarding their names and the name of the company, which we are honoring.

Ms. Swetnick also reportedly made false claims in a personal injury lawsuit against the Washington Metropolitan Area Transit Authority.<sup>41</sup> According to the *Associated Press*, in the lawsuit Ms. Swetnick “claimed she lost more than \$420,000 in earnings after she hurt her nose in a fall on a train.”<sup>42</sup> Ms. Swetnick reportedly claimed she was a model and actor with numerous modeling commitments with companies at the time of the accident, but lost them because of her purported injuries.<sup>43</sup> To justify these claims, she reportedly named “Konam Studios” as one of the companies promising to employ her, and identified Nam Ko of “Kunam Studios” as a potential witness for her case.<sup>44</sup> But, reporters from the *AP* spoke with Mr. Ko and discovered the following:

Ko, however, told AP on Friday that he was just a friend of Swetnick’s and that he had never owned a company with a name spelled either way and had never agreed to pay her money for any work before she injured her nose. He said he first met Swetnick at a bar more than a year after her alleged accident. “I didn’t have any money back then. I (was) broke as can be,” Ko said. Ko said he has a hazy memory of Swetnick asking to use him as a “character reference” but doesn’t recall hearing about her lawsuit. “I thought it was for a job application,” he said.<sup>45</sup>

In short, it appears Ms. Swetnick has a substantial history of credibility issues. When viewed in light of the fact there is no credible evidence she ever knew Judge Kavanaugh, and the fact she has contradicted key aspects of her allegations against him, this lends credence to the likelihood that she made materially false statements to the Committee in violation of 18 U.S.C. § 1001. Those statements obstructed the Judiciary Committee’s efforts to investigate allegations against Judge Kavanaugh and the processing of his nomination, potentially in violation of 18 U.S.C. § 1505. Given Mr. Avenatti’s role in this with Ms. Swetnick, along with Mr. Avenatti’s own substantial credibility issues (discussed next), there may have been a conspiracy to violate these laws, in potential violation of 18 U.S.C. § 371.

#### **ISSUES WITH MR. AVENATTI’S CREDIBILITY**

In addition to the credibility issues Committee investigators uncovered surrounding Ms. Swetnick, Mr. Avenatti has substantial credibility issues of his own. For example, Mr. Avenatti appears to have several issues stemming from his involvement with Global Baristas, a company he reportedly formed with actor Patrick Dempsey in 2012, which purchased the Tully’s Coffee chain out of bankruptcy.<sup>46</sup> Mr.

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<sup>41</sup> 3<sup>rd</sup> *Kavanaugh Accuser Has History of Legal Disputes*, THE ASSOCIATED PRESS (Sept. 30, 2018). Available at: <https://www.yahoo.com/news/3rd-kavanaugh-accuser-history-legal-disputes-100137653.html>.

<sup>42</sup> *Id.*

<sup>43</sup> *Id.*

<sup>44</sup> *Id.*

<sup>45</sup> *Id.*

<sup>46</sup> See Kate Briquet, *Michael Avenatti Lived the High Life While Owing Millions to IRS*, THE DAILY BEAST (Oct. 21, 2018). Available at: <https://www.thedailybeast.com/michael-avenatti-lived-the-high-life-while-owing-millions-to-irs?ref=scroll>.

Dempsey sued Mr. Avenatti in 2013, stating that Mr. Avenatti had lied to him about serious financial matters.<sup>47</sup> According to the *Seattle Times*:

“My decision to become a member and manager of Global Baristas was based, in part, on Michael Avenatti’s representation that he would provide both the capital to fund the entire Tully’s acquisition and sufficient working capital to allow Global Baristas to operate the Tully’s Coffee stores once the acquisition was completed,” Dempsey said in the suit.

Instead, he alleged, Avenatti used Global Baristas to borrow \$2 million for working capital without telling him. The loan carries an “exorbitant” interest rate of 15 percent annually, the lawsuit says.<sup>48</sup>

Mr. Avenatti’s company was also reportedly involved in additional litigation implicating his credibility, including one case in which a judge sanctioned his company for misconduct, “an acrimonious landlord-tenant dispute that led to court sanctions, fines and judgments against Avenatti’s coffee firm, in part for failing to comply with court orders to produce evidence.”<sup>49</sup>

Earlier this year, Mr. Avenatti was also reportedly under investigation by the State Bar of California as a result of a complaint regarding “what Mr. Avenatti has done in connection with Global Baristas,” namely a claim that “he bought a company out of bankruptcy and then used it for a ‘pump and dump’ scheme to deprive federal and state taxing authorities out of millions of dollars.”<sup>50</sup>

Mr. Dempsey’s lawsuit against Mr. Avenatti was not the only time a business partner accused him of deception.<sup>51</sup> Jason Frank, a former partner at Mr. Avenatti’s law firm Eagan Avenatti, “resigned in May 2016 after alleging that the firm didn’t pay him millions of dollars that he was owed, misstated the firm’s profits, and wouldn’t provide copies of tax returns and other financial documents.”<sup>52</sup> Mr. Frank filed for arbitration and “a three-judge panel found that Avenatti’s former firm Eagan Avenatti ‘acted with malice, fraud and oppression,’” by withholding relevant information from Mr. Frank.<sup>53</sup> On October 22, 2018, the

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<sup>47</sup> See Melissa Allison, *Dempsey Walks Away From Tully’s After Suing Partner*, THE SEATTLE TIMES (Aug. 23, 2013). Available at: <https://www.seattletimes.com/business/dempsey-walks-away-from-tullyrsquos-after-suing-partner/>.

<sup>48</sup> *Id.*

<sup>49</sup> See Lewis Kamb, *California Bar Investigating Attorney Avenatti’s Dealings Involving Tully’s, Letter Says*, THE SEATTLE TIMES (May 18, 2018). Available at: <https://www.seattletimes.com/seattle-news/california-state-bar-investigating-avenattis-tully-dealings-according-to-letter/>.

<sup>50</sup> Avenatti Bar Complaint, available at <https://www.documentcloud.org/documents/4433390-Avenatti-Bar-Complaint.html>; see Lewis Kamb, *California Bar Investigating Attorney Avenatti’s Dealings Involving Tully’s, Letter Says*, THE SEATTLE TIMES (May 18, 2018); see also California State Bar Letter, available at <https://www.documentcloud.org/documents/4469101-California-State-Bar-letter-to-Nold.html>; Kate Briquet, *Michael Avenatti Lived the High Life While Owing Millions to IRS*, THE DAILY BEAST (Oct. 21, 2018).

<sup>51</sup> See Michael Balsamo, *Judge Orders Law Firm of Stormy Daniel’s Lawyer to Pay \$10M*, THE ASSOCIATED PRESS (May 22, 2018). Available at: <https://www.apnews.com/f12a3b63b2964cf79f09315f8a1ad059>; see also Kate Briquet, *Michael Avenatti Lived the High Life While Owing Millions to IRS*, THE DAILY BEAST (Oct. 21, 2018).

<sup>52</sup> Michael Balsamo, *Judge Orders Law Firm of Stormy Daniel’s Lawyer to Pay \$10M*, THE ASSOCIATED PRESS (May 22, 2018).

<sup>53</sup> Kate Briquet, *Michael Avenatti Lived the High Life While Owing Millions to IRS*, THE DAILY BEAST (Oct. 21, 2018); see Michael Balsamo, *Judge Orders Law Firm of Stormy Daniel’s Lawyer to Pay \$10M*, THE ASSOCIATED PRESS (May 22, 2018).

California judge hearing the case on this issue ruled that Mr. Avenatti was personally liable and ordered him to pay \$4.85 million in back pay to Mr. Frank.<sup>54</sup>

Moreover, Mr. Avenatti reportedly has credibility issues relating to the IRS. According to a report by the *Los Angeles Times*, “Eagan Avenatti, [Mr. Avenatti’s] Newport Beach firm, has defaulted on millions of dollars in debt and fallen years behind in paying its payroll taxes.... The firm has also defaulted on more than \$800,000 in federal payroll taxes, penalties and interest that Avenatti had promised that it would pay.”<sup>55</sup> In response, federal prosecutors asked that the court hold Mr. Avenatti’s firm in contempt, stating: “In this case, the Debtor and its responsible officer Michael Avenatti made misrepresentations to the detriment of the United States.”<sup>56</sup> Instead, the parties reached an agreement that Mr. Avenatti’s firm will be allowed to make monthly payments of \$75,000 towards paying back the owed taxes.<sup>57</sup>

In divorce proceedings from his second wife, Lisa Storie-Avenatti, she also referenced potential dishonesty by Mr. Avenatti regarding his earnings.<sup>58</sup>

Storie-Avenatti said in court papers that in November 2016, Avenatti told her he earned \$3.7 million, but that she suspected his actual take-home was “substantially higher” based on his self-publicized verdicts, the couple’s 2016 expenses and his “secreting from me of his tax returns and bank records.”<sup>59</sup>

There seem to be numerous additional press reports that cast doubt on Mr. Avenatti’s credibility. However, having reviewed several already, Committee investigators determined that delving into additional ones would be beating a dead horse.

Mr. Avenatti made allegations against Judge Kavanaugh in his email to Committee staff, and he submitted allegations to the Committee on behalf Ms. Swetnick. He reportedly told the *Associated Press* that he “fully vetted” Ms. Swetnick before taking her claims public,<sup>60</sup> and he told CNN: “When I – when we made the allegations, guess what, I had done significant due diligence in connection with this before we made the allegations.”<sup>61</sup> However, given that he and Ms. Swetnick have contradicted key parts of the claims; that there is no credible evidence that Ms. Swetnick ever even knew Judge Kavanaugh and substantial evidence she did not; and the substantial credibility issues surrounding both Mr. Avenatti and Ms. Swetnick, I ask that the FBI investigate whether Mr. Avenatti criminally conspired with Ms. Swetnick to make materially false statements to the Committee and obstruct the Committee’s investigation.

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<sup>54</sup> Amanda Lee Myers and Michael Malsamo, *Judge: Michael Avenatti Must Pay \$4.85M in Ex-Lawyer Suit*, THE ASSOCIATED PRESS (Oct. 22, 2018). Available at: <https://www.apnews.com/53f6f2f316844b14bdbe24a7b80dcc7c>.

<sup>55</sup> Michael Finnegan, *Michael Avenatti Gets Judge to Bar Media from his Testimony on Newport Beach Law Firm’s Bankruptcy*, THE LOS ANGELES TIMES (July 25, 2018). Available at <http://www.latimes.com/politics/la-na-pol-avenatti-bankruptcy-20180725-story.html>.

<sup>56</sup> Kate Briquetelet, *Michael Avenatti Lived the High Life While Owing Millions to IRS*, THE DAILY BEAST (Oct. 21, 2018).

<sup>57</sup> *Id.*

<sup>58</sup> *Id.*

<sup>59</sup> *Id.*

<sup>60</sup> 3<sup>rd</sup> *Kavanaugh Accuser Has History of Legal Disputes*, THE ASSOCIATED PRESS (Sept. 30, 2018). Available at: <https://www.yahoo.com/news/3rd-kavanaugh-accuser-history-legal-disputes-100137653.html>.

<sup>61</sup> Cuomo Prime Time, *Cuomo Pushes Back on Credibility of Swetnick*, CNN (Oct. 1, 2018). Available at: <https://www.cnn.com/videos/politics/2018/10/02/michael-avenatti-julie-swetnick-credibility-bts-cpt-vpx.cnn>.

**CONCLUSION**

Committee investigations in support of the judicial nomination process are an essential part of the Committee's constitutional role. The Committee is grateful to citizens who come forward with relevant information in good faith, even if they are not one hundred percent sure about what they know. But when individuals intentionally mislead the Committee, they divert Committee resources during time-sensitive investigations and materially impede our work. Such acts are not only unfair; they are potentially illegal. It is illegal to knowingly and willfully make materially false, fictitious, or fraudulent statements to Congressional investigators. It is illegal to obstruct Committee investigations. It is illegal to conspire to do either of those things. When charlatans make false claims to the Committee – claims that may earn them short-term media exposure and financial gain, but which hinder the Committee's ability to do its job – there should be consequences. These laws exist to ensure there are.

Accordingly, in light of the seriousness of these facts, and the threat these types of actions pose to the Committee's ability to perform its constitutional duties, I hope you will give this referral the utmost consideration. Thank you for your prompt attention to this matter. If you have any questions, please contact a professional investigative counsel in the Committee's Oversight and Investigations Unit at (202) 224-5225.

Sincerely,



Charles E. Grassley  
Chairman  
Committee on the Judiciary

Enclosures:

1. Email exchange between the Chief Counsel for Nominations Mike Davis and Michael Avenatti on Sept. 23, 2018
2. Swetnick Sworn Statement
3. Letter from Mark Judge to Chairman Grassley and Ranking Member Feinstein
4. Letter from Michael C. Fegan to Chairman Grassley
5. Letter from Kavanaugh High School Friends to Chairman Grassley and Ranking Member Feinstein
6. Statement of Richard Vinneccy for Senate Judiciary Committee Investigation
7. Statement by Dennis Ketterer to Senate Judiciary Committee

cc: The Honorable Dianne Feinstein  
Ranking Member  
Committee on the Judiciary

**From:** [Michael J. Avenatti](#)  
**To:** [Davis, Mike \(Judiciary-Rep\)](#)  
**Subject:** Re: SCOTUS -- Avenatti claim of evidence  
**Date:** Sunday, September 23, 2018 10:16:43 PM

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Mike: I represent a client. And seeing as we are talking about an appointment to the SCOTUS, there is nothing wrong with this process being public.

What is the status of Mark Judge's testimony?

I look forward to receiving the answers to the questions.

Michael

Michael J. Avenatti, Esq.

The preceding email message (including any attachments) contains information that may be confidential, protected by the attorney-client or other applicable privileges, or constitutes non-public information. It is intended to be conveyed only to the designated recipient(s). If you are not an intended recipient of this message, please notify the sender by replying to this message and then delete it from your system. Use, dissemination, or reproduction of this message by unintended recipients is not authorized and may be unlawful.

On Sep 23, 2018, at 6:26 PM, Davis, Mike (Judiciary-Rep) <[REDACTED]> wrote:

Mr. Avenatti,

Thank you for reaching out to me. I noticed that you just publicly Tweeted our email conversation below.

In your email below, you mentioned "we" several times. To clarify, are you representing a client? Or are you making these allegations yourself? On behalf of anyone else?

I look forward to receiving your evidence.

Thank you,  
Mike Davis

Mike Davis, Chief Counsel for Nominations  
United States Senate Committee on the Judiciary  
Senator Chuck Grassley (R-IA), Chairman  
224 Dirksen Senate Office Building  
Washington, DC 20510  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

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**From:** Michael J. Avenatti [REDACTED]

**Sent:** Sunday, September 23, 2018 9:07 PM

**To:** Davis, Mike (Judiciary-Rep) <[REDACTED]>

**Subject:** RE: SCOTUS -- Avenatti claim of evidence

Dear Mr. Davis:

Thank you for your email. We are aware of significant evidence of multiple house parties in the Washington, D.C. area during the early 1980s during which Brett Kavanaugh, Mark Judge and others would participate in the targeting of women with alcohol/drugs in order to allow a "train" of men to subsequently gang rape them. There are multiple witnesses that will corroborate these facts and each of them must be called to testify publicly. As a starting point, Senate investigators should pose the following questions to Judge Kavanaugh without delay and provide the answers to the American people:

1. Did you ever target one or more women for sex or rape at a house party? Did you ever assist Mark Judge or others in doing so?
2. Did you ever attend any house party during which a woman was gang raped or used for sex by multiple men?
3. Did you ever witness a line of men outside a bedroom at any house party where you understood a woman was in the bedroom being raped or taken advantage of?
4. Did you ever participate in any sexual conduct with a woman at a house party whom you understood to be intoxicated or under the influence of drugs?
5. Did you ever communicate with Mark Judge or anyone else about your participation in a "train" involving an intoxicated woman?
6. Did you ever object or attempt to prevent one or more men from participating in the rape, or taking advantage, of a woman at any house party?

Please note that we will provide additional evidence relating to the above conduct

both to the Committee and the American public in the coming days.

Regards,

Michael Avenatti

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**From:** Davis, Mike (Judiciary-Rep) [REDACTED]  
**Sent:** Sunday, September 23, 2018 4:42 PM  
**To:** Michael J. Avenatti  
**Subject:** SCOTUS -- Avenatti claim of evidence

Dear Mr. Avenatti,

According to your Tweet from 7:33 p.m. E.T. this evening, you claim to have information you consider credible regarding Judge Kavanaugh and Mark Judge. Please advise of this information immediately so that Senate investigators may promptly begin an inquiry.

Thank you,  
Mike Davis

Mike Davis, Chief Counsel for Nominations  
United States Senate Committee on the Judiciary  
Senator Chuck Grassley (R-IA), Chairman  
224 Dirksen Senate Office Building  
Washington, DC 20510

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

**DECLARATION OF JULIE SWETNICK**

I, JULIE SWETNICK, declare as follows:

1. My name is Julie Swetnick and I am a resident of Washington, D.C. I fully understand the seriousness of the statements contained within this declaration. I have personal knowledge of the information stated herein and if called to testify to the same would and could do so.

2. I am a graduate of Gaithersburg High School in Gaithersburg, MD.

3. I presently hold the following active clearances associated with working within the federal government: Public Trust - U.S. Department of Treasury (DOT), U.S. Mint (USM), Internal Revenue Service (IRS).

4. I have also previously held the following inactive clearances: Secret - U.S. Department of State (DOS), U.S. Department of Justice (DOJ) and Public Trust - U.S. Department of Homeland Security (DHS), Customs and Border Protection (CBP).

5. My prior employment includes working with (a) Vietnam War Commemoration (VWC), Joint Services Providers (JSP), U.S. Department of Defense (DOD) in Arlington, Virginia; (b) U.S. Mint, U.S. Department of Treasury; (c) U.S. Internal Revenue Service (IRS), U.S. Department of Treasury; (d) Government Affairs and Communications Department, D.C. Department of General Services (DGS), Government of the District of Columbia (DC.Gov); (e) Customs and Border Protection (CBP), U.S. Department of Homeland Security; and (d) the U.S. Department of State (DOS). I was also one of the first 100 women in the world to achieve a Microsoft Certified Systems Engineering Certification (MCSE).

6. I first met Mark Judge and Brett Kavanaugh in approximately 1980-1981. I was introduced to them at a house party that I attended in the Washington, D.C. area. I observed Mark Judge and Brett Kavanaugh as extremely close friends during the early 1980s when I knew them and interacted with them. I would describe them as "joined at the hip" and I consistently saw them together in many social settings. There is no question in my mind that Mark Judge has significant information concerning the conduct



1 of Brett Kavanaugh during the 1980s, especially as it relates to his actions toward  
2 women.

3 7. Following that first introduction, I attended well over ten house parties in the  
4 Washington, D.C. area during the years 1981-1983 where Mark Judge and Brett  
5 Kavanaugh were present. These parties were a common occurrence in the area and  
6 occurred nearly every weekend during the school year. On numerous occasions at these  
7 parties, I witnessed Mark Judge and Brett Kavanaugh drink excessively and engage in  
8 highly inappropriate conduct, including being overly aggressive with girls and not taking  
9 "No" for an answer. This conduct included the fondling and grabbing of girls without  
10 their consent.

11 8. I observed Brett Kavanaugh drink excessively at many of these parties and  
12 engage in abusive and physically aggressive behavior toward girls, including pressing  
13 girls against him without their consent, "grinding" against girls, and attempting to remove  
14 or shift girls' clothing to expose private body parts. I likewise observed him be verbally  
15 abusive towards girls by making crude sexual comments to them that were designed to  
16 demean, humiliate and embarrass them. I often witnessed Brett Kavanaugh speak in a  
17 demeaning manner about girls in general as well as specific girls by name. I also  
18 witnessed Brett Kavanaugh behave as a "mean drunk" on many occasions at these  
19 parties.

20 9. I have been told by other women that this conduct also occurred during the  
21 Summer months in Ocean City, Maryland on numerous occasions. I also witnessed such  
22 conduct on one occasion in Ocean City, Maryland during "Beach Week."

23 10. I have reviewed Brett Kavanaugh's recent claim on Fox News regarding his  
24 alleged "innocence" during his high school years and lack of sexual activity. This claim  
25 is absolutely false and a lie. I witnessed Brett Kavanaugh consistently engage in  
26 excessive drinking and inappropriate contact of a sexual nature with women during the  
27 early 1980s.  
28

1 11. During the years 1981-82, I became aware of efforts by Mark Judge, Brett  
2 Kavanaugh and others to "spike" the "punch" at house parties I attended with drugs  
3 and/or grain alcohol so as to cause girls to lose their inhibitions and their ability to say  
4 "No." This caused me to make an effort to purposely avoid the "punch" at these parties.  
5 I witnessed efforts by Mark Judge, Brett Kavanaugh and others to "target" particular girls  
6 so they could be taken advantage of; it was usually a girl that was especially vulnerable  
7 because she was alone at the party or shy.

8 12. I also witnessed efforts by Mark Judge, Brett Kavanaugh and others to cause  
9 girls to become inebriated and disoriented so they could then be "gang raped" in a side  
10 room or bedroom by a "train" of numerous boys. I have a firm recollection of seeing  
11 boys lined up outside rooms at many of these parties waiting for their "turn" with a girl  
12 inside the room. These boys included Mark Judge and Brett Kavanaugh.

13 13. In approximately 1982, I became the victim of one of these "gang" or "train"  
14 rapes where Mark Judge and Brett Kavanaugh were present. Shortly after the incident, I  
15 shared what had transpired with at least two other people. During the incident, I was  
16 incapacitated without my consent and unable to fight off the boys raping me. I believe I  
17 was drugged using Quaaludes or something similar placed in what I was drinking.

18 14. I am aware of other witnesses that can attest to the truthfulness of each of the  
19 statements above.

20 I declare, under penalty of perjury and under the laws of the United States of  
21 America, that the foregoing is true and correct. I have executed this declaration on  
22 September 25, 2018.

23  
24  
25   
26 Julie Swetnick  
27  
28

September 28, 2018

**VIA E-MAIL**

The Honorable Charles E. Grassley  
Chairman  
Committee on the Judiciary  
United States Senate  
224 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Dianne Feinstein  
Ranking Member  
Committee on the Judiciary  
United States Senate  
224 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Grassley and Ranking Member Feinstein:

In response to the Committee's request for information, I, MARK JUDGE, declare:

1. The allegations in the Swetnick affidavit are so bizarre that, even while suffering from my addiction, I would remember actions so outlandish. I categorically deny them.
2. I do not know Julie Swetnick.
3. I do not recall attending parties during 1981-1983 when I fondled or grabbed women in an aggressive or unwanted manner.
4. I have never spiked punch to get anyone drunk or disoriented. Nor have I witnessed Brett Kavanaugh spike punch.
5. I have never engaged in gang rape of any woman, including Ms. Swetnick.
6. I will cooperate with any law enforcement agency that is assigned to confidentially investigate these allegations.

I am submitting this letter under penalty of felony.

Sincerely,



Mark Judge



October 1, 2018

Michael C. Fegan  
[REDACTED]  
[REDACTED]

Chairman Grassley  
Senate Judiciary Committee  
Room SD-224  
Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Grassley,

I am writing to you regarding the character of Judge Brett Kavanaugh. Brett and I attended Georgetown Prep High School together from 1979 to 1983. We were classmates, teammates and friends. I attended most of the same social events that Brett attended in high school, and many after high school as well. I also attended "Beach Week" with him in June 1982. I have never seen Brett out of control from drinking alcohol. I have never seen Brett out of control in any situation, whether it be in the classroom, on the football field, on the basketball court or in any social setting.

Regarding the allegation by Christine Blasey Ford, I never heard of such a gathering. We were a tight knit group, and I believe that if anything happened like Professor Ford described, I would have known about it. I never met Christine Blasey, and had never heard her name until mid-September 2018.

I cannot speak for the allegation from the Yale student, Deborah Ramirez, because I did not attend Yale. I can tell you that what Ms. Ramirez described would be completely out of character of the man I have known for almost 40 years.

As to the allegation made by Julie Swetnick, I have never heard of Ms. Swetnick. My understanding is that she graduated from Gaithersburg High School three years before we graduated from Georgetown Prep. During my high school years, I did not know any girls from Gaithersburg High School. We did not socialize with girls from Gaithersburg High School. We did not have any kind of punch drinks, hard liquor or drugs at our parties. I never witnessed any kind of sexual situation at any of our parties. If there was any kind of mistreatment of girls at any of our parties, I assure you that my friends and I, including Brett Kavanaugh, would have put a stop to it immediately and would have reported it to the Montgomery County, MD Police Department.

I know that last week was tough on you, as it was for many people throughout our country, and I appreciate the way that you have conducted the confirmation hearings. I urge all senators to vote to confirm Judge Brett Kavanaugh. He is one of the most ethical and moral men I know, and has been for the almost 40 years that I have known him.

I appreciate your time in this matter and for your service to our country.

Sincerely,



Michael C. Fegan

September 26, 2018

The Honorable Charles Grassley  
Chairman  
Committee on the Judiciary  
United States Senate  
135 Hart Senate Office Building  
Washington, D.C. 20510

The Honorable Dianne Feinstein  
Ranking Member  
Committee on the Judiciary  
United States Senate  
331 Hart Senate Office Building  
Washington, D.C. 20510

Dear Chairman Grassley and Ranking Member Feinstein:

We are men and women who knew Brett Kavanaugh well in high school. We have seen reports today that Julie Swetnick, who says she graduated from Gaithersburg High School, submitted a declaration to the Committee alleging that Brett participated in horrific conduct during high school, including targeting girls for gang rape. Nonsense. We never witnessed any behavior that even approaches what is described in this allegation. It is reprehensible.

In the extensive amount of time we collectively spent with Brett, we do not recall having ever met someone named Julie Swetnick. Nor did we ever observe Brett engaging in any conduct resembling that described in Ms. Swetnick's declaration.

Brett Kavanaugh is a good man. He has always treated women with respect and decency. He is a man of honor, integrity, and compassion. These shameful attacks must end. This process is a disgrace and is harming good people.

Russell Aaronson  
Daniel Anastasi  
Steve Barnes  
Patrick Beranek  
Michael Bidwill  
Michael Boland  
David Brigati  
Missy Bigelow Carr  
Sharon Crouch Clark  
Steve Combs  
Citsi Conway  
Mark Daly  
DeLancey Davis  
Julie DeVol  
Meg Williams Dietrick  
Paula Duke Ebel  
Michael Fegan  
Maura Fitzgerald  
Susan Fitzgerald  
Jim Foley

Timothy Gaudette  
James Gavin  
William Geimer  
Mary Beth Greene  
Mary Ellen Greene  
Daniel Hanley  
Melissa Hennessy  
Beccy Moran Jackson  
Brian H. Johnston  
Maura Kane  
Kevin Kane  
Thomas Kane  
Amarie Kappaz  
George M. Kappaz  
Timothy Kirlin  
Kelly Leonard  
Maura M. Lindsay  
John F. Loome, IV  
Suzanne Matan  
Meghan McCaleb

Scott McCaleb  
Bernard McCarthy, Jr.  
Michael R. McCarthy  
Stephanie McGill  
Stephanie McGrail  
Byron J. Mitchell  
Sean Murphy  
Paul G. Murray  
Douglas D. Olson  
John F. Ostronic  
Elizabeth (Betsy) Manfuso Pothier  
Matthew Quinn

Mark A. Quinn  
Mae Joyce Rhoten  
Mark Richardson  
L. Maurice Rowe, IV  
Stephen Royston  
Alice Kelley Scanlon  
James Sullivan  
Cynthia Urgo  
Donald Urgo, Jr  
Patrick T. Waters  
Megan Williams  
Jodi Yeager



October 4th, 2018

**STATEMENT OF RICHARD VINNECCY**  
**For the Senate Judiciary Committee Investigation**

I, Richard Vinneccy, do hereby swear and affirm that all of the statements made herein are true and accurate to the best of my knowledge.

First and foremost, I never wanted to come out publicly on this issue. However, numerous media outlets bombarded me with phone calls and questions when someone discovered the history of the restraining order I had sought against Ms. Swetnick in Miami, Florida. Unfamiliar in this arena, I mistakenly spoke to Politico, made a short two phrase statement to them which was then transmitted nationwide without my authority. Thereafter, I was thrown into the national spotlight and, consequently, I felt compelled to set the record straight against false accusations made by Ms. Swetnick's lawyer and, more importantly, to exercise my civic duty and attest to the credibility or lack thereof of Ms. Swetnick.

I was involved in a romantic relationship for 7 years with Julie Swetnick. For 2 out of those 7 years we lived together in Bethesda, Maryland. Thereafter, my work transferred me internationally to Panama and ultimately to Miami. Thus, due to geographics much of the relationship was long distance.

Despite the distance, we remained close and not once did Ms. Swetnick ever mention that she had been raped or sexually assaulted. Not once did Ms. Swetnick ever mention that she had attended any parties where she witnessed, train rapes, gang rapes, or other sordid sexual activity. Not once did she ever mention Brett Kavanaugh.

As to her mental stability, or lack thereof, throughout the relationship, I noticed odd behaviors exhibited by Ms. Swetnick. For the most part she was financially unstable and always seeking financial gain from frivolous law suits. She was abnormally possessive and jealous of me. She always wanted to be the center of attention and exaggerated everything in her life. When we would have disagreements she would try to provoke me to hit her. As to why she did that, I can only believe it was to instigate me to do something physically violent to her so that she could play the victim, contact the police and have me arrested. At times she threatened me not to mistreat her because she could do to me what she had done with her ex-boyfriend. While I do not know the entire story, I recall her telling me that her ex-boyfriend was in jail. Perhaps one of the most bizarre things about her was a closet that she kept in our Bethesda home. The closet was



“off limits” to me, however, one day I opened it and found three large boxes filled with years and years of receipts from grocery stores.

Looking back, I am not sure why I stayed in this relationship for so long. As a 60 year old wiser and more experienced man now, I can only blame inexperience, immaturity and whatever else it is that causes one to stay in an unhealthy relationship for too long. Ultimately, once I was transferred to Miami, I finally decided it would be best to end the relationship. I did and thereafter, Ms. Swetnick harassed and stalked me for almost 2 months via telephone and appeared at a trade show conference in Seattle that I was attending, unannounced and uninvited.

For obvious reasons this was difficult and uncomfortable for me, but even more so since I began a new relationship with the woman who would ultimately become my wife of 12 years and with whom I had two children. Finally, I told her to stop the calls, that I had moved on, that I had met someone and that we were expecting a baby.

Ms. Swetnick’s reaction was scary, frightening and bizarre causing me to fear for my life and that of my new girlfriend and our unborn child. In a nutshell she: 1) told me that she was going to kill me, my girlfriend and our unborn child; 2) she was going to report me to the FBI and have me deported; 3) she was going to tell the police that I raped her in Seattle; 4) she was not going to grant me a divorce and; 5) that she was pregnant with twins.

- I have been a citizen of this country since the 80’s so as far as deporting me, this did not make sense.
- I have never raped Ms. Swetnick.
- Ms. Swetnick and I were never married however in her opinion we were due to a Maryland statute, which she claimed, qualified us as a married couple since we co-habitated in that state for 2 years.
- I asked Ms. Swetnick for the medical records proving that she was pregnant with twins and after consulting with her “doctor”, I confirmed the story was a complete fabrication and that there was no pregnancy.

I decided to file a restraining order in Miami, Florida because that is where I was residing and I was afraid she was going to come to Miami to do harm to my family and I as she had threatened. The temporary injunction was granted. (In Florida, the legal process to obtain a restraining order consists of a two phase process. First, one applies for a temporary injunction via a petition. A judge then reviews the petition and if that is granted, a temporary injunction is put in place until a hearing for a permanent injunction is held.)

Ultimately, I did not go through with the hearing on the permanent injunction for several reasons. First, not being a lawyer and never having done this before, I did not know that the final step to obtain the permanent injunction would entail confronting Ms. Swetnick personally in court at the hearing. When I found out about this, I thought it over with my girlfriend at the time





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who was fearful for her own life, and together we determined not to perpetuate my connection with Ms. Swetnick or instigate her any further. I was not sure how Ms. Swetnick was going to retaliate if she was forced to fly down to Miami and confront me in court in front of a judge. So, instead we moved to a new residence and changed our telephone numbers in hopes that we would never have to see Ms. Swetnick again.

Thankfully, we never did see or hear from her again.

Based on my history with Ms. Swetnick, I do not believe her allegations against Judge Kavanaugh and it is my opinion that she is perpetuating a fraud against him. Her motives may be for financial gain or notoriety but they are certainly not to expose the truth.

---

Richard Vinneccy

Date: Oct 4, 2018

October 2, 2018

My name is Dennis Ketterer.

I am a former weeknight meteorologist for Channel 7 (WJLA) in Washington, D.C., and won an EMMY in 1995.

I want to preface this by saying, I am neither proud of nor guiltless in the actions about to be mentioned in this letter. I hope my family, friends, and church members can forgive me.

I first met Julie Swetnick in 1993 at a Washington, D.C. bar near Wisconsin Circle. I was at a going-away party for channel 7 anchor Dale Solly. I left the party to go to the bar to buy a soda. I haven't drunk alcohol since my 18<sup>th</sup> birthday.

As I sat alone at the end of the bar, Julie approached me. She was alone, quite beautiful, well-dressed and no drink in hand. Consequently, my initial thought was that she might be a high end call girl because at the time I weighed 350lbs so what would someone like her want with me?

But, there was no conversation about exchanging sex for money so I decided to talk with her a few minutes. I had never been hit on in a bar before.

I didn't leave with her that night, although we talked about getting together. Over the next couple of weeks we met at what I believed and still believe was Julie's place. From the beginning Julie knew I was married and that I was having marital issues.

As we shared conversations, my lasting impression of Julie was that she was smart, fun and funny. But she was also an opportunist. I felt she only had interest in my 350lb self because I was on television and well known.

Although we were not emotionally involved there was physical contact. We never had sex despite the fact she was very sexually aggressive with me. I'm not implying I didn't like her advances, I just wasn't ready to make the jump. It came to a head so we talked about sex.

During a conversation about our sexual preferences, things got derailed when Julie told me that she liked to have sex with more than one guy at a time. In fact sometimes with several at one time. She wanted to know if that would be ok in our relationship.

I asked her if this was just a fantasy of hers. She responded that she first tried sex with multiple guys while in high school and still liked it from time-to-time. She brought it up because she wanted to know if I would be interested in that.

A.I.D.S. was a huge issue at the time. And I had children. Due to her having a directly stated penchant for group sex, I decided not to see her anymore. It put my head back on straight. That was the last conversation we had.

Julie never said anything about being sexually assaulted, raped, gang-raped or having sex against her will. She never mentioned Brett Kavanaugh in any capacity.

In 1996 I decided to run again for Congress in Maryland's 8<sup>th</sup> district as a Democrat. I thought Julie could help my primary campaign in some way because of her personality, great smile



and good looks. Also, in the course of our past conversations, she told me that she too was a Democrat.

Because I had lost Julie's number I called her father to get it. When I talked to him about possibly bringing her on to help with my campaign, he told me that she had psychological and other problems at the time. When I asked he would not go into detail and said that I wouldn't want her to work on my campaign. His response was rather abrupt. He hung up on me.

That was the end of my Julie saga...or so I thought.

On Wednesday, September 26<sup>th</sup>, I heard that Mr. Kavanaugh had a third accuser. When Julie's name was mentioned as the accuser, and due to the type of accusation, I was deeply troubled and felt a moral dilemma. Do I reach out and tell the truth of what I knew and risk family relationships, or remain silent.

The whole Kavanaugh confirmation process over the last few days brought out very deep issues within me. I know what it's like to be sexually assaulted and not be believed. I was 9 years old when it happened at the hands of my grandfather's best friend.

I also know what it's like to be accused of something significant that I didn't do and not be believed. Because of this and eternal considerations, the pressure on me built throughout the afternoon and early evening.

That evening was very difficult for me as I had to explain to my wife of three years what had happened 25 years ago, before we met and long before we were married. I explained my situation and she said she knew that if I didn't do the right thing, I couldn't live with myself.

Because of my less than perfect past, and having repented of this, I felt the need for spiritual guidance. I reached out to a church leader. We talked for a while. I explained that I felt horribly about this more-than-indiscretion. I knew if I came forward that in addition to me, it would affect my children, my grandchildren, my ex-wife, my wife, Julie, the Kavanaughs.

Finally, after much thought and frankly tears of remorse, I decided to be forth-coming with what I knew first-hand. I had to take the advice I'd always given my children. That is; Doing the right thing is almost never the easy thing, but it's always the right thing.

My heart felt very heavy because of the possible familial risks. But I knew I had to do the right thing. At my request, he put me in touch with another church leader we knew, who then reached out to Senator Hatch's Salt Lake office in my behalf.

As I watched part of the afternoon confirmation hearing the next day, and saw Mrs. Kavanaugh looking so sad I felt that she needed to know that in this instance, her husband was being mischaracterized.

My heart still feels heavy, for me as well as Julie and the Kavanaughs. That said, based on my direct experience with Julie, I do not believe her allegations against Mr. Kavanaugh.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dennis Ketterer".

Dennis Ketterer

# Attachment 4



CHARLES E. GRASSLEY, IOWA, CHAIRMAN

ORRIN G. HATCH, UTAH	DIANNE FEINSTEIN, CALIFORNIA
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MICHAEL S. LEE, UTAH	SHELDON WHITEHOUSE, RHODE ISLAND
TED CRUZ, TEXAS	AMY KLOBUCHAR, MINNESOTA
BEN SASSE, NEBRASKA	CHRISTOPHER A. COONS, DELAWARE
JEFF FLAKE, ARIZONA	RICHARD BLUMENTHAL, CONNECTICUT
MIKE CRAPO, IDAHO	MAZIE HIRONO, HAWAII
THOM TILLIS, NORTH CAROLINA	CORY A. BOOKER, NEW JERSEY
JOHN KENNEDY, LOUISIANA	KAMALA D. HARRIS, CALIFORNIA

KOLAN L. DAVIS, Chief Counsel and Staff Director  
JENNIFER DUCK, Democratic Chief Counsel and Staff Director

United States Senate  
COMMITTEE ON THE JUDICIARY  
WASHINGTON, DC 20510-6275

October 26, 2018

**VIA ELECTRONIC TRANSMISSION**

The Honorable Jeff Sessions  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

The Honorable Christopher A. Wray  
Director  
Federal Bureau of Investigation  
935 Pennsylvania Avenue, NW  
Washington, DC 20535

Dear Attorney General Sessions and Director Wray:

Yesterday, I wrote to you referring Mr. Michael Avenatti and Ms. Julie Swetnick for investigation of potential violations of 18 U.S.C. §§ 371, 1001, and 1505, for materially false statements they made to the Senate Judiciary Committee during the course of the Committee's investigation into allegations against Judge Brett M. Kavanaugh. I write today because of important additional information regarding Mr. Avenatti that has since come to the Committee's attention. In light of this new information, I am now referring Mr. Avenatti for investigation of additional potential violations of those same laws, stemming from a second declaration he submitted to the Committee that also appears to contain materially false statements. As explained below, according to NBC News, the purported declarant of that sworn statement has disavowed its key allegations and claimed that Mr. Avenatti "twisted [her] words."<sup>1</sup>

On October 2, 2018, Mr. Avenatti emailed Committee staff, stating:

[A]ttached please find another declaration from another witness who supports a number of allegations of Ms. Swetnick. She knows both Ms. Swetnick and Dr. Ford. The identify [sic] of this witness will be released to the FBI once they contact me to arrange an interview as she does not want her name publicly disclosed at this time.<sup>2</sup>

The anonymous sworn statement attached to that email contained two key allegations against Judge Kavanaugh, ostensibly based on the "personal knowledge" of the declarant and made "under

<sup>1</sup> Kate Snow and Anna Schecter, *New Questions Raised About Avenatti Claims Regarding Kavanaugh*, NBC NEWS (Oct. 25, 2018), enclosed below and available at <https://www.nbcnews.com/politics/justice-department/new-questions-raised-about-avenatti-claims-regarding-kavanaugh-n924596>.

<sup>2</sup> Email exchange between the Chief Counsel for Nominations Mike Davis and Michael Avenatti on Oct. 2, 2018, enclosed below.

penalty of perjury.”<sup>3</sup> According to the sworn statement, the declarant, whose name was redacted, claimed knowledge of Judge Kavanaugh being “overly aggressive and verbally abusive towards girls ... includ[ing] inappropriate physical contact with girls of a sexual nature” while at house parties in the early 1980s.<sup>4</sup> The sworn statement also said:

During the years 1981-82, I witnessed firsthand Brett Kavanaugh, together with others, “spike” the “punch” at house parties I attended with Quaaludes and/or grain alcohol. I understood this was being done for the purpose of making girls more likely to engage in sexual acts and less likely to say “No.”<sup>5</sup>

In my previous referral, I noted the existence of this anonymous declaration and that Mr. Avenatti neither provided the identity of the declarant to the Committee nor made her available for an interview with Committee staff. I also noted that, as of then, it did not appear that any media outlet had been able to report any interview with the purported declarant or validate anything in the anonymous declaration.

However, after I sent you my referral, NBC News revealed yesterday evening that its reporters in fact had a series of contacts with the purported declarant between September 30, 2018, and October 5, 2018.<sup>6</sup> According to that report, the declarant denied the key allegations contained in the sworn statement, both before and after the statement was publicly released. Despite the fact the sworn statement Mr. Avenatti sent to the Committee stated she “witnessed firsthand” Judge Kavanaugh spiking punch, she expressly denied this. As noted in the report:

[L]ess than 48 hours before Avenatti released her sworn statement on Twitter, the same woman told NBC News a different story. Referring to Kavanaugh spiking the punch, “I didn’t ever think it was Brett,” the woman said to reporters in a phone interview arranged by Avenatti on Sept. 30 after repeated requests to speak with other witnesses who might corroborate Swetnick’s claims.<sup>7</sup>

According to the NBC News report, after Mr. Avenatti tweeted the sworn statement on October 2 with the name of the declarant redacted, “Avenatti confirmed to NBC News that it was the same woman interviewed by phone on Sept. 30.”<sup>8</sup> The woman reportedly denied the allegation yet again after the release of the sworn statement:

[R]eached by phone independently from Avenatti on Oct. 3, the woman said she only “skimmed” the declaration. After reviewing the statement, she wrote in a text on Oct. 4 to NBC News: “It is

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<sup>3</sup> Anonymous Sworn Statement dated Oct. 2, 2018, enclosed below.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> Kate Snow and Anna Schecter, *New Questions Raised About Avenatti Claims Regarding Kavanaugh*, NBC NEWS (Oct. 25, 2018)

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*



incorrect that I saw Brett spike the punch. I didn't see anyone spike the punch...**I was very clear with Michael Avenatti from day one.**"<sup>9</sup>

The declarant similarly disavowed the other allegation that Judge Kavanaugh was aggressive and abusive towards girls, once again both before and after the statement attributed to her was released. As reported by NBC News, "[w]hen asked in the [September 30] phone interview if she ever witnessed Kavanaugh act inappropriately towards girls, the woman replied 'no.'"<sup>10</sup> After the sworn statement was released, "[w]hen pressed about abusive behavior towards girls, she wrote in a text: 'I would not ever allow anyone to be abusive in my presence. Male or female.'"<sup>11</sup>

Despite the fact Mr. Avenatti had already confirmed to NBC News that the woman they spoke to on September 30 was the declarant:

[W]hen questioned on Oct. 3 about the discrepancies between what she said in the phone interview and the serious allegations in the sworn declaration, Avenatti said he was "disgusted" with NBC News. At one point, in an apparent effort to thwart the reporting process, he added in the phone call, "How about this, on background, it's not the same woman. What are you going to do with that?"<sup>12</sup>

Mr. Avenatti then reportedly backtracked on this attempted tactic, instead claiming to NBC that he confirmed with her again that the allegations were true, and she must have been "confused" by the reporter's question.<sup>13</sup> The report says that five minutes later, the reporters received a "formally-worded text" from the woman's phone number backing Mr. Avenatti.<sup>14</sup>

But when reached by phone minutes later, the woman again insisted that she never saw Kavanaugh spike punch or act inappropriately toward women. She said she's "been consistent in what [she's] told Michael." In a subsequent text on Oct. 5, she wrote, "I will definitely talk to you again and no longer Avenatti. I do not like that **he twisted my words.**"<sup>15</sup>

Simply put, the sworn statement Mr. Avenatti provided the Committee on October 2 appears to be an outright fraud. According to NBC News, the purported declarant denied - both before and after the sworn statement was released - the key allegations Mr. Avenatti attributed to her. She stated she was clear and consistent "from day one" with Mr. Avenatti that those claims

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<sup>9</sup> *Id.* (emphasis added).

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

<sup>15</sup> *Id.* (emphasis added).

were not true. And she said Mr. Avenatti “twisted [her] words.” When reporters pressed him on these discrepancies, Mr. Avenatti attempted to deceive them in an apparent effort to thwart the truth coming out.

Accordingly, in light of the seriousness of these facts, and the threat these types of actions pose to the Committee’s ability to perform its constitutional duties, I hope you will give this referral, as well as my prior one related to Mr. Avenatti, the utmost consideration. Thank you for your prompt attention to this matter. If you have any questions, please contact a professional investigative counsel in the Committee’s Oversight and Investigations Unit at (202) 224-5225.

Sincerely,



Charles E. Grassley  
Chairman  
Committee on the Judiciary

Enclosures:

1. Email exchange between the Chief Counsel for Nominations Mike Davis and Michael Avenatti on Oct. 2, 2018
2. Anonymous Sworn Statement dated Oct. 2, 2018
3. Kate Snow and Anna Schecter, *New Questions Raised About Avenatti Claims Regarding Kavanaugh*, NBC NEWS (Oct. 25, 2018).

cc: The Honorable Dianne Feinstein  
Ranking Member  
Committee on the Judiciary

[REDACTED]

---

**From:** Michael J. Avenatti [Email Redacted]  
**Sent:** Tuesday, October 02, 2018 4:39 PM  
**To:** Davis, Mike (Judiciary-Rep)  
**Cc:** Duck, Jennifer (Judiciary-Dem); Sawyer, Heather (Judiciary-Dem)  
**Subject:** RE: Kavanaugh Nomination - Allegations of Julie Swetnick  
**Attachments:** Declaration.pdf

**Importance:** High

Mr. Davis:

On repeated occasions, you have failed to respond to my correspondence relating to the nomination of Brett Kavanaugh and the ability of my client Ms. Swetnick to sit down with the FBI and share facts and witnesses regarding what she witnessed. This is entirely unprofessional and demonstrates a complete lack of good faith on your part and those that you report to. I once again ask that you immediately respond and take all steps to arrange an FBI interview.

Further, attached please find another declaration from another witness who supports a number of allegations of Ms. Swetnick. She knows both Ms. Swetnick and Dr. Ford. The identify of this witness will be released to the FBI once they contact me to arrange an interview as she does not want her name publicly disclosed at this time.

Time is of the essence. Please respond.

Michael

---

**From:** Michael J. Avenatti  
**Sent:** Friday, September 28, 2018 2:13 PM  
**To:** Davis, Mike (Judiciary-Rep)  
**Cc:** Duck, Jennifer (Judiciary-Dem); Sawyer, Heather (Judiciary-Dem)  
**Subject:** RE: Kavanaugh Nomination - Allegations of Julie Swetnick

Mr. Davis:

Please respond. Time is of the essence.

Regards,

Michael

---

**From:** Michael J. Avenatti  
**Sent:** Friday, September 28, 2018 11:03 AM  
**To:** Davis, Mike (Judiciary-Rep)  
**Cc:** Duck, Jennifer (Judiciary-Dem); Sawyer, Heather (Judiciary-Dem)  
**Subject:** RE: Kavanaugh Nomination - Allegations of Julie Swetnick

Mr. Davis:

We are STILL awaiting a response to my email. It has now been over 30 hours and you have failed to respond. We have heard nothing from the Committee.

In light of Senator Flake's comments moments ago, please let us know when we can meet with the FBI and provide the facts and evidence supporting my client's sworn declaration. Time is of the essence.

Regards,

Michael

---

**From:** Michael J. Avenatti  
**Sent:** Thursday, September 27, 2018 3:05 PM  
**To:** Davis, Mike (Judiciary-Rep)  
**Cc:** Duck, Jennifer (Judiciary-Dem); Sawyer, Heather (Judiciary-Dem)  
**Subject:** RE: Kavanaugh Nomination - Allegations of Julie Swetnick

Mr. Davis:

I sent the below e-mail nine (9) hours ago and have yet to receive any response. As you know, time is of the essence.

As stated below, my client Julie Swetnick is prepared to come to Washington, D.C. to testify under oath before the Committee. I also believe that at least one, if not two, other witness(es) are likewise prepared to come to Washington, D.C. to testify as to the accuracy of the statements in my client's declaration.

Please confirm that my client and the supporting witness(es) will be permitted to testify under oath before the Committee ASAP. Under no circumstances should a vote be taken on the nominee without first hearing from my client and the supporting witness(es).

Please get back to me as soon as possible.

Thank you.

Michael

---

**From:** Michael J. Avenatti  
**Sent:** Thursday, September 27, 2018 5:58 AM  
**To:** Davis, Mike (Judiciary-Rep)  
**Cc:** Duck, Jennifer (Judiciary-Dem); Sawyer, Heather (Judiciary-Dem)  
**Subject:** Kavanaugh Nomination - Allegations of Julie Swetnick

Mr. Davis:

As you know, I represent Ms. Julie Swetnick, a woman that has provided a detailed declaration under ***penalty of perjury*** relating to the claimed abhorrent conduct of Brett Kavanaugh, including sexual assault.

You and the Committee leadership first learned of these allegations on Sunday and yet have done basically nothing to investigate them. In fact, after I emailed you in detail on Monday morning, you failed to even respond for days. Simply put, you blew us off all day Monday and Tuesday. It was not until yesterday that you finally responded and you only did so then because the press started contacting you for comment.

Your conduct does not evidence any desire to get to the truth or to fulfill your duties to the American people (who pay your salary). To the contrary, you and the leadership seem intent on

confirming Brett Kavanaugh as quickly as possible so as to avoid any real investigation into the facts and circumstances surrounding the allegations made by my client and many other women. To be clear, my client Ms. Swetnick demands the following:

**FBI Investigation.** The Committee and Senator Grassley must immediately refer this matter to the FBI for a complete and fair investigation. My client is prepared to meet with the FBI today to disclose how she was victimized and what she observed. She is also prepared to disclose multiple additional corroborating witnesses with knowledge of the conduct of Brett Kavanaugh and Mark Judge, as well as additional evidence.

In my experience, women that are fabricating stories do not offer to immediately meet with FBI agents to discuss their allegations. The FBI is used to investigate the many of the most serious allegations and crimes in America every day (i.e. 9/11 and the Oklahoma City bombing). *Why are you and Senator Grassley refusing to refer this matter to the FBI for investigation or request that they intervene?*

**Sworn Testimony Before the Committee.** Ms. Swetnick demands the opportunity to present sworn testimony before the Committee as to what she witnessed and how she was victimized. She is prepared to be questioned as to her allegations for as long as it takes to get to the truth. Please confirm that she will be allowed to testify and contact me so that we may agree on the logistics.

**Polygraph Examination.** My client is prepared to undergo a polygraph examination in further substantiation of her claims provided that Mr. Kavanaugh likewise agrees to undergo an examination. As you know, while the results of such an examination are generally not admissible in a court of law, they are routinely used in the federal government for the granting of security clearances and the like at the highest levels, including at our intelligence agencies. There is no reason why they cannot be used in this circumstance. Please confirm that both polygraph examinations will proceed.

**Mark Judge.** I am still awaiting an answer as to if the Committee has requested that Mark Judge appear to testify and if not, why not. As detailed in my client's sworn declaration, Mr. Judge has detailed knowledge of the conduct of Mr. Kavanaugh and witnessed it firsthand. This is likewise true as it relates to other allegations from other women. Thus, there is no excuse for the Committee refusing to make a demand that he testify. Indeed, seeing as Mr. Judge is one of Mr. Kavanaugh's closest friends from the time period at issue, one would think that Mr. Kavanaugh would want him to testify unless he is hiding something. Please confirm that Mr. Judge is being asked to provide sworn testimony.

**Knowledge by the Committee.** Press reports have stated that certain members of the Committee were aware of allegations similar to those set forth in my client's declaration well before Sunday. Is this accurate? If so, please provide the details of this knowledge and explain why it was not investigated sooner.

Please respond to the above as quickly as possible as time is of the essence. Once again, this process must be a search for the truth as opposed to a partisan attempt to ram a Supreme Court nominee through at all costs, including at the expense of women who claim to be victims of sexual assault.

Regards,

Michael

\_\_\_\_\_

\_\_\_\_\_

1. My name is [REDACTED] and I am a resident of South Florida. I fully understand the seriousness of the statements contained within this declaration. I have personal knowledge of the information stated herein and if called to testify I can do so.

2. I am a 1983 graduate of a high school in the Washington, D.C. area. I hold a bachelor of arts degree and master of liberal arts degree. I have known Christine Blasey Ford and Julie Swetnick for decades and I believe they are both honest and truthful.

3. I was first introduced to Brett Kavanaugh and Mark Judge in 1980 at a House Week in Ocean City, Maryland. Thereafter, I attended at least 20 house parties in the Washington, D.C. area where Brett and Mark were present during the years 1980-82. I knew them both well as we shared many mutual friends and socialized with the same people.

4. The house parties I attended were a common occurrence in the area usually occurred on the weekends during the school year. I know of many instances during these house parties where Brett and Mark would drink excessively and be overly aggressive and verbally abusive toward girls. This conduct included inappropriate physical contact with girls of a sexual nature. It often included Brett drinking to a point where he was incoherent and vomiting, including well before he was 18 years old.

5. I have seen Brett Kavanaugh's recent interview on Fox News denying his alleged "choir boy" existence during his high school years and lack of sexual activity. This claim is absolutely false and a lie based on what I have heard firsthand. It is also laughable.

11

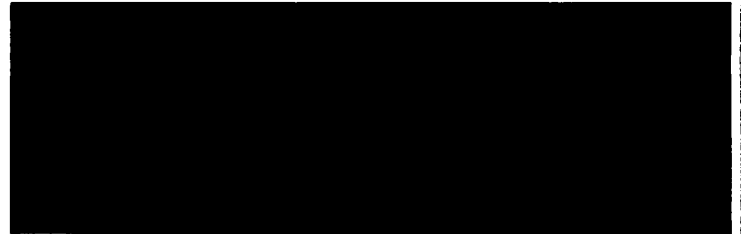
11

1        6.     During the years 1981-82, I witnessed firsthand Brett Kavanaugh,  
2 together with others, "spike" the "punch" at house parties I attended with  
3 Quaaludes and/or grain alcohol. I understood this was being done for the  
4 purpose of making girls more likely to engage in sexual acts and less likely to say  
5 "No."

6        7.     I am aware of other witnesses that can attest to the truthfulness of  
7 each of the statements above.

8        8.     I am aware of other inappropriate conduct by Brett Kavanaugh but do  
9 not feel comfortable stating it at this time in this declaration. I am fully, willing,  
10 and able to speak with the FBI and tell them everything I know about Brett  
11 Kavanaugh and his misconduct if I am contacted.

12        I declare, under penalty of perjury and under the laws of the United States  
13 of America, that the foregoing is true and correct. I have executed this  
14 declaration on October 2, 2018.





# New questions raised about Avenatti claims regarding Kavanaugh

*Kate Snow* Kate Snow is a national correspondent for NBC News.

6-7 minutes

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## Breaking News Emails

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Oct. 25, 2018 / 6:53 PM EDT

By Kate Snow and Anna Schechter

When Sen. Chuck Grassley referred attorney Michael Avenatti and his client Julie Swetnick to the Justice Department for [criminal investigation](#) Thursday, he cited Swetnick's interview with NBC News as evidence the two were trying to mislead the Senate Judiciary Committee.

In the NBC News interview that aired on Oct. 1, [Swetnick](#) backtracked on or contradicted parts of her sworn statement where she alleged she witnessed then-Supreme Court nominee Brett Kavanaugh "cause girls to become inebriated and disoriented so they could then be 'gang raped' in a side room or bedroom by a 'train' of boys."

NBC News also found other apparent inconsistencies in a second

sworn statement from another woman whose statement Avenatti provided to the Senate Judiciary Committee in a bid to bolster Swetnick's claims.

In the second statement, the unidentified woman said she witnessed Kavanaugh "spike" the punch at high school parties in order to sexually take advantage of girls. But less than 48 hours before Avenatti released her sworn statement on Twitter, the same woman told NBC News a different story.

Referring to Kavanaugh spiking the punch, "I didn't ever think it was Brett," the woman said to reporters in a phone interview arranged by Avenatti on Sept. 30 after repeated requests to speak with other witnesses who might corroborate Swetnick's claims. As soon as the call began, the woman said she never met Swetnick in high school and never saw her at parties and had only become friends with her when they were both in their 30s.

When asked in the phone interview if she ever witnessed Kavanaugh act inappropriately towards girls, the woman replied, "no." She did describe a culture of heavy drinking in high school that she took part in, and said Kavanaugh and his friend Mark Judge were part of that group.

In a statement Thursday about his referral of Swetnick and Avenatti for a criminal investigation, Grassley said, "When a well-meaning citizen comes forward with information relevant to the committee's work, I take it seriously....But in the heat of partisan moments, some do try to knowingly mislead the committee. That's unfair to my colleagues, the nominees and others providing information who are seeking the truth."

Avenatti responded in a statement to NBC News saying, "Senator

Grassley has just made a major mistake. Let the investigation into Kavanaugh and his lies begin."

Kavanaugh and Judge denied the allegations leveled by Swetnick and other women. Avenatti, asked about the inconsistencies within the second woman's account, said: "It is a sworn declaration that she read and signed and repeatedly stood behind."



Senate Judiciary Committee Chairman Chuck Grassley, R-Iowa, speaks to reporters as he leaves the chamber following a procedural vote to advance the confirmation of Supreme Court nominee Brett Kavanaugh, at the Capitol in Washington on Oct. 5, 2018. J. Scott Applewhite / AP

According to the second woman's declaration that Avenatti provided to the Senate Judiciary Committee, she said: "During the years 1981-82, I witnessed firsthand Brett Kavanaugh, together with others, 'spike' the 'punch' at house parties I attended with Quaaludes and/or grain alcohol. I understood this was being done

for the purpose of making girls more likely to engage in sexual acts and less likely to say 'No.'"

The statement also said that Kavanaugh was "overly aggressive and verbally abusive to girls. This conduct included inappropriate physical contact with girls of a sexual nature."

But reached by phone independently from Avenatti on Oct. 3, the woman said she only "skimmed" the declaration. After reviewing the statement, she wrote in a text on Oct. 4 to NBC News: "It is incorrect that I saw Brett spike the punch. I didn't see anyone spike the punch...I was very clear with Michael Avenatti from day one."

When pressed about abusive behavior towards girls, she wrote in a text: "I would not ever allow anyone to be abusive in my presence. Male or female."



Julie SwetnickMichael Avenatti / via AP

Shortly after tweeting out the woman's allegations on Oct. 2, Avenatti confirmed to NBC News that it was the same woman interviewed by phone on Sept. 30. But when questioned on Oct. 3 about the discrepancies between what she said in the phone interview and the serious allegations in the sworn declaration, Avenatti said he was "disgusted" with NBC News. At one point, in an apparent effort to thwart the reporting process, he added in the phone call, "How about this, on background, it's not the same woman. What are you going to do with that?"

After NBC News received text messages from the woman refuting some of the claims in the declaration, NBC reached out again to Avenatti, who defended the declaration.

"I have no idea what you are talking about," he said in a text. "I have a signed declaration that states otherwise together with multiple audio recordings where she stated exactly what is in the declaration. There were also multiple witnesses to our discussions."

He sent a follow-up message moments later: "I just confirmed with her yet again that everything in the declaration is true and correct," Avenatti said. "She must have been confused by your question."

Roughly five minutes later, the woman sent a formally-worded text backing Avenatti. "Please understand that everything in the declaration is true and you should not contact me anymore regarding this issue," the text read.

But when reached by phone minutes later, the woman again insisted that she never saw Kavanaugh spike punch or act inappropriately toward women. She said she's "been consistent in what she's told Michael."

In a subsequent text on Oct. 5, she wrote, "I will definitely talk to

you again and no longer Avenatti. I do not like that he twisted my words."



Anna Schechter

Anna Schechter is a producer for the investigations unit of NBC News.

Rich Schapiro contributed.

# Attachment 5



CHARLES E. GRASSLEY, IOWA, CHAIRMAN

ORRIN G. HATCH, UTAH	DIANNE FEINSTEIN, CALIFORNIA
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JOHN KENNEDY, LOUISIANA	KAMALA D. HARRIS, CALIFORNIA

KOLAN L. DAVIS, *Chief Counsel and Staff Director*  
JENNIFER DUCK, *Democratic Chief Counsel and Staff Director*

**United States Senate**  
COMMITTEE ON THE JUDICIARY  
WASHINGTON, DC 20510-6275

November 2, 2018

**VIA ELECTRONIC TRANSMISSION**

The Honorable Jeff Sessions  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

The Honorable Christopher A. Wray  
Director  
Federal Bureau of Investigation  
935 Pennsylvania Avenue, NW  
Washington, DC 20535

Dear Attorney General Sessions and Director Wray:

I am once again writing regarding fabricated allegations the United States Senate Committee on the Judiciary recently received. As you know, the Senate Judiciary Committee processed the nomination of Judge Brett M. Kavanaugh to serve as an Associate Justice on the Supreme Court of the United States, leading to his eventual confirmation on October 6, 2018. As part of that process, the Committee has investigated various allegations made against Judge Kavanaugh. The Committee's investigation has involved communicating with numerous individuals claiming to have relevant information. While many of those individuals have provided the Committee information in good faith, it unfortunately appears some have not. As explained below, I am writing to refer Ms. Judy Munro-Leighton for investigation of potential violations of 18 U.S.C. §§ 1001 (materially false statements) and 1505 (obstruction), for materially false statements she made to the Committee during the course of the Committee's investigation.

On September 25, 2018, staffers for Senator Harris, a Committee member, referred an undated handwritten letter to Committee investigators that her California office had received signed under the alias "Jane Doe" from Oceanside, California.<sup>1</sup> The letter contained highly graphic sexual-assault accusations against Judge Kavanaugh. The anonymous accuser alleged that Justice Kavanaugh and a friend had raped her "several times each" in the backseat of a car. In addition to being from an anonymous accuser, the letter listed no return address, failed to provide any timeframe, and failed to provide any location -- beyond an automobile -- in which these alleged incidents took place.

Regardless, Committee staff quickly began investigating the claims as part of the broader investigation, hindered by the limited information provided. On September 26, 2018, Committee staff questioned Judge Kavanaugh about these allegations in a transcribed interview conducted

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<sup>1</sup> See Undated Letter from "Jane Doe" to Senator Harris, enclosed below.



under penalty of felony.<sup>2</sup> They read him the letter in full as part of the questioning.<sup>3</sup> In response to the anonymous allegations, Judge Kavanaugh unequivocally stated: “[T]he whole thing is ridiculous. Nothing ever -- anything like that, nothing . . . [T]he whole thing is just a crock, farce, wrong, didn’t happen, not anything close.”<sup>4</sup> Later that day, September 26<sup>th</sup>, the Committee publicly released the transcript of that interview with Judge Kavanaugh, which included the full text of the Jane Doe letter.<sup>5</sup>

Then, on October 3, 2018, Committee staff received an email from a Ms. Judy Munro-Leighton with a subject line claiming: “I am Jane Doe from Oceanside CA -- Kavanaugh raped me.”<sup>6</sup> Ms. Munro-Leighton wrote that she was “sharing with you the story of the night that Brett Kavanaugh and his friend sexually assaulted and raped me in his car” and referred to “the letter that I sent to Sen. Kamala Harris on Sept. 19 with details of this vicious assault.” She continued: “I know that [‘]Jane Doe[’] will get no media attention, but I am deathly afraid of revealing any information about myself or my family.” She then included a typed version of the Jane Doe letter.

Committee investigators began investigating Ms. Munro-Leighton’s allegations. Given her relatively unique name, Committee investigators were able to use open-source research to locate Ms. Munro-Leighton and determine that she: (1) is a left-wing activist; (2) is decades older than Judge Kavanaugh; and (3) lives in neither the Washington DC area nor California, but in Kentucky. In order to investigate her sexual-assault claims, Committee investigators first attempted to reach her by phone on October 3, 2018, but were unsuccessful. On October 29, Committee investigators again attempted contact, leaving a voicemail. In response, Ms. Munro-Leighton left Committee investigators a voicemail on November 1, 2018.

Eventually, on November 1, 2018, Committee investigators connected with Ms. Munro-Leighton by phone and spoke with her about the sexual-assault allegations against Judge Kavanaugh she had made to the Committee. Under questioning by Committee investigators, Ms. Munro-Leighton admitted, contrary to her prior claims, that she had not been sexually assaulted by Judge Kavanaugh and was not the author of the original “Jane Doe” letter. When directly asked by Committee investigators if she was, as she had claimed, the “Jane Doe” from Oceanside California who had sent the letter to Senator Harris, she admitted: “No, no, no. I did that as a way to grab attention. I am not Jane Doe . . . but I did read Jane Doe’s letter. I read the transcript of the call to your Committee. . . . I saw it online. It was news.”

She further confessed to Committee investigators that (1) she “just wanted to get attention”; (2) “it was a tactic”; and (3) “that was just a ploy.” She told Committee investigators that she had called Congress multiple times during the Kavanaugh hearing process – including prior to the time Dr. Ford’s allegations surfaced – to oppose his nomination. Regarding the false sexual-assault

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<sup>2</sup> Senate Judiciary Committee Interview with Judge Kavanaugh 5-10 (Sept. 26, 2018). Available at: [https://www.judiciary.senate.gov/imo/media/doc/09.26.18%20BMK%20Interview%20Transcript%20\(Redacted\).pdf](https://www.judiciary.senate.gov/imo/media/doc/09.26.18%20BMK%20Interview%20Transcript%20(Redacted).pdf).

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> <https://www.judiciary.senate.gov/press/rep/releases/judiciary-committee-releases-transcripts-of-kavanaugh-interviews>

<sup>6</sup> Email from Judy Munro-Leighton to Senate Judiciary Committee (Oct. 3, 2018), enclosed below.

allegation she made via her email to the Committee, she said: "I was angry, and I sent it out." When asked by Committee investigators whether she had ever met Judge Kavanaugh, she said: "Oh Lord, no."

In short, during the Committee's time-sensitive investigation of allegations against Judge Kavanaugh, Ms. Munro-Leighton submitted a fabricated allegation, which diverted Committee resources. When questioned by Committee investigators she admitted it was false, a "ploy," and a "tactic." She was opposed to Judge Kavanaugh's confirmation.

As I have repeatedly stated, Committee investigations in support of the judicial nomination process are an essential part of the Committee's constitutional role. The Committee is grateful to citizens who come forward with relevant information in good faith, even if they are not one hundred percent sure about what they know. But when individuals intentionally mislead the Committee, they divert Committee resources during time-sensitive investigations and materially impede our work. Such acts are not only unfair; they are potentially illegal. It is illegal to make materially false, fictitious, or fraudulent statements to Congressional investigators. It is illegal to obstruct Committee investigations.

Accordingly, in light of the seriousness of these facts, and the threat these types of actions pose to the Committee's ability to perform its constitutional duties, I hope you will give this referral the utmost consideration. Thank you for your prompt attention to this matter. If you have any questions, please contact a professional investigative counsel in the Committee's Oversight and Investigations Unit at (202) 224-5225.

Sincerely,



Charles E. Grassley  
Chairman  
Committee on the Judiciary

Enclosures:

Undated Letter from "Jane Doe" to Senator Harris  
Email from Judy Munro-Leighton to Senate Judiciary Committee (Oct. 3, 2018)

cc: The Honorable Dianne Feinstein  
Ranking Member  
Committee on the Judiciary

W. Geary

SAN DIEGO CA 920

19 SEP 2018 PM 5.1



Kenneth Harris  
Service Advisory Committee  
600 B St Suite 2040  
San Diego CA 92101



DEAR SENATOR GRASSLEY, ET AL

THE CURRENT SITUATION REGARDING THE ACCUSATIONS MADE BY DR FORD AGAINST BRETT KAVANAUGH HAVE PROMPTED ME TO WRITE YOU TODAY.

I HAVE MOVED ON WITH MY LIFE SINCE HE FORCED HIMSELF ON ME AS WELL. THE TIMES WERE SO DIFFERENT AND I DIDN'T EXPECT TO BE TAKEN SERIOUSLY, EMBARRASS MY FAMILY BE BELIEVED AT ALL.

I WAS AT A PARTY WITH A FRIEND. I HAD BEEN DRINKING. SHE LEFT WITH ANOTHER BOY LEAVING ME TO FIND MY OWN WAY HOME.

KAVANAUGH AND A FRIEND OFFERED ME A RIDE HOME. I DON'T KNOW THE OTHER BOYS NAME.

I WAS IN HIS CAR TO GO HOME. HIS FRIEND WAS BEHIND ME IN THE BACK SEAT.

KAVANAUGH KISSED ME FORCEFULLY

I TOLD HIM I ONLY WANTED A RIDE HOME.

KAVANAUGH CONTINUED TO GROPE ME OVER MY CLOTHES, FORCING HIS KISSES ON ME AND PUTTING HIS HAND UNDER MY SWEATER.

"NO!" I YELLED AT HIM.

THE BOY IN THE BACK SEAT REACHED AROUND PUTTING HIS HAND OVER MY MOUTH AND



AND Holding my ARM TO KEEP ME IN THE CAR. I SCREAMED INTO HIS HAND.

KAVANAUGH CONTINUED HIS FORCING HIMSELF ON ME. HE PULLED UP MY SWEATER AND BRA EXPOSING MY BREASTS AND REACHED INTO MY PANTIES INSERTING HIS FINGERS INTO MY VAGINA

MY SCREAMS WERE SILENCED BY THE BOY IN THE BACK SEAT COVERING MY MOUTH AND GROPPING ME AS WELL.

KAVANAUGH SLAPPED ME AND TOLD ME TO BE QUIET AND FORCED ME TO PERFORM ORAL SEX ON HIM. HE CLIMAXED IN MY MOUTH.

THEY FORCED ME INTO THE BACKSEAT AND TOOK TURNS RAPING ME SEVERAL TIMES EACH.

THEY DROPPED ME OFF TWO BLOCKS FROM MY HOME. "NO ONE WILL BELIEVE YOU IF YOU TELL. BE A GOOD GIRL." HE TOLD ME

WATCHING WHAT HAS HAPPENED TO ANITA HILL AND DR FORD HAS ME PETIFIED TO COME FORWARD IN PERSON OR EVEN PROVIDE MY NAME. A GROUP OF WHITE MEN POWERFUL SENATORS WHO WON'T BELIEVE ME WILL COME AFTER ME



Like Dr FORD. IM A TEACHER.  
I HAVE AN EDUCATION. A FAMILY. A CHILD  
A HOME.

I HAVE CREDIBILITY. JUST BECAUSE  
SOMETHING HAPPENS A LONG TIME AGO  
BECAUSE A RAPE VICTIM DOESN'T WANT  
TO PERSONALLY COME FORWARD DOES NOT  
MEAN SOMETHING CAN'T BE TRUE!

Jane Doe  
OCEANSIDE CA

**From:** [REDACTED]  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Fwd: I am Jane Doe from Oceanside CA -- Kavanaugh raped me  
**Date:** Wednesday, October 03, 2018 7:27:42 AM

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Begin forwarded message:

**From:** Judy Munro-Leighton <[REDACTED]>  
**Date:** October 3, 2018 at 6:42:35 AM EDT  
**To:** [REDACTED]  
**Subject:** I am Jane Doe from Oceanside CA -- Kavanaugh raped me  
**Reply-To:** [REDACTED]

To all Republican Senators, 10/3/18

**My name is Jane Doe**, from Oceanside CA. I am sharing with you the story of the night that Brett Kavanaugh and his friend sexually assaulted and raped me in his car. Here is the letter that I sent to Sen. Kamala Harris on Sept. 19 with details of this vicious assault. The Senate Judiciary Comm had a phone interview on Sept. 26 with Kavanaugh to ask him about my letter.

I refuse to allow Donald J. Trump to use me or my story as an ugly chant at one of his Republican rallies. I know that Jane Doe will get no media attention, but I am deathly afraid of revealing any information about myself or my family. I watched in horror as Trump vilified Dr. Blasey-Ford. I will not allow this abuse to be directed toward me.

Dear, Senator Grassley, et al.

The current situation regarding the accusations made by Dr. Ford against Brett Kavanaugh have prompted me to write you today. I have moved on with my life since he forced himself on me as well. The times were so different, and I didn't expect to be taken seriously, embarrass my family, be believed at all. I was at a party with a friend. I had been drinking. She left with another boy, leaving me to find my own way home. Kavanaugh and a friend offered me a ride home. I don't know the other boy's name. I was in his car to go home. His friend was behind me in the backseat. Kavanaugh kissed me forcefully.

I told him I only wanted a ride home. Kavanaugh continued to grope me over my clothes, forcing his kisses on me and putting his hand under my sweater. 'No,' I yelled at him. The boy in the backseat reached around, putting his hand over my mouth and holding my arm

to keep me in the car. I screamed into his hand. Kavanaugh continued his forcing himself on me. He pulled up my sweater and bra exposing my breasts, and reached into my panties, inserting his fingers into my vagina. My screams were silenced by the boy in the backseat covering my mouth and groping me as well. Kavanaugh slapped me and told me to be quiet and forced me to perform oral sex on him. He climaxed in my mouth. They forced me to go into the backseat and took turns raping me several times each.

They dropped me off two blocks from my home. 'No one will believe if you tell. Be a good girl,' he told me. Watching what has happened to Anita Hill and Dr. Ford has me petrified to come forward in person or even provide my name. A group of white men, powerful senators who won't believe me, will come after me. Like Dr. Ford, I'm a teacher, I have an education, a family, a child, a home. I have credibility. Just because something happens a long time ago, because a rape victim doesn't want to personally come forward, does not mean something can't be true.

**Jane Doe, Oceanside, California.**