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4 COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY,

5 U.S. HOUSE OF REPRESENTATIVES,

6 WASHINGTON, D.C.

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11 INTERVIEW OF: DEVON ARCHER

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Monday, July 31, 2023

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Washington, D.C.

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20 The interview in the above matter was held in room 6480, O'Neill House Office

21 Building, commencing at 10:27 a.m.

22

Present: Representatives Jordan, Biggs, Goldman.

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2 Appearances:

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4 For the COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY:

5

6 CLARK ABOURISK, COUNSEL

7 JESSICA DONLON, DEPUTY STAFF DIRECTOR

8 ASHLII DYER, LEGAL COUNSEL

9 JAKE GREENBERG, DEPUTY CHIEF COUNSEL FOR INVESTIGATIONS

10 JAMES MANDOLFO, GENERAL COUNSEL AND CHIEF COUNSEL FOR INVESTIGATIONS

11 MARK MARIN, STAFF DIRECTOR

12 [REDACTED] MINORITY CHIEF COUNSEL

13 [REDACTED] MINORITY SENIOR COUNSEL

14 [REDACTED] MINORITY COUNSEL

15 [REDACTED] MINORITY COUNSEL

16 [REDACTED] MINORITY DIRECTOR FOR OVERSIGHT AND POLICY

17

18

19 For DEVON ARCHER:

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21 MATTHEW L. SCHWARTZ, MANAGING PARTNER

22 [REDACTED] SUMMER ASSOCIATE

23 BOIES SCHILLER FLEXNER LLP

24 55 HUDSON YARDS, 20TH FLOOR

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2 Mr. Mandolfo. This is a transcribed interview of Devon Archer. Chairman
3 Comer has requested this interview as part of the committee's investigation into the
4 Biden family's influence peddling and extensive receipt of money from foreign nationals
5 and foreign companies.

6 Would the witness please state your name for the record?

7 Mr. Archer. Devon Archer.

8 Mr. Mandolfo. On behalf of the Committee on Oversight and Accountability, I
9 want to thank you, Mr. Archer, for your appearing here today. The committee
10 appreciates your willingness to appear here voluntarily.

11 My name is James Mandolfo, and I am general counsel and chief of investigations
12 for the Committee on Oversight and Accountability.

13 I will now ask everyone else on the majority and the minority, including the
14 Members, to please introduce yourselves around the table. We can start with the
15 Members.

16 Mr. Jordan. Jim Jordan, Ohio.

17 Mr. Biggs. Andy Biggs, Arizona.

18 Mr. Goldman. Dan Goldman, New York.

19 Mr. Mandolfo. Go with the majority.

20 Mr. Greenberg. Jacob Greenberg, majority counsel.

21 Mr. Abourisk. Clark Abourisk, majority counsel.

22 Ms. Donlon. Jessica Donlon, majority.

23 Ms. Dyer. Ashlii Dyer, majority.

24 Mr. Mandolfo. Now for the minority.

25 ██████████ ██████████ Democratic staff.

1 [REDACTED] [REDACTED] Democratic staff.

2 [REDACTED] [REDACTED] Democratic staff.

3 [REDACTED] [REDACTED] Democratic staff.

4 [REDACTED] [REDACTED] Democratic staff.

5 Mr. Mandolfo. Thank you, everyone.

6 I'd like to go over a few ground rules and guidelines that we will follow during the
7 interview that I previously discussed with your lawyer.

8 First, our questioning today will occur in one round. The majority will ask
9 questions for up to 2 hours, and then the minority staff will have an opportunity to ask
10 questions for an equal period of time, if they choose.

11 These are accommodations that we've made at your attorney's request, and they
12 are contingent upon your attorney's representations to the committee that you will be
13 accurate and complete in your testimony here today.

14 We have also made additional accommodations at your attorney's request, which
15 is scoping the topics, and we provided our documents in advance of this interview.
16 Again, we made these accommodations with the understanding that you would give
17 complete and accurate testimony.

18 Typically, we take a short break at the end of each hour, but if you would like to
19 take a break apart from that, please just let us know.

20 As you can see, there is an official reporter taking down everything we say to
21 make a written record. So we ask that you give verbal responses to all questions.

22 Do you understand everything so far?

23 Mr. Archer. I do.

24 Mr. Mandolfo. To ensure the court reporter can make a clear record, we will do
25 our best to limit the number of people directing questions at you during any given round

1 to just those people on the staff whose turn it is.

2 It's also important that we don't talk over one another or interrupt each other if
3 we can help it. And that goes for everybody else who's present at today's interview.

4 We encourage witnesses who appear before the committee to freely consult with
5 counsel if they so choose. It's my understanding that you are accompanied by counsel
6 here today.

7 If counsel could please state your name and your law firm for the record.

8 Mr. Schwartz. Good morning. Matthew Schwartz from Boies Schiller Flexner
9 for the witness, and I'm accompanied by my colleague, [REDACTED].

10 Mr. Mandolfo. Thank you.

11 Mr. Archer, we want you to answer our questions in the most complete and
12 truthful manner possible. If you have any questions or if you do not understand one of
13 our questions, please just let us know and we're happy to repeat the question.

14 Mr. Archer. Okay.

15 Mr. Mandolfo. If you honestly don't know the answer to a question or do not
16 remember, it is best not to guess. This is not the place to speculate. We are seeking
17 facts.

18 Please just give us your best recollection, and it's okay to tell us if you learned
19 information from someone else. Just indicate how you came to know the information.

20 If there are things you don't know or can't remember, just say so and please
21 inform us who, to the best of your knowledge, might be able to provide a more complete
22 answer to the questions.

23 You should also understand that, although this interview is not under oath, that by
24 law you are required to answer questions from Congress truthfully.

25 Do you understand that?

1 Mr. Archer. I do.

2 Mr. Mandolfo. This also applies to questions posed by congressional staff during
3 interviews.

4 Do you understand that?

5 Mr. Archer. I do.

6 Mr. Mandolfo. Witnesses who knowingly provide false testimony could be
7 subject to criminal prosecution for perjury or making false statements.

8 Do you understand?

9 Mr. Archer. I do.

10 Mr. Mandolfo. Furthermore, you cannot tell half-truths or exclude information
11 that would be necessary to make the statements accurate. You are required to provide
12 all information that would make your response truthful. A deliberate failure to disclose
13 information can constitute a false statement.

14 Do you understand?

15 Mr. Archer. I do.

16 Mr. Mandolfo. Is there any reason you are unable to provide truthful answers to
17 the committee here today?

18 Mr. Archer. There is not.

19 Mr. Mandolfo. Additionally, we have agreed to 2-hour rounds, but if there are
20 any interruptions or interjections -- for instance, from your attorney or from the
21 minority -- the majority's time will be paused for that duration of those interruptions and
22 then we will recommence once the issue has been resolved.

23 Mr. Archer. Okay.

24 Mr. Mandolfo. I'd like to give you the opportunity, if you want to, to make an
25 opening statement. You're not required to make an opening statement, but we give

1 that opportunity oftentimes.

2 Mr. Archer. Yes. Thank you.

3 Mr. Mandolfo. So if you would like to, please go ahead.

4 Mr. Archer. Yeah. I would just -- I would like to say -- and, again,
5 nothing -- nothing formal -- but I would like to thank, obviously, the senior officials here.
6 Thanks for joining us. I am -- it's an honor for -- you know, to be part of this.

7 And I appreciate, you know, you letting me take the time to do -- the only thing
8 I'm going to do is just speak the truth, answer as honestly and as completely as I can, and
9 want to just move through this process.

10 It's been a long -- it's been a long decade. My forties have been kind of, you
11 know, mired in fighting the government. So I want to be cooperative now and maybe
12 we can all be friends. So let's take it from there.

13 But I'm, you know, I'm an open book. So please -- please let me know what you
14 need to know and I'll do my best.

15 Mr. Mandolfo. Thank you.

16 This is the end of my preamble.

17 Is there anything the minority would like to add before we begin?

18 [REDACTED] Sure.

19 On June 12th, committee Democrats received notice of a subpoena to Mr. Archer
20 setting a deposition just 4 days later, on June 16th, just minutes after Chairman Comer
21 issued a press release about the subpoena.

22 Since then, committee Democrats have had to learn about Mr. Archer's
23 appearance mainly from press statements from Chairman Comer and leaks to press
24 outlets.

25 On Friday afternoon, just 3 days ago, committee Republicans provided committee

1 Democrats with a six-page letter from Mr. Archer's counsel that set forth the extensive
2 negotiations and agreements between committee Republicans and the witness regarding
3 today's interview.

4 The letter sets out limitations on the subjects to be covered, which are set out in
5 the six-page letter in three different appendices.

6 It also limits the documents to be used in this transcribed interview to, quote, "24
7 pages of documents," end quote, that Republicans provided to Archer's counsel on June
8 28th, as well as, quote, "highlighted transactions on the 260 pages of RSB LLC bank
9 records," end quote, that Republicans sent Archer's counsel on July 11th.

10 Committee Republicans provided committee Democrats with the, quote, "24
11 pages of documents" last night, Sunday, at 6 in the evening. The vast majority of these
12 appear to be emails, which are not part of any committee records previously provided to
13 committee Democrats.

14 Committee Republicans have not provided committee Democrats with the, quote,
15 "highlighted transactions on the 260 pages of RSB LLC records" -- "bank records."

16 Committee Democrats have been excluded from all these discussions and
17 negotiations conducted by committee Republicans, and we have not agreed to any of
18 these limitations.

19 We now find ourselves in a transcribed interview with scopes and limits we had no
20 input in, and an attempt to limit the scope of exhibits to documents handpicked by
21 Republicans, which they have failed to provide in advance to Democrats.

22 This obviously raises strong concerns that committee Republicans are once again
23 attempting to cherry-pick facts, which has been an ongoing issue in this probe.

24 Mr. Mandolfo. Thank you.

25 We disagree with the substance of what you just provided. The RSB accounts

1 have been subpoenaed and provided to you much earlier.

2 In addition to that, these are scoping that Mr. Archer's attorney has requested and
3 for that reason he came in voluntarily.

4 Now we may begin. The time is showing --

5 Mr. Goldman. What about the 24 documents?

6 Mr. Mandolfo. Excuse me?

7 Mr. Goldman. What about the 24 documents?

8 Mr. Mandolfo. We picked out the 24 documents.

9 Mr. Goldman. Are they -- were they among documents that were in the
10 possession of committee Democrats?

11 Mr. Mandolfo. They are documents that are either publicly available or
12 documents that are available through the Hunter Biden laptop. So yes.

13 We're going to now begin. It's 10:30 --

14 Mr. Goldman. That's a no, though. We don't have the hard drive that you
15 have, right?

16 Mr. Mandolfo. The documents are available online. The emails are available
17 online.

18 Mr. Goldman. So you are -- your evidence is derived from online sources
19 of -- from a hard drive?

20 Mr. Mandolfo. Our evidence is from several sources. One is from the Hunter
21 Biden laptop, and that is available to Democrats.

22 Mr. Goldman. You have the hard drive, right?

23 Mr. Mandolfo. It's from the hard drive from the laptop, yes.

24 We're going to now begin. 10 --

25 Mr. Schwartz. Can I just say one thing first?

1 background.

2 A I attended North Shore Day School in Long Island, Glen Cove. I went to
3 Glenwood Landing Elementary. I went to North Shore High School. I went to Yale
4 University. And then started at Citibank and got most of my kind of credit and finance
5 training through Citibank Management Associates Program.

6 Q And could you give a little bit more detail on what you did for Citibank?

7 A I was a management associate in Asia. I was headquartered in Vietnam. I
8 ended up -- I started out as basically a junior position. It was called a management
9 associate.

10 And then I moved into Citicorp Asia Capital Limited, which was at the time the
11 kind of Asian -- the theater was Asia. Obviously, it was ex-China at the time, Southeast
12 Asia primarily, Hong Kong, focused on private equity.

13 Q How did you come to know Hunter Biden and the Biden family?

14 A I came to know Hunter Biden -- I -- there's a rumor that we overlapped and
15 met when he was at law school and I was at undergrad, but I -- somehow I just keep
16 reading that, but I don't think that was the case.

17 I think we met at probably -- we met in L.A. I can't name the year but a
18 Democratic convention in L.A. probably -- what was that, 2000? Maybe you wouldn't
19 know, but some of these guys might. It was in -- I forgot. It was L.A., Boston, 2004.
20 So it was one of those. It was just a handshake.

21 And then I was introduced to him by his attorney, Marc LoPresti, at some point.
22 And then my partner at the time, Chris Heinz, and Hunter had known each other casually,
23 again. And that's where -- that was really where we, you know, kind of generated a
24 relationship. That was probably in 2008-ish.

25 Q I'm going to direct your attention now to Burisma.

1 I want to first get a sense of how you became involved with Burisma --

2 A Sure.

3 Q -- and when you joined the board in approximately, I believe, 2014.

4 A Okay. With Burisma, the genesis of the relationship started when
5 Zlochevsky, Mykola Zlochevsky, and Vadym -- I'm going to abuse the name, but Vadym P.
6 was -- you guys are very --

7 Q Pozharskyi?

8 A Exactly. Very familiar with. Were -- they were on kind of a target list of
9 potential investors in Rosemont Real Estate Acquisition Fund One. Okay. It was called
10 RREAF. That's -- and, essentially, there was a cap-intro company that, you know,
11 had -- had basically created a list.

12 And they came through New York. I was in China. They came through New
13 York in the early -- I'm just trying to place the year. You know, if I get the years wrong, I
14 don't want to speculate.

15 Q Approximately.

16 A Approximately the early -- that had to be the early like -- like 2010 to '15 at
17 some point, in that time. Or not to 2015. 2010 to 2014. I don't know exactly, but I
18 could probably figure it out.

19 They came through. I was not in town. The cap-intro company was called Tri
20 Global. Tri Global did the kind of pitch kind of on behalf of Rosemont Realty to them.
21 And I don't think they were very interested.

22 But that was kind of the first that I heard of Burisma, Zlochevsky, the individual,
23 and that he would be a potential investor.

24 And then I then -- I was reintroduced -- I mean, you can't make this stuff up -- but I
25 was -- I was -- we were doing a large deal with an Eastern European bank to basically

1 invest in and be like an anchor investor on the debt side for Rosemont Realty for
2 Rosemont Real Estate Acquisition Fund Two. And that meeting happened to be on
3 March -- it was like -- it was March 4th, 2014, which was in Moscow, which was also the
4 day that Putin invaded Crimea. So that deal fell through, as you can imagine.

5 So that started this entire process. He was in -- he was in Moscow. We were
6 like, okay, well, now we got to get back on the fundraising trip. And I met with him.

7 And -- and that was -- that was -- that was basically -- met with him. That was
8 like a follow-up meeting to pitching him, and then that was the relationship. We asked
9 him -- or I was -- it was just me meeting.

10 Q Zlochevsky, is that who you --

11 A Zlochevsky and no Vadym, one of the Tri Global kind of translator guys,
12 cap-intro guys, and myself. Pitched him. He told me at the time that -- that he
13 had -- Kwasniewski had joined -- the President of Poland had joined the board, just kind of
14 in passing. And there was no like board discussion or anything like that.

15 And basically, the next day they called -- they -- they called me -- the Tri Global guy
16 called me back and said, would you be -- you know, I don't know if they're going to be
17 interested in Rosemont Realty, but President Kwasniewski wants to meet with you.

18 So I was like, okay, this is an, you know, an interesting honor, right? And I
19 basically -- so I literally within days, I flew to Warsaw for the day. And Kwasniewski
20 asked me, it's like, I just joined this board, this is energy independence, yada, yada, yada.
21 It was all the stuff around it.

22 He was like, would you be interested in joining the board? And so that's really
23 how -- that's how the Burisma relationship started.

24 Q And that was approximately March or April of 2014?

25 A March, March. Probably that -- it was the first week of March or, you

1 know, into the March 10th-ish.

2 I don't -- you know, I'm sure I could -- there's -- you could find when I went to
3 Warsaw or -- it was the first week of March.

4 Q And I know you've discussed their names, but Mykola Zlochevsky was the
5 owner of Burisma?

6 A Correct.

7 Q And Vadym Pozharskyi would have been the CFO?

8 A He was the corporate secretary. He was not the CFO. Another -- another
9 guy was the CFO.

10 Q And have you heard of Karina Zlochevsky?

11 A The daughter.

12 Q Of?

13 A Mykola.

14 Q And who is Aleksander Kwasniewski?

15 A He's the former President of Poland.

16 [Archer Exhibit No. 1

17 Was marked for identification.]

18 BY MR. MANDOLFO:

19 Q And now I want to show you exhibit 1. If you can please pull that big
20 binder.

21 What I'm showing you now, this is the Rosemont Seneca Bohai account.

22 A Yeah.

23 Q According to public records, Rosemont Seneca Bohai was started on
24 February 13th of 2014.

25 What was Rosemont Seneca Bohai?

1 A Rosemont Seneca Bohai was set up to hold the equity of BHR, which is Bohai
2 Harvest Rosemont Partners or some -- Equity Partners, I believe, which was a -- which was
3 a private equity fund that was started between Harvest, which is like the -- I would say
4 like the Fidelity of China. Bohai Sea Industrial Fund, which is a -- which was like a
5 government-owned private equity fund that wanted to go private. So basically, the
6 three letters of the acronym, Bohai Harvest Rosemont.

7 And this was just set up to -- to essentially own that equity and operate the, you
8 know, what we thought was going to be a successful fund, which it ended up not being.
9 That was -- that was the reason for it.

10 Q And if you could go to tab 1, please. Thank you.

11 In addition to what you just described, was the RSB account also used to receive
12 money from Burisma?

13 A Yes.

14 Q And looking at the tab there, do you see a payment for approximately
15 \$83,000?

16 A Correct.

17 Q And that's on April 15th of 2014?

18 A Uh-huh.

19 Q Would that be, to your knowledge, one of the first payments from Burisma
20 that you received?

21 A Yes. Yes, to my knowledge. Unless there was one before on the page.

22 Q No. No, there is not.

23 And there's another payment underneath for approximately \$29,000, correct?

24 A Uh-huh.

25 Q In addition --

1 A That's probably like travel or something like that, Warsaw maybe. I don't
2 know.

3 Q In addition to you receiving funds into this account from Burisma, I want to
4 turn your attention to exhibit 3.

5 Mr. Schwartz. Tab 3?

6 Mr. Mandolfo. Tab 3, thank you.

7 BY MR. MANDOLFO:

8 Q Exhibit 1, tab 3.

9 A Yes.

10 Q Is it correct that Hunter Biden also received his share of the board payment
11 into the Rosemont Seneca Bohai account?

12 A Yes, that's correct.

13 Q And if we look at the top of the page and kind of in the header here, it has
14 "Rosemont Seneca Bohai, LLC, C/O Devon Archer."

15 A Uh-huh.

16 Q Hunter Biden was not on this account, correct?

17 A He was not -- he was not on -- no, he was not on the account.

18 Q How is it that Hunter Biden became a board member of Burisma?

19 A The -- Hunter Biden became a board member because, when I came back
20 from -- when I -- I started my tenure there and I -- we hired him as a -- as counsel, quite
21 frankly. And then he was counsel and we -- that went on for, I don't know, maybe 2
22 months.

23 And he developed a relationship with Vadym and Mykola, and they -- I think they
24 had a different design. There was a meeting in Lake Como at an economic conference.

25 Q What do you know about that meeting?

1 A That meeting -- I was there. I was there at the conference. I was not -- I
2 was not involved in the conversation that they had. But out of that -- that meeting, it
3 was decided that he was going to move into a board role.

4 Q Did Hunter Biden ever tell you about that conversation?

5 A No, he did not. He did not tell me. Well, I mean the outcome was that he
6 was going to join the board. So yes, in a sense, he told me that, but it wasn't like a
7 detailed -- I mean, I know exactly where I had the conversation and I remember it vividly
8 though I wasn't part of it. They were in a different part of the conference than me.

9 Q When you and Hunter Biden first joined the board of Burisma, were there
10 service agreements that you signed as far as your -- what your roles would be at Burisma?

11 A My role was -- my role at Burisma when I joined was to go out and find
12 external financing for expansion, for global expansion. First, it was find expansion into
13 the United States, and then things got a little dicey. But then it was -- it was to basically
14 find outside financing for global expansion, which we were very successful in.

15 We opened Burisma Geothermal, bought wells in Italy, because obviously drilling
16 was like a, you know, a core competency, which was kind of a renewables tilt which we
17 thought would be, you know, looked favorably upon.

18 And we -- we opened up Burisma Eurasia, which we, you know, had a successful
19 servicing contract in Kazakhstan with Kazmu -- what was it? KazMunayGas, yeah.

20 KazMunayGas. We had 50 employees, employed a lot of other folks. We
21 bought drills in Texas and, you know, brand-new equipment, and went kind of deeper and
22 more efficiently and cleaner than they'd ever done, you know, in that part of the world.

23 And so it was -- it was, you know, I hate to say a great success, that would be
24 too -- but it was a great success. And --

25 Q Just to stop you. Do you remember the name of that company in Texas

1 that you just referenced?

2 A The drilling company?

3 Q Yes.

4 A I don't know the name, but I could find out.

5 Q You could find out for us?

6 A Yeah, yeah. It was -- we transported all of that equipment via sea and then
7 over land through Ukraine into Kazakhstan, which I'd have to go through another area.
8 But it was pretty wild. We pulled off a lot.

9 But that was my main purpose of -- was international expansion, which I think,
10 you know, in a very short time I had exceptional execution.

11 Q The payments appear to be approximately \$83,000 per month that were
12 deposited into the Rosemont Seneca Bohai account from Burisma Holdings.

13 Was that what you were to be paid? Was it a million dollars per year?

14 A It was -- so, from a board perspective, it was a million dollars per year on the
15 board contracts, but the -- which was -- again, it was more than -- you know, there's
16 associated work. It wasn't just sitting there and, you know, going to board meetings.
17 But there was a lot of work that was done.

18 It was actually split. During my tenure, Tri Global was the cap-intro group. It
19 was actually split three ways. I don't know, you know, where it went after my time.

20 But that's -- initially, it was the sum total, kind of a take-home for, you know, the
21 company, excluding expenses, just gross, was 666 per year.

22 And then that obviously changed. I was, you know, kicked off or asked to resign
23 from the board when I got into my next issue.

24 Q Was Hunter Biden's agreement also that he would receive \$83,000 per
25 month --

1 A Yes.

2 Q -- from Burisma?

3 A Yes. That's what I'm saying. So two -- 83 in two different -- once a month
4 was 666 annualized, divided by three.

5 [Archer Exhibit No. 7

6 Was marked for identification.]

7 BY MR. MANDOLFO:

8 Q And I'd like to turn your attention now to exhibit 7 in that binder.

9 A Sure. This one? Oh, sorry.

10 Q This is an email from you to Hunter Biden. It's dated May 7th of 2014. So
11 this is about the beginning of when he's joining the board.

12 A Uh-huh.

13 Q The subject is "Re: Notes from the 13 hr" -- meaning "hour" -- "plane ride."
14 And I want to direct your attention to paragraph 6.

15 A Uh-huh.

16 Q My understanding of this email is that Hunter Biden has -- is the lower case
17 statement and your response is the caps, all caps statement.

18 Mr. Schwartz. Well, these emails don't come from Mr. Archer, so I don't think
19 we're going to be able to authenticate the emails or tell you who wrote what. But
20 you're certainly welcome to ask about the content of these.

21 Mr. Mandolfo. Well, do you recognize this email?

22 [REDACTED] Sorry to interrupt. Can we know where this document comes
23 from?

24 Mr. Abourisk. It comes from the hard drive.

25 [REDACTED] The hard drive that is in the possession of committee

1 Republicans?

2 Mr. Mandolfo. Yes.

3 [REDACTED] So there's --

4 Mr. Goldman. Where did you get that hard drive?

5 Mr. Mandolfo. Go off the record for a second.

6 [Discussion off the record.]

7 Mr. Mandolfo. Showing you exhibit 7, paragraph 6. I'll read it out loud. It's
8 from you to Hunter Biden.

9 "Need to determine what we consider expenses to be deducted from potential
10 Burisma 'pay'" -- "pay" in quotations -- "before we determine true split number with
11 Alex."

12 Mr. Schwartz. I don't know to whom, but I object to your characterization as
13 that's "from you to Hunter Biden."

14 Mr. Archer. Yeah, I --

15 Mr. Goldman. Can we just clarify on the record, I want to clarify on the record.

16 Mr. Mandolfo. Off the record.

17 Mr. Goldman. No, no, no.

18 Ms. Donlon. You're using the majority time. You negotiated the time --

19 Mr. Goldman. Pause the time. I don't care.

20 Mr. Schwartz. I care. I care. We negotiated the time because we wanted to
21 leave, not because we wanted 2 hours of questioning.

22 Mr. Goldman. Well, we didn't agree to your negotiated time. So we'll sit here
23 for 5 more seconds.

24 Ms. Donlon. This is the chairman's transcribed interview, so he has the authority
25 to negotiate, and this is what's been negotiated.

1 Mr. Goldman. That is fine. You take whatever time you need. I just want the
2 witness, maybe aided by counsel, on the record --

3 Ms. Donlon. Sir, you can do this during your time.

4 Mr. Goldman. No, you're introducing --

5 Ms. Donlon. No, you can do it during your time.

6 Mr. Biggs. This is not a court of law. First of all, this is not a court of law. Quit
7 talking over people. He can answer. He's got counsel there that can say, "It's outside
8 the scope, we think it's dubious," whatever he wants to say about it.

9 You have to let the witness answer this, because we're not sitting in a court of law.
10 This is a transcribed voluntary interview, for Pete's sakes. If you have an objection,
11 you've stated your objection. You get to make it.

12 Mr. Goldman. But not on the record.

13 Mr. Biggs. You can get to it when it's your 2 hours.

14 Mr. Goldman. You know how depositions work, but carry on.

15 Mr. Biggs. This is a deposition. This is not in court. Yeah, this is very different
16 than that when I practiced law. But this is Congress. A little bit different. Press on.
17 Press on.

18 Mr. Schwartz. Back on the record.

19 Mr. Mandolfo. Paragraph 6. If I misspoke before, it's our understanding that
20 the lower case is Hunter Biden. The caps, all caps, would be your response. But I'm
21 just going to read it again.

22 "Need to determine what we consider expenses to be deducted from potential
23 Burisma 'pay'" -- in quotes -- "before we determine true split number with Alex."

24 And then in parentheses, "(i.e., 5-.75/3 = 1.42 million apiece.) Is 750K
25 reasonable expense number btw Washington, D.C. office?" All caps, "TAX LIABILITY AND

1 SOMETHING LIKE THAT SEEMS FAIR."

2 Do you recall having a conversation with Hunter Biden regarding that you and him
3 would receive approximately -- consistent with this email -- approximately 4.85 million
4 jointly from Burisma?

5 Mr. Schwartz. So now he's not asking about the email. He's asking if you had
6 such a conversation.

7 A Uh-huh. No. That -- that -- that one is -- I don't know what that 4.5. As I
8 explained just before, it was 83, 33, 33, and it only went to one account, which we have
9 all the stuff for.

10 And theoretically -- I don't know what we were talking about here. But it was
11 like -- so 666 -- it looks like that says 750. But that -- this one seems like there's some
12 math that we were -- that's him writing to me.

13 BY MR. MANDOLFO:

14 Q That's Hunter Biden writing to you?

15 A I think. Theoretically, it would be.

16 Q In the small caps is what you're saying?

17 A Yeah.

18 Q So that would bring us to roughly 4.85 million jointly from Burisma. That
19 would be from Hunter Biden.

20 Mr. Schwartz. No. We can't -- we can't --

21 Mr. Archer. Yeah.

22 Mr. Schwartz. We can't confirm this email is from anyone. He's reading the
23 text to the document, and in the format of an email that's the way it looks.

24 So he can confirm that you accurately read it, which you accurately read; and he
25 can confirm, as he did, the conversations that he had with Mr. Biden.

1 Mr. Archer. Yes. And I would also add that any money that came from Burisma
2 is all here, all documented here. There was no -- or no money that I -- I can speak for
3 only myself -- there was no money that was ever received.

4 Basically, this was the -- because we had set it up for BHR, we took in this here.
5 Hunter was the corporate secretary of RSB. So there was a COO who managed it. So
6 that was -- that was -- I don't know where that number is from.

7 Mr. Biggs. Can I ask a question about that?

8 Mr. Archer. Sure.

9 Mr. Biggs. First of all, thanks for being here. I appreciate it.

10 Maybe this would help solve the question. Do you remember ever seeing this
11 document at all? I mean, I get it's 10 years ago --

12 Mr. Archer. The email?

13 Mr. Biggs. Yeah. I just wonder if you recall. Does it look familiar? Is it
14 something that you might recall?

15 Mr. Archer. The -- no, I don't -- I can't authenticate it. But I -- you know,
16 I -- those conversations are all around what we were speaking about.

17 Like, obviously, I voluntarily just talked about the -- there was this Tri Global split.
18 I don't know exact -- those numbers. And, I mean, I've seen a lot of speculation.

19 I don't -- again, I can only speak for myself. I don't know any other money that
20 went beyond RSB Morgan Stanley account.

21 Mr. Biggs. Thank you.

22 BY MR. MANDOLFO:

23 Q At some point, though, when you ran into Federal troubles, Hunter Biden
24 started to receive his money in a different account, correct?

25 A Correct. Yes, because this got shut down. So it must have been.

1 Q And I want to show you exhibit 4, tab 1 -- excuse me, exhibit 1, tab 4.

2 A Got it.

3 Q And on this page, it's August of 2015, and you'll see on August 19th there are
4 two Burisma payments for \$83,000 each, one to you and one to Hunter Biden, correct?

5 A Correct.

6 Q And above that, you'll see that there --

7 A Actually, let me just clarify. It was -- we were running it as a business, so it
8 was -- it was to Rosemont Seneca Bohai for -- there were other investments that were
9 made. There were, you know, investments on behalf of the business. So, you know, as
10 the business was capitalized, we did other things with it.

11 So though kind of contractually it was a -- it was a, you know, a fee-for-service at
12 the end of the day, it was like -- we took it as revenue of the company. I don't know if
13 that makes any difference but -- so -- but yes.

14 Q But during this time, Hunter Biden had his own bank accounts, correct?
15 You'll see on this page he has an OWASCO PC, which received a transfer of \$5,000, and
16 you'll also see that there was a transfer to Robert Biden for \$19,000.

17 Is that correct?

18 A Yes.

19 Q And so if we take into account that Hunter Biden is receiving approximately
20 \$1 million a year, and I know that he started towards the third or fourth month in 2014,
21 but how long did he work for Burisma, to your knowledge?

22 A To my knowledge, I can go as far as, you know, May, May-July. Like
23 summer of 2016. And then I'm, you know, obviously aware that he worked for Burisma.
24 I don't know when the end of his tenure was. It was years later, I believe.

25

[Archer Exhibit No. 2

1 was telling him this. He just said that Hunter Biden told him, did use that phrase.

2 So when he would use that phrase, what did you interpret that to mean?

3 Mr. Schwartz. When he used the phrase "my guy" --

4 Mr. Mandolfo. When he used --

5 Mr. Schwartz. -- what did that mean?

6 Mr. Mandolfo. Yeah.

7 Mr. Archer. What I think, you know, it -- my speculation would be that he
8 was -- he's saying that, you know, we can't -- I can't guide my guy, you know, I can't guide
9 my father in what he's going to do on this trip, but let's get credit for it. I think that's
10 what it's saying here.

11 BY MR. MANDOLFO:

12 Q But if he --

13 A Yeah, reframe the question.

14 Q If he's counsel, why would he get credit for his dad going to the Ukraine?

15 A Well, yeah. Why would he get credit?

16 Q Yeah. What kind of credit was Hunter Biden trying to get?

17 A Speculating, I think he was getting --

18 Mr. Schwartz. He said at the beginning don't speculate. If you don't know, you
19 don't know.

20 Mr. Archer. He was getting paid a lot of money, and I think, you know, he
21 wanted to show value.

22 BY MR. MANDOLFO:

23 Q And was part of that value him bringing his dad to the Ukraine?

24 A I think in here it's clear that he's not bringing his dad, but he's saying, you
25 know, "I'm going to get credit for it."

1 Q But when you say "get credit" --

2 A He's not -- he was not determining -- he wasn't setting his dad's schedule to
3 bring him to Ukraine, I don't think.

4 Q Right. But when his dad's traveling to Ukraine, he's trying to have the
5 Burisma officials recognize that he should get credit, "he", being Hunter Biden, should get
6 credit for his dad traveling to Ukraine.

7 Would you agree with that?

8 A I would say that that's -- that's what that says. And if that's -- if that comes
9 accurately, that's what he's saying. I think it's pretty obvious.

10 Q And what do you think is obvious about it?

11 A He's saying -- again, I can't speculate, because I don't know if the email -- I'm
12 just reading that email.

13 Q But you've had other conversations with Hunter Biden. You were his
14 business partner for a long time.

15 A Uh-huh.

16 Q Did he talk about how bringing his dad either to Ukraine or using his dad as
17 Vice President would add value in the eyes of Burisma officials?

18 A Yes.

19 Q And how would that come up?

20 A I just think it's almost -- it's pretty obvious if you're, you know, you're the son
21 of a Vice President.

22 Mr. Schwartz. He's asking about specific conversations.

23 Mr. Archer. Yeah. Specific conversations, no. He would -- we would not talk
24 specifically about -- you know, he would not be so overt. And I think that's, you know, I
25 think that's another obvious point, that he would not say, okay, we're

1 going to -- we're -- you know, I'm overtly -- we're going to use my dad for this.

2 But I think he would -- you know, given the brand, I think he would look to, you
3 know, to get the leverage from it.

4 Q What kind of leverage was he trying to get by using his dad?

5 A I think it's more defensive, you know, defensive leverage that that the value
6 is there in his work.

7 Q I want to now show you, back to exhibit 1, tab 1, which is going to be the
8 payment.

9 A Sure.

10 Q And we just talked about this, so I'm just going to rehash it. But this email
11 happens on April 12th, 2014, where Hunter Biden talks about adding value.

12 And then, on April 15th of 2014, there's the first payment that comes in to
13 Rosemont Seneca Bohai.

14 And then are you aware -- I'll go to exhibit 3.

15 [Archer Exhibit No. 3

16 Was marked for identification.]

17 Mr. Archer. Uh-huh.

18 Mr. Mandolfo. We'll start from the bottom.

19 On April -- this is from Hunter Biden to Devon Archer dated April 22nd of 2014.

20 The subject is "Re: JRB in UKR." And I'll let you review it.

21 But, essentially, Hunter Biden copies and pastes what appears to be a quote from
22 his father's speech while Vice President Biden was in the Ukraine.

23 You then respond, "Wow. We need to make sure this ragtag temporary
24 government in the Ukraine understands the value of Burisma to its very existence."

25 Hunter Biden then said, "You should send to Vadym" -- and who is Vadym again?

1 Mr. Archer. Vadym is the corporate secretary of Burisma.

2 Mr. Mandolfo. "It makes it look like we are adding value."

3 This is in the beginning stages of when you're joining the board. And would you
4 agree with me this isn't legal advice that's adding value here that Hunter Biden is giving,
5 the value add that Hunter Biden brings to Burisma is Vice President Biden?

6 Mr. Schwartz. Was the question --

7 Mr. Archer. Yes.

8 Mr. Schwartz. -- what was the value that Hunter Biden brought to Burisma?

9 Mr. Archer. The value was -- the value that Hunter Biden brought to it was
10 having -- you know, there was -- the theoretical was corporate governance, but obviously,
11 given the brand, that was a large part of the value. I don't think it was the sole value,
12 but I do think that was a key component of the value.

13 Mr. Mandolfo. You keep saying "the brand," but by "brand" you mean the Biden
14 family, correct?

15 Mr. Archer. Correct.

16 Mr. Mandolfo. And that brand is what, in your opinion, was the majority of what
17 the value that was delivered from Hunter Biden to Burisma?

18 Mr. Archer. I didn't say majority, but I wouldn't speculate on percentages. But
19 I do think that that was an element of it.

20 Mr. Biggs. When you say "Biden family" -- sorry to cut in here. I just want to
21 get a clarification.

22 You aren't talking about Dr. Jill or anybody else. You're talking about Joe Biden.
23 Is that fair to say?

24 Mr. Archer. Yeah, that's fair to say. Listen, I think it's -- I don't think about it as,
25 you know, Joe directly, but it's fair. That's fair to say. Obviously, that brought the

1 most value to the brand.

2 Mr. Biggs. Thank you.

3 Mr. Mandolfo. I want to go back to another point you said earlier. You said
4 Hunter Biden didn't overtly talk about how he would use his -- and if I'm
5 mischaracterizing this or getting it incorrect, please correct me -- but that he wouldn't use
6 overtly that he's going to use his father or his father's name in order to add value or
7 maximize what he could get from others.

8 So how did you know that that's one of the ways that Hunter Biden was, like,
9 meeting with officials from Burisma or getting access to officials with Burisma or getting a
10 job that paid a million dollars? What is -- how did you know that?

11 Mr. Schwartz. Know what?

12 Mr. Archer. Yeah, say it again.

13 Mr. Mandolfo. That Hunter Biden was adding value. His value that he was
14 adding was, in part, as you said, his family.

15 Mr. Archer. Uh-huh.

16 Mr. Mandolfo. And so what is your basis for knowing that?

17 Mr. Archer. My basis for knowing that? Well, I think there was -- there are
18 particular, you know, objectives that Burisma was trying to accomplish.

19 And a lot of it's about opening doors, you know, globally in D.C. And I think that,
20 you know, that was the, you know -- and then obviously having those doors opened, you
21 know, sent the right signals, you know, for Burisma to, you know, carry on its business
22 and be successful.

23 Obviously, that all backfired, you know, terribly for them, and I think Mykola is in
24 hiding in Cypress right now.

25 But, yeah, I think -- how did I know? It's just -- I mean, it's a lot -- it's how this

1 town works as an outsider looking in.

2 [Archer Exhibit No. 4

3 Was marked for identification.]

4 BY MR. MANDOLFO:

5 Q And I now want to turn your attention to exhibit 4. And this is an email
6 from you to Vadym Pozharskyi.

7 A Saying, "This works for me"?

8 Q I'm just going to put everyone else who's on it too. Copying Hunter Biden,
9 Sebastian Momtazi, and Joan Peugh.

10 A Uh-huh.

11 Q Dated October 5th of 2015, with the subject "Re: Next BoD meeting."
12 And then starting at the bottom, it appears to be an email from Mr. Pozharskyi, and it
13 describes a board of directors meeting in the first week of December in Dubai, and that
14 people would fly in on December 3rd, and then there would be a board of directors
15 meeting midday of December 4th.

16 And then your response, as you just said, was, "This works for me," correct?

17 A Uh-huh. Correct.

18 Q Do you recall the board of directors meeting in Dubai?

19 A Yes.

20 Q Before going to Dubai, do you remember going to Kyiv in Ukraine?

21 A I don't remember. Like right on that same trip?

22 Q Yes.

23 A Did I?

24 Q If you don't remember, you don't remember.

25 A I don't remember.

1 Q It's not a trick question.

2 A I don't -- on that particular trip in December? You know, I've been to Kyiv,
3 but I don't remember it being connected with that trip. It was December what year?

4 Q Of 2015.

5 Mr. Schwartz. If you don't remember, it's okay.

6 Mr. Archer. I'm sorry. I don't remember. I'm not -- I don't remember if we
7 stopped there.

8 BY MR. MANDOLFO:

9 Q And do you remember going to the board of directors meetings in Dubai?

10 A Yes.

11 Q And do you remember who was at that meeting?

12 A Yes. Alan Apter, Aleksander Kwasniewski, Mykola Zlochevsky, Vadym P.,
13 Hunter Biden, and then some other -- some other executives. And then there were two
14 Cypress board members that I can't remember their names.

15 Q And who is Alan Apter?

16 A He was a board member. He was a -- he's a London banker.

17 Q Do you remember what was discussed at the board meeting?

18 A December 2015?

19 Q Yes.

20 A We were -- we were in the -- Burisma Eurasia was in high gear, and we set up
21 a big office there. That was kind of my content like piece. As well as Burisma
22 Geothermal had been set up. I just came from a Geothermal conference in Reno, I
23 think, right before that. I just remember that because my brother joined.

24 So those are like my content. And the rest of it would have been, you know,
25 reviewing the financials and production and et cetera, et cetera.

1 Q And do you recall if Hunter Biden went on this trip?

2 A He did.

3 Q After the board of directors meeting, do you recall at any point going to
4 dinner with any other individuals afterwards?

5 A Yes. We had a board dinner.

6 Q And did you commonly have board dinners?

7 A Yes.

8 Q And who would attend the board dinners?

9 A Generally, everyone from the -- or some smaller subset. It wasn't limited,
10 but it would be -- I don't, like, remember the particular table or restaurant. I know we
11 stayed at the -- you know, the Burj Khalifa, the sail-looking structure in Dubai. So I think
12 we had dinner there.

13 Q And after dinner, did you and Hunter Biden go out for drinks?

14 A We did not. We did not go out for drinks. We were -- we -- I met him at
15 the Four Seasons or -- yeah, the Four Seasons. He stayed at the Four Seasons.

16 Q And what happened at the Four Seasons?

17 A We had -- we had coffee. I don't know if we had drinks. But we
18 were -- we met at the Four Seasons.

19 Q Did Hunter Biden during that time ever get a call from Mykola Zlochevsky or
20 Vadym Pozharskyi?

21 A Vadym and they both joined us at the Four Seasons.

22 Q Why did they join you?

23 A It was -- I mean, basically, after all -- that was normal course. Like after
24 all -- we kind of spent the 3 days together.

25 Q Did -- during that I'll say after dinner at the Four Seasons, did Mykola

1 Zlochevsky or Vadym ask Hunter Biden to make any phone calls?

2 A Yes, though I was not party to that phone call.

3 Q What was the request?

4 A The request was I think they were getting pressure and they requested
5 Hunter, you know, help them with some of that pressure.

6 Q What pressure?

7 A Government. Government pressure on their -- you know, government
8 pressure from Ukrainian Government investigations into Mykola, et cetera.

9 But it was -- it was not -- it wasn't like a specific -- not a specific request. It was
10 just we were sitting there at the Four Seasons having, you know, coffee and there
11 was -- there was Mykola, there was one of the managers for the Four Seasons who
12 managed that property, Vadym. So it wasn't like a closed -- it was not like a specific
13 meeting.

14 Q When you say pressure from the government, at this time were you aware
15 that Viktor Shokin was investigating Burisma?

16 A To the best, I vaguely -- whether it was Shokin, I vague -- there was a lot of
17 pressure initially. There was -- there was several pressure issues. It was kind of a
18 theme of Burisma.

19 There was capital tied up in London, 23 million pounds. There was, you know, a
20 U.S. visa denied and then a Mexico visa denied. And then there was -- so Shokin wasn't
21 specifically on my radar as being an individual that was -- that was targeting him. But
22 yes, there was constant pressure. And it was like -- it was like whack-a-mole in regards
23 to the pressures that had to resolve.

24 Mr. Jordan. The request from Mr. -- from Mykola Zlochevsky and Vadym to Mr.
25 Biden and/or if you said it was to you, the request for help from whom to deal with what

1 pressure?

2 Mr. Archer. The request -- you know, basically the request is like, can D.C. help?
3 But there were not -- you know, I'm not going to -- there were not -- it wasn't like -- there
4 weren't specific, you know, can the big guy help? It was -- it's always this amorphous,
5 can we get help in D.C.?

6 Mr. Jordan. The request was help from the United States Government to deal
7 with the pressure they were under from their prosecutor, and that entailed the freezing
8 of assets at the London bank and other things that were going on in Ukraine?

9 Mr. Archer. Correct.

10 Mr. Jordan. Okay.

11 Mr. Biggs. I just -- I think you might have just clarified. I just want to make
12 sure.

13 Mr. Archer. Sure.

14 Mr. Biggs. When you say D.C. help, like they said, we could use some D.C. help,
15 I'm not asking what you think they -- I'm asking what you interpreted that to mean?

16 Mr. Archer. Well, I'm still learning about it, but it seems like -- really a lot like at
17 the end of the day lobbying, you know, soft lobbying help, firm lobbying help.

18 I mean, there was constant, you know, constant pressure on them, and there
19 were various service providers hired and people working on, you know, help in D.C. A
20 lot of power is obviously flexed here. So that was a -- that was a constant, you know,
21 whether it was putting out fires or helping expand.

22 Mr. Biggs. So why do you think they were asking Mr. Biden for D.C. help if they
23 had -- I'm assuming what you're saying is they might have had some kind of lobbying
24 group on retainer, perhaps.

25 Mr. Archer. Yes.

1 Mr. Biggs. So why do you think they were asking Hunter Biden for D.C. help?

2 Mr. Archer. I mean, why?

3 Mr. Biggs. I mean, what did you take away from that?

4 Mr. Archer. Well, I mean, he was a lobbyist and an expert and obviously he
5 carried, you know, a very powerful name. So I think it was -- that's what they were
6 asking for.

7 They had -- they also -- you know, there was a firm, Blue Star Strategies, that was
8 hired to be, you know, kind of the -- I don't know if they were a lobbying firm or just
9 strategic advisory. It's still unclear what the difference is. But, you know, that was
10 part of the mix.

11 But it was -- yeah, it was a high-pressure environment, and there was -- there was
12 constant requests for help.

13 BY MR. MANDOLFO:

14 Q What did Hunter Biden do after he was given that request?

15 A Listen, I did not hear this phone call, but he -- he called his dad.

16 Q How do you know that?

17 A Because he -- because I think Vadym told me. But, again, it's unclear. I
18 just know that there was a call that happened there and I was not privy to it.

19 Q What did Vadym tell you about the call?

20 A Just that -- just that they -- "We called D.C." But he didn't -- you know,
21 again, it's not like the -- there was not a -- there was not, "Oh, we've got all our problems
22 solved" kind of, you know, revelation. I was -- I was not on that side of the equation and
23 kind of working on the lobbying side of the business.

24 Q When Vadym told you this, where were you?

25 A I was -- you know, basically what -- then we drove back to the hotel I was

1 staying at.

2 Q Who's "we"?

3 A Me, Vadym, and Mykola.

4 Q Was it during that drive back that Vadym told you that Hunter Biden had
5 called VP Biden at that time?

6 A It would have been at some point there or after. You know, maybe the
7 next day. Again, we spent -- you know, on a board trip where you travel with people
8 from all over the world, we spent 3 days together.

9 So the exact time I can't say, but that was the -- that was the -- that was -- that's
10 what happened.

11 Mr. Schwartz. He told you expressly he called his father or that he called D.C.?

12 Mr. Archer. D.C., D.C.

13 BY MR. MANDOLFO:

14 Q When he told you this, did you confront Hunter Biden about it at any point?

15 A No. I wouldn't have done that. Like confront him for what reason?

16 Q Well, if they -- "they" being Burisma -- are facing government pressure.

17 A Uh-huh.

18 Q And Vadym comes or Mykola comes to Hunter Biden and says, "We're facing
19 pressure, we need you to do something," and then Hunter Biden calls the Vice President
20 of the United States to do something, that could cause off some serious alarm bells for
21 influence peddling, conflicts of interest.

22 A Right.

23 Q I mean, Hunter Biden at this time is supposedly acting as the corporate
24 governance.

25 A Right.

1 Q But he's calling his father about --

2 A I think that it's even more reason that I was left out of these, you know,
3 black box D.C. types of -- types of conversations. I was working on the ground to build
4 the business.

5 Q What do you mean by that?

6 A Like, it was not -- I wasn't -- the pressures were -- were -- the pressures that
7 were exerted, I was -- that was a kind of a Blue Star, you know, the resources of
8 Rosemont Seneca Advisors or whatever the subsidiary in D.C. partners, that was like
9 that -- that world.

10 Q Are you aware that Vadym had told Blue Star that one of the
11 issues/pressures that he was facing was related to Shokin and the investigation into
12 Burisma?

13 A So -- yes. I was -- the narrative that was spun to me, quite frankly, just to
14 be -- and I remember this because, obviously, it's -- the narrative that was spun to me was
15 that Shokin was under control and that whoever the next person that was brought in
16 was -- you know, the fact that he was -- this is the total, this is the narrative spun to me,
17 that Shokin being fired was a -- was not good, because he was like under control as
18 relates to Mykola.

19 I have no way to verify that. And that was spun to me from various folks in D.C.,
20 not Hunter specifically, but that was what I was led to believe. Whether it's true or not,
21 I cannot speculate.

22 Q With that said, though, are you aware that Vadym specifically told Blue Star
23 Strategies that one of the issues that he wanted resolved was resolving Viktor Shokin's
24 investigation into Burisma?

25 A I don't recall Vadym saying that specifically. I don't -- but, again, I was spun

1 a narrative that was quite the opposite of that.

2 Q But not from Hunter Biden or Vadym, correct?

3 A Correct.

4 Q And not from Zlochevsky?

5 A No. Zlochevsky spoke very little English.

6 Q In addition to this phone call to -- that Hunter Biden made --

7 A Uh-huh.

8 Q -- have you ever been privy to Hunter Biden calling his father around other
9 either potential business investors or other foreign nationals who Hunter Biden or you
10 may have been trying to work with or were working with?

11 A Yes.

12 Q Can you please tell the committee about that?

13 A Again, it's -- as far as specifics, we can talk about it. But, you know, Hunter
14 spoke to his dad every day, right?

15 And so in certain circumstances, when you're in -- you know, if his dad calls him at
16 dinner and he picks up the phone, then there's a conversation. And the, you know, the
17 conversation is generally about the weather and, you know, what it's like in Norway or
18 Paris or wherever he may be. But that was -- yeah, that happened.

1

2 [11:30 a.m.]

3 BY MR. MANDOLFO:

4 Q Are you aware of Hunter Biden putting his -- or have been told that Hunter
5 Biden put his father on speakerphone during any of these interactions that you're just
6 describing now?

7 A Yes.

8 Q Can you please tell us about that?

9 A He put him on speakerphone, again, occasionally. Specifics, like, you know,
10 dinner -- you know, dinners occasionally.

11 Q Can you tell us about those dinners?

12 A Yeah. I remember a dinner in Paris with a French energy company that
13 was -- we were speaking to an advisor, and then -- we were speaking to. And it was
14 really a Rosemont Seneca Advisors type of -- a Rosemont Seneca Advisors kind of a pitch,
15 at the end of the day. And there was a talk, and he said that we're at this -- you know,
16 we're at this restaurant in Paris, and he put him on the speaker. So that did happen.
17 There were other people there.

18 Q Who else was there?

19 A There was me, myself; Hunter; Eric Schwerin; and then the executives from
20 the French energy company.

21 Q Do you remember the name of that company?

22 A I'm sure you could find it. It was probably, like, a 2011, you know, trip
23 planning. But it was a very large French energy company.

24 Q Are there other --

25 A And I believe they didn't -- they also didn't get the work, by the way, just an

1 FYI, so there's not much about it.

2 Q Do you recall other times where Hunter Biden placed his dad on
3 speakerphone?

4 A In you know, a dinner -- a dinner in -- with BHR, with Jonathan Li.

5 Q Where was that dinner?

6 A In Beijing, at, you know, some restaurant -- or Chengdu or something like
7 that. I don't remember the -- I don't remember specifics. This was just -- it was
8 not -- it was like a, you know -- especially with the time zone difference, there was -- you
9 know, there were meetings where his dad would call and he would be talking to him or
10 put him on speaker. I'm not going to -- you know, that's -- that happened.

11 Q And with the phone call with Jonathan Li, do you recall what was said while
12 VP Biden --

13 A Yeah.

14 Q -- was on the call?

15 A I mean, on any of the specifics, like, from a blanket perspective, it was
16 always, you know, what's the -- you know, not necessarily the weather, but, you know,
17 there's no -- there was no -- and I think you have to understand that there was no
18 business conversation about a cap table or a fee or anything like that. It was, you know,
19 just general niceties and, you know, conversation in general, you know, about the
20 geography, about the weather, whatever it may be.

21 But just on -- as far as, like, a blanket for all of them, let's just go with the -- there
22 was not a specific time that I witnessed a, you know, specific business deal or business
23 dealings or, you know, specifics about any kind of financial stuff.

24 Mr. Jordan. Would he just say, like, "Hey, guys, my dad's on the phone. Dad,
25 can you say hi to" --

1 Mr. Archer. Yeah.

2 Mr. Jordan. -- you know --

3 Mr. Archer. There you go. See? Politician.

4 Mr. Jordan. Well, I'm sure that that took place in addition to just talking about
5 the weather.

6 Mr. Archer. Yeah.

7 Mr. Jordan. So let me go back to -- so you're in Dubai in this December meeting.

8 And you and Zlochevsky and Vadym Pozharskyi are staying at the one hotel where the
9 board meeting's at. After the board meeting, you go to the --

10 Mr. Archer. Four Seasons.

11 Mr. Jordan. You go to the Four Seasons for dinner. And then you stay for
12 drinks later.

13 Mr. Archer. No. We -- just on that night of the -- I believe we had dinner at the
14 Burj -- the Burj -- not the tall -- the sail. Burj Khalifa or Burj Al Arab? Burj Al Arab.

15 Mr. Jordan. Did you ride with -- did you all three ride together from the one
16 hotel? Did you take a cab or --

17 Mr. Archer. No. Hunter -- Hunter went before us.

18 Mr. Jordan. No, the three of you who were staying there --

19 Mr. Archer. Yeah, we --

20 Mr. Jordan. -- Vadym, you, and --

21 Mr. Archer. We did. We took a --

22 Mr. Jordan. -- Zlochevsky.

23 Mr. Archer. Uh-huh. We took a --

24 Mr. Jordan. Okay. So you get there; you have dinner. Sometime during
25 dinner, Zlochevsky requests help with the U.S. Government to deal with Ukrainian

1 prosecution situation. Is that right?

2 Mr. Archer. Not -- that's a -- that's a little bit -- that's a little bit of -- that's
3 speculation. "We're under pressure. We need to go -- we want to talk to Hunter."

4 So I think -- and let me back up there. I think how you just rehashed that -- we
5 all had dinner, like a board dinner, at the Burj Al Arab --

6 Mr. Jordan. Then you go for drinks afterward.

7 Mr. Archer. Then -- then Hunter went to the Four Seasons. That was -- and he
8 met his -- you know, one of his friends was a manager and used to be in Georgetown.

9 And then we -- you know, later in the evening, we went over there, you know, not,
10 like -- whatever. I don't know the time. And then Vadym, Zlochevsky, and myself
11 went --

12 Mr. Jordan. Right.

13 Mr. Archer. -- later.

14 Mr. Jordan. Okay.

15 Mr. Archer. So that's when we met up. And they were -- you know, they
16 were -- it was this, you know, specifically under -- you know, they were feeling the heat or
17 whatever. And they were like, okay, can we -- can we call D.C.

18 And, again, I can't -- on that particular -- you know, there were conference calls
19 where we talked around the table. On that call, I was not in the earshot of that -- of
20 that. But I know that there was -- you know, there was a call made.

21 Mr. Jordan. Okay.

22 Mr. Archer. But that was the sequence of events.

23 BY MR. MANDOLFO:

24 Q And that call that was made, that was on December 4th of 2015?

25 A On or around.

1 Q And then just 5 days later, Vice President Biden has a trip to the Ukraine, and
2 he makes a statement: "It's not enough to set up a new anti-corruption bureau and
3 establish a special prosecutor fighting corruption. The Office of the General Prosecutor
4 desperately needs reform."

5 I know you've talked about these different pressures, but when VP Biden comes
6 on December 9th of 2015, he talks about the specific pressure of the Office of the General
7 Prosecutor.

8 And so, based upon that, is it your testimony here that Hunter Biden, Viktor
9 Shokin never -- excuse me -- Hunter Biden and Vadym never discussed the investigation
10 by Shokin into Burisma?

11 Mr. Schwartz. You're asking --

12 Mr. Archer. I can't --

13 Mr. Schwartz. -- what conversation he was personally privy to?

14 Mr. Mandolfo. Yes.

15 Mr. Schwartz. I think he answered that already.

16 Mr. Archer. Yeah. I was --

17 BY MR. MANDOLFO:

18 Q Ever?

19 A Yeah. I was -- and I answered it before. I was spun a narrative that
20 Shokin was good for Burisma from --

21 Q But that was not from Hunter Biden or --

22 A No --

23 Q -- Vadym?

24 A -- it wasn't from Hunter. I can't say it was from Hunter. So --

25 Mr. Schwartz. The answer --

1 Mr. Archer. Yeah, no.

2 Mr. Schwartz. -- is, no, no such conversation happened.

3 Mr. Archer. Right. No, that didn't happen. But, again, I was left out of
4 everything.

5 BY MR. MANDOLFO:

6 Q I want to turn your attention now -- how much time do we have left for the
7 first hour?

8 Mr. Abourisk. About 6 minutes, 5-1/2 minutes.

9 Mr. Mandolfo. Okay.

10 BY MR. MANDOLFO:

11 Q -- turn your attention now to spring of 2015, dinner at Cafe Milano, where I
12 believe Vice President Biden attended as well.

13 Can you tell us about that dinner? Who was there?

14 A Okay. Could you repeat the date?

15 Q It's the spring or April of 2015, around --

16 A April 2015.

17 Mr. Schwartz. The second one.

18 Mr. Archer. Oh, the second -- there you go.

19 Yes, Vice President Biden did attend.

20 BY MR. MANDOLFO:

21 Q And who else was there?

22 A There was two dinners.

23 At that diner, it was Vadym, Karim Massimov -- so Vadym P. from Burisma; Karim
24 Massimov; a Greek priest, Orthodox priest; I think -- I believe someone from the World
25 Food Programme. I think that was the -- and then there -- do you have others?

1 Q What about Kenes Rakishev?

2 A No, he was not there at the second dinner.

3 Q Was he at the first dinner?

4 A Yes.

5 Q And for the second dinner, was Yelena Baturina there?

6 A I believe -- I believe she was at the first dinner. Yeah.

7 Q What about the --

8 A She was at the first dinner, yes.

9 Q We can start with the first dinner.

10 A Yeah, why don't we do that.

11 Q Why don't we start with the first dinner. Who was at the first dinner?

12 A So the first dinner was Karim Massimov, who's -- he's a friend of mine,
13 unfortunately for him.

14 Karim. Yelena Baturina. Kenes Rakishev. It's revisionist history. I believe
15 Yury, her husband, was there. I can't -- because I see in the emails, but I can't -- he
16 didn't make much of an impact, because I don't remember -- I don't have that, like, visual,
17 but he very well could've been there -- the late Yury. And Joe Biden. Hunter Biden.
18 Possibly Eric Schwerin, possibly not.

19 But that was -- that was -- that was generally it. There might be some others, if
20 you -- you guys have the information closer to -- I haven't thought about this in a while.

21 Q Who was Kenes Rakishev?

22 A He was a -- he's a businessman from -- he's a Kazakh
23 native -- Europe -- Europe and Kazakhstan.

24 Q And, then, who was Yelena Baturina?

25 A She was the -- she was the CEO, chairman, founder, owner of Inteco, which

1 is one of the largest -- or was the largest real estate company in Russia, Eastern Europe.

2 And she was the wife of Yury -- last name escapes me right this second, but --

3 Q Luzhkov?

4 A Yeah, who was the mayor of Moscow.

5 Q When did Joe Biden arrive at the dinner, if you can recall?

6 A He arrived somewhere -- you know, sometime after we had started, but
7 not -- I don't think we had eaten yet, but at some point he arrived. It was dark.

8 Q And do you remember, when he arrived, what he did, who he talked to?

9 A Yeah. He entered the room and shook everybody's hand. And, you know,
10 the conversation -- you know, again, I don't want to be -- it's important that I'm accurate.
11 I don't really remember it. You know, I don't -- not really. I don't remember the
12 conversation. I just remember that he was -- he came to dinner, and we ate and kind of
13 talked about the world, I guess, and the weather, and then everybody -- everybody left.

14 As far as -- I know you're probably going to ask, you know, how much time. I
15 don't -- it wasn't 5 minutes; it wasn't 3 hours.

16 Mr. Mandolfo. How much time do we have?

17 Mr. Abourisk. We're about at the hour.

18 Mr. Mandolfo. Okay. We're at about the hour, so we'll take a 10-minute break
19 for the bathroom, and then we'll come back. Thank you.

20 Off the record.

21 Mr. Archer. Off the record.

22 [Recess.]

1

2 [11:56 a.m.]

3 Mr. Mandolfo. We'll go back on the record.

4 Mr. Schwartz. Before you resume, I just want to clarify something from before
5 the break.

6 Mr. Mandolfo. Okay.

7 Mr. Schwartz. And I'll ask the question so you get his testimony.

8 So, Mr. Archer, you talked before about a meeting and a subsequent phone call
9 that occurred in Dubai. Do you recall that?

10 Mr. Archer. Yes.

11 Mr. Schwartz. All right. So, just to clarify, before Hunter Biden made a phone
12 call, there was a reference to making a call to D.C.?

13 Mr. Archer. Correct.

14 Mr. Schwartz. And, afterwards, Vadym told you that they had called D.C.?

15 Mr. Archer. Correct.

16 Mr. Schwartz. You did not hear that phone call?

17 Mr. Archer. I did not hear that phone call.

18 Mr. Schwartz. Did anyone ever tell you that that call was to Vice President
19 Biden?

20 Mr. Archer. No, they did not tell me that.

21 Mr. Schwartz. Do you know to whom they made the phone call?

22 Mr. Archer. I don't know who they made the phone call to.

23 Mr. Schwartz. So you don't know one way or the other whether it was to Vice
24 President Biden?

25 Mr. Archer. I do not know one way or the other whether it was to him. "D.C."

1 BY MR. MANDOLFO:

2 Q When Hunter Biden would travel internationally, do you know what phones
3 he would use?

4 A He would use I think generally his iPhone. I don't think he had other
5 phones. The iPhone. No burners.

6 Q And are you aware that he used the same --

7 Mr. Schwartz. You've got to let him ask all the questions.

8 Mr. Archer. Sorry.

9 Mr. Schwartz. Now they have you saying that word first, when he was going to
10 ask you about it.

11 Mr. Archer. I know, but I just have seen it so many times.

12 BY MR. MANDOLFO:

13 Q Are you aware if he used the same phone number then that he has now?
14 In the sense that have been referenced in these emails, is it that same phone number?

15 A I'm -- yeah, I'm fair- -- I could speculate that he used the same phone
16 generally.

17 Q The same phone number? You didn't see him using different phone
18 numbers?

19 A I didn't, no, to be honest.

20 Q And I want to go back to Dubai during that meeting.

21 A Uh-huh.

22 Q There was a request, as I understand it, to release pressure and Hunter
23 Biden to call D.C., is how you understand it, correct?

24 A Correct.

25 Q Where were you when the phone call took place?

1 A I was on the -- I was on, like, an outside deck of the Four Seasons in Dubai,
2 which is kind of on the water, next to a pier.

3 Q Where was Vadym and Hunter Biden at that time?

4 A More inland, on another deck.

5 Q Why were you away from them if you were all there together?

6 A I was -- why was I away from -- I don't have a -- I think I was speaking -- I
7 believe I was in conversation with the manager of the hotel.

8 Q Did they ask you to leave at any point?

9 A No. They left me.

10 Q And when you say they left you, they were at the same spot where you were
11 with the manager --

12 A Uh-huh. Yes.

13 Q -- and then Vadym and Hunter Biden then left where you were?

14 A Correct.

15 Q And that's when you believe the phone call was made?

16 A Correct.

17 Mr. Greenberg. And Mykola Zlochevsky also accompanied them?

18 Mr. Archer. Yes.

19 Mr. Greenberg. Did they tell you why they were stepping away?

20 Mr. Archer. Did they tell -- I can't recall. It was more of an organic situation.

21 You know, it wasn't like, "We're getting up to call." It was just, as I -- as we -- just went
22 over.

23 BY MR. MANDOLFO:

24 Q How long did the phone call take place for?

25 A That I can't recall. It wasn't 2 hours, and it wasn't 5 minutes.

1 Q So you think the call was longer than 5 minutes?

2 A I don't --

3 Mr. Schwartz. Well, when you say "the call," you mean the time period --

4 Mr. Archer. The time period -- yeah.

5 Mr. Schwartz. -- that they stepped away from --

6 Mr. Archer. Yeah. Let me clarify.

7 The time period that they stepped away from me for was probably -- was longer
8 than 5 and shorter than an hour. But I just -- it's a long time ago.

9 BY MR. MANDOLFO:

10 Q How many times would you say that Hunter Biden put his father on
11 speakerphone or referenced his father being on the phone in front of others who were
12 either foreign investors or foreign nationals who he was soliciting business with or
13 working with, approximately?

14 A Approximately? The differentiation between investor and normal course
15 of day -- you know, that's a very hard thing to speculate on. But he -- they spoke every
16 day. He acknowledged that they spoke every day. And he would -- you know, he
17 would sometimes make it apparent that he spoke to his dad, and sometimes he put him
18 on speaker.

19 But as far as quantifying the number, you know, relative to investors, I don't know.

20 Q Not necessarily investors but with people who Hunter Biden was trying to
21 either get business with or make contacts with or add value to?

22 A In my 10 -- in my whole partnership, maybe 20 times.

23 Q And during those 20 times, did Hunter Biden ever place his dad on
24 speakerphone?

25 A Yes.

1 Q And, before, you had said that they would talk about what, when he was on
2 speakerphone?

3 A Say, where are you, how's the weather, how's the fishing, how's
4 the -- whatever it may be, whatever -- but -- you know, it was very, you know, casual
5 conversations about -- you know, not about cap tables or financials or anything like that.

6 Q But the purpose wasn't for Vice President Biden to do cap tables or to break
7 down the different business deals. Would you agree with me that the purpose was that
8 that was Hunter Biden's value-add? That's what he would bring, in part at least, to the
9 table if the foreign nationals or businesses were to retain him?

10 Mr. Schwartz. So you're asking him to speculate about the purpose --

11 Mr. Mandolfo. I'm asking his opinion, not his speculation.

12 Mr. Schwartz. Well, first of all, you haven't asked him if these phone calls
13 occurred when they were not with business associates, when they were not talking to
14 investors.

15 Did he behave differently when he was with friends?

16 Mr. Archer. No, that's -- no, he did not behave differently. It was the same
17 course of action. Phone calls.

18 BY MR. MANDOLFO:

19 Q But if I were to just call my dad right now and put him on speakerphone and
20 we're in a professional business meeting here, would that be odd to you?

21 A Would that be odd to me?

22 Q Yes.

23 A That would be odd, if you called your dad right now.

24 Q So there is a time and a place when it's professional to do -- excuse
25 me -- where you're in a personal meeting and you may call your dad or a family member

1 if you're with family. But if you're in a professional meeting and you're meeting foreign
2 business leaders or whoever it may be and you just place your dad on speakerphone on
3 the table, that's a little odd, isn't it?

4 A That is a little odd. I mean, it's not odd -- I mean, it's quite obvious what
5 we're talking around.

6 Q So what are we talking about? You are talking around it, and so I'd like to
7 get out, what are we talking about here?

8 A That, I think, at the end of the day, part of what was delivered is the brand.
9 I mean, it's like anything, you know, if you're Jamie Dimon's son or any CEO. You know, I
10 think that that's what we're talking about, is that there was brand being delivered along
11 with other capabilities and reach.

12 Mr. Biggs. Could I ask --

13 Mr. Archer. I think "brand" is the best way to describe it.

14 Mr. Biggs. Yeah. So a couple questions with regard to that. I appreciate
15 saying "brand." You and I talked about that earlier, and we talked about how the main
16 brand is Joe Biden -- not the Biden family, but Joe Biden.

17 So I'm going to ask you just a couple questions along that, based on what you just
18 said --

19 Mr. Archer. Sure.

20 Mr. Biggs. -- what you just answered.

21 Did you or your partners ever design or discuss that you were going to use political
22 influence to try to raise capital or to further the business?

23 Mr. Archer. So --

24 Mr. Schwartz. Did you have discussions --

25 Mr. Archer. Yeah, did we have discussions --

1 Mr. Biggs. I didn't ask if you had discussions. I just said, did you and your
2 partners --

3 Mr. Schwartz. Discuss.

4 Mr. Biggs. -- ever talk about it?

5 Mr. Archer. No. How we would -- How I would characterize that is that we,
6 you know --

7 Mr. Schwartz. He asked you a "yes" or "no" question. Did you have discussions
8 with your business partners --

9 Mr. Biggs. Well, let me rephrase, because I think you're not quite getting the
10 essence.

11 So I'll ask the question again, and then you can answer "yes" or "no," and then we
12 can elaborate, if we want to, at that point, okay?

13 Mr. Archer. Uh-huh.

14 Mr. Biggs. Did you or your partners design or seek to use political influence to
15 help you raise capital or further your business?

16 Mr. Archer. I would -- can I answer it with a --

17 Mr. Biggs. Yes. Of course.

18 Mr. Archer. We would discuss having, you know, an understanding of D.C., and
19 that was a differentiating component of us being able to raise capital.

20 So we would -- it wasn't as, you know, specific as, okay, you know, just down to
21 individuals or, you know, the Vice President's son. But, obviously, the brand carried.
22 Because we'd say, you know, what gives you a unique advantage to start up Rosemont
23 Seneca Technology Partners or Rosemont Realty? And that was just, you know, you're
24 in a competitive environment out there trying to raise capital for various investment
25 initiatives, and you would say, "Okay, well, we have a D.C. office." I mean, I think a lot

1 of -- pretty much every, you know, bank and --

2 Mr. Biggs. Did you -- did you --

3 Mr. Archer. -- firm would do the same.

4 Mr. Biggs. I'm sorry. I didn't want to cut you short.

5 Mr. Archer. Yeah, no worries.

6 Mr. Biggs. Did you intimate ever that that would give you some kind of unique
7 access, as you were meeting with clients or businesses, unique access because of the
8 familial relationship that Hunter Biden had with his father, at that time the Vice
9 President?

10 Mr. Archer. Yeah, again, I think I answered that in the same -- in -- before. Yes,
11 we would say we had unique understanding of D.C. and how it operates and how that,
12 you know, could positively reflect on the terms of our business. So, yes.

13 Mr. Biggs. Thank you.

14 Did Hunter Biden ever indicate to you that soliciting Chinese
15 investments -- Chinese investments -- was important to his family, and particularly with
16 reference to his father?

17 Mr. Archer. Soliciting Chinese investments in what regards? Raising capital
18 for --

19 Mr. Biggs. Yeah.

20 Mr. Archer. So, with BHR, we weren't responsible -- we didn't have a fundraising
21 capacity. We were out -- we were deal-sourcing for the initial -- that's what we're
22 talking about generally, BHR? Or -- I don't have much -- I don't have anything --

23 Mr. Biggs. Yeah, I would say BHR.

24 Mr. Archer. Yeah. So BHR Partners, it was a cross-border fund -- you know,
25 Bohai Sea Industrial Fund, Harvest. They were setting up a private equity fund, and they

1 wanted to go out and buy -- you know, basically buy assets outside of China.

2 Mr. Biggs. But did --

3 Mr. Archer. So we didn't raise capital from the Chinese.

4 Mr. Biggs. Okay, but the crux of the question is, did Hunter Biden ever talk to
5 you about how important that relationship with China was to his family, particularly to his
6 father?

7 Mr. Archer. No, not -- not -- not specifically. No.

8 Mr. Biggs. And did Hunter ever indicate to you that the Chinese anticipated that
9 after his father was out of office he might join their company with -- one of their
10 companies as a paid advisor?

11 Mr. Archer. Did he intimate that --

12 Mr. Biggs. Did he indicate that to you?

13 Mr. Archer. I don't recall, but potentially.

14 Mr. Biggs. You don't recall, but it's not new to you, is what you're saying.

15 Mr. Archer. It's not new to me.

16 Mr. Biggs. Thank you.

17 I yield back to you.

18 Thank you for -- thanks for answering my questions.

19 Mr. Archer. Yeah.

20 BY MR. MANDOLFO:

21 Q Going back to the calls that Hunter Biden would put on speakerphone with
22 his father and others, can you describe what the other people would say, if you can recall,
23 after Hunter Biden did that?

24 Because I'll tell you, just from an everyday American, if someone were to put the
25 Vice President of the United States on the phone right in front of you, it'd be pretty

1 impressive --

2 A Absolutely.

3 Q -- and I would think there would be some sort of reaction from those people.

4 A Yeah, I think everybody -- I think everybody remains, you know, cool and
5 calm like it was, you know -- and then probably called their friends and family and said
6 that they spoke to him. But, you know, the reaction -- I don't have any specifics of, like,
7 people jumping up and giving high-fives, but I think it was, you know, a signal that, you
8 know, they respected and thought was of value.

9 Q And I want to talk about the value. Going back to this, it would be, spring
10 of 2014 Cafe Milano dinner --

11 A Uh-huh. The spring of '14, yeah, the first one.

12 Q And since we talked about it before the break, if you could just recap. Can
13 you just say again who was there?

14 A Sure. Kenes Rakishev, Karim Massimov, Yelena Baturina, possibly Yury,
15 Hunter Biden, Joe Biden, possibly Eric Schwerin.

16 Q The duration of time that Joe Biden stayed there you said you couldn't recall.
17 But do you recall whether he had dinner or whether --

18 A He had dinner, yeah. I recall that he had dinner. It was a regular -- not a
19 long dinner, but dinner.

20 Q And so this dinner takes place in spring of 2014, approximately. But then
21 do you recall getting a wire on February 14th of 2014 from Yelena Baturina for
22 \$3.5 million to Rosemont Seneca Thornton?

23 A To Rosemont Seneca Thornton?

24 Q Yes.

25 A Yes. And why I remember that is from the -- from other testimony. Yes.

1 Mr. Schwartz. Yes. In other words, his memory has been refreshed. He
2 doesn't remember that it happened.

3 Mr. Archer. Exactly. My memory has been refreshed.

4 BY MR. MANDOLFO:

5 Q And, also, there was a wire from a company related to Kenes Rakishev
6 for -- and it's in tab 1 -- for \$142,300?

7 A Yes. Again, I've been refreshed. Very familiar.

8 Q So, leading up to this dinner at spring 2014 at Cafe Milano, the -- I'm going to
9 call it the RST account --

10 A Uh-huh.

11 Q -- and the RSB account had received wires from both Yelena Baturina as well
12 as --

13 A Yeah.

14 Q -- Kenes Rakishev?

15 A Yes. This is -- let me just explain that.

16 So, with Yelena Baturina, it was from Inteco. And Inteco invested -- we're really
17 not sure why that 3.5 went to RST. Inteco invested close to \$120 million with us in
18 Rosemont Realty. So, you know, on that particular wire, there was some commission
19 element. There was a -- two warehouses in Brooklyn. I don't know what the specifics
20 of the wire were, but it was -- quite frankly, it was not supposed to go there, but that's
21 where it went.

22 And RST was set up to be the equity shareholder of BHR. So Rosemont Seneca
23 Bohai ends up being the shareholder of BHR, the "R" -- you know, so -- but we'd set up
24 RST with this group called Thornton, which was once the group that introduced us to
25 Bohai. And because their regulation to own 30 percent -- so I think RST was in existence

1 for about 30 days. Because to own -- so there's three -- there was three partners: RSB,
2 which was Hunter and myself, and then Thornton, and 30 percent broke a threshold of
3 owning BHR.

4 So you had this, like -- I mean, it's -- you know, because, obviously, it's gone over
5 and over -- that was, like, really -- like, it was a mistake, because it didn't meet the
6 regulatory hurdles of BHR to be below 24.9 percent. Otherwise, you have to register
7 with their equivalent of the SEC as a shareholder. So that was a little bit of an anomaly.

8 But the 3.5 was a Rosemont Realty component of a \$118 million, \$120 million
9 investment.

10 Q The "T" in RST, Rosemont Seneca --

11 A Thornton.

12 Q -- Thornton, is Bulger, correct?

13 A Yes.

14 [Archer Exhibit No. 6

15 Was marked for identification.]

16 BY MR. MANDOLFO:

17 Q And I want to show you exhibit 6.

18 We've looked over and subpoenaed the Rosemont Seneca Thornton documents,
19 and one of the beneficiaries for Rosemont Seneca Thornton is Rosemont Seneca Partners.

20 And so I just want to see that -- who was the chairman of Rosemont Seneca Partners?

21 A Hunter.

22 Mr. Schwartz. Is that accurate, or you're just reading this?

23 Mr. Archer. I was just --

24 Mr. Schwartz. His question is, who was the chairman of Rosemont Seneca
25 Partners?

1 Mr. Archer. Rosemont Seneca Partners, yes, that is -- that's accurate.

2 But RST was, like, kind of a mistake, at the end of the day. Not -- it wasn't a
3 mistake; it was just, like, a regulatory thing that we set up mistakenly, basically.

4 BY MR. MANDOLFO:

5 Q We've also traced the money, the \$3.5 million, that came from Yelena
6 Baturina, and over \$2 million of that travels into Rosemont Seneca Bohai.

7 A Right.

8 Q Do you know why over \$2 million of that was going to Rosemont Seneca
9 Bohai, which was the same account also where Hunter Biden was receiving his money?

10 Mr. Schwartz. So I'm going to let him answer this question, but Yelena Baturina
11 is not within scope of this interview. It's not one of the names that you gave us, it's
12 not --

13 Mr. Mandolfo. Well, it's one of the wires that I highlighted.

14 Mr. Schwartz. But, again, the letter which I sent you makes clear that everything
15 is limited by the scope.

16 There's all sorts of stuff in those documents that is in scope and out of scope.
17 The documents are ones that you might use. I don't know for what purpose you were
18 going to use them. Only you knew your questions. But we had negotiated a scope
19 that included very specific people and entities, and --

20 Mr. Mandolfo. But Rosemont Seneca --

21 Mr. Schwartz. -- she was not one of them.

22 Mr. Mandolfo. -- Thornton was negotiated.

23 Mr. Schwartz. So that's why I said I'm not going to stop you from asking this
24 question. But we should move off of Yelena Baturina, in part because he's not prepared
25 to testify, so you're going to get less accurate answers.

1 Mr. Archer. Yeah, and I would -- the scope -- Yelena Baturina, just to get -- is a
2 total Rosemont Realty -- she's a Rosemont Realty -- so whether it was, like, an accounting
3 that was owed or not --

4 Mr. Schwartz. All right. His question is, why did that money go from Thornton
5 to Bohai?

6 Mr. Archer. Thornton to Bohai. Probably because it was owed --

7 Mr. Schwartz. Because they're representing it did.

8 Mr. Archer. Yeah. I'm not -- I can't answer that.

9 But the Rosemont Realty relationship, though he met her once, was -- it is --

10 BY MR. MANDOLFO:

11 Q "He met her." Who is --

12 A Hunter met Yelena once, at that same Lake Como meeting. But there was
13 no -- he was not involved. I think we put him on the advisory board for a minute. And
14 he was really -- Rosemont Realty was completely out of his, kind of, portfolio.

15 Q When was that Lake Como meeting?

16 A That was the meeting I referred to earlier, was probably in May of 2014.
17 That was the transition from legal representation to board member.

18 Q And I want to turn to tab 1.

19 A Sure.

20 Q And, for the record, Kenes Rakishev is in Appendix B.

21 A Uh-huh.

22 Q There's a wire, an incoming wire, to the Rosemont Seneca Bohai account for
23 April 22nd of 2014 for \$142,300.

24 Soon thereafter, there's an outgoing wire, which appears to be the next day, to a
25 beneficiary of Schneider Nelson Motor for this exact same amount.

1 What was -- first off, our understanding is that Novitas Holdings, PTE Ltd. is
2 associated Kenes Rakishev.

3 A That's my understanding.

4 Q Why did Rosemont Seneca Bohai receive this \$142,000 payment from
5 Rakishev?

6 A It was for a car.

7 Q Whose car?

8 A Also, let me clarify. I didn't do -- I didn't, like, do the actual banking, so --

9 Q Who did?

10 A Sebastian Momtazi.

11 Q And Sebastian --

12 A So, like, I wouldn't have sent these wires or received these wires or, like,
13 pressed "go" or -- he would have some rubber stamp, you know, and do it. Hunter
14 interfaced with him. But I know this was for a car.

15 Q Did Sebastian work for Rosemont? One of --

16 A Yeah.

17 Q -- the Rosemonts?

18 A He worked for one of them. I don't know -- I forget --

19 Q Do you remember which one?

20 A Rosemont Realty. First Rosemont Capital, then transitioned to Rosemont
21 Realty.

22 Q What was purpose of this wire?

23 A It was for a car.

24 Q For whose car?

25 A For Hunter's car.

1 Q Was this a Porsche?

2 A It gets a little foggy here. I believe it was a Fisker first and then a Porsche.

3 But it was -- yes, it --

4 Q For an expensive car.

5 A For an expensive car, yes. It gets a little -- yes.

6 Q And you talked earlier about Kenes Rakishev. Do you know his
7 relationship -- and I don't mean familial; I just mean business relationship -- with Prime
8 Minister Karim Massimov?

9 A Do I -- yeah, his relationship? They knew each other.

10 Q How?

11 A Kenes is a prominent -- you know, is a prominent businessman in
12 Kazakhstan, in Europe. He also has a prominent family. So that -- they -- Karim was
13 the Prime Minister, and therefore they knew each other.

14 Q And now I'm going to take you back --

15 A Sure.

16 Q -- to the spring 2014 dinner, where two of the attendees, would you agree
17 with me, one had sent a wire to RSB account for \$142,000 and another one of the
18 attendees had sent a wire to RST for \$3.5 million? Is that correct?

19 A It is not completely correct, because the RST transfer was part of a much
20 bigger investment program, but the first part is correct.

21 Q But these are people who you and Hunter Biden are in business with,
22 correct?

23 A Correct. Well, with Kenes, no -- I mean, I don't think he ever -- Kenes was
24 pitched -- was pitched to Rosemont Realty, but I don't think he ever -- he never -- the only
25 thing that I think ever transacted was a car.

1 Q Well, why did he send --

2 Mr. Schwartz. And what was Hunter's connection to Rosemont Realty?

3 Mr. Archer. Minimal.

4 Mr. Schwartz. Right. So was he in business with --

5 Mr. Archer. He was not --

6 Mr. Schwartz. -- investors in Rosemont Realty?

7 Mr. Archer. No. Hunter we put on the board of Rosemont Realty for a very
8 short period of time.

9 Mr. Greenberg. Did Hunter receive a distribution when Rosemont Realty was
10 sold?

11 Mr. Archer. I believe so, I believe a very low amount of distribution for his
12 tenure on the board of advisors. But I don't -- I can't confirm it.

13 Mr. Greenberg. Was it over a \$100,000?

14 Mr. Archer. I don't know. And that would've been associated with capital
15 raised, not equity.

16 BY MR. MANDOLFO:

17 Q So then what was the purpose of the Porsche payment?

18 A It was -- that's a business matter between them.

19 Q "Them" being who?

20 A Hunter and Kenes.

21 Q So --

22 A That's why I clarified the point, like, I wasn't, like, doing this banking.

23 Hunter was a corporate secretary of RSB. We had a handshake 50-50 ownership. And
24 he conducted, you know, banking business with the COO.

25 Q So you're telling us here today that you don't know why this expensive car

1 was purchased through Rakishev.

2 A No, I don't know why. I was jealous -- no, I'm just kidding.

3 Mr. Mandolfo. Go ahead.

4 Mr. Abourisk. Yeah. Just a point of clarification.

5 Mr. Archer. Sure.

6 Mr. Abourisk. When the \$3.5 million comes into Rosemont Seneca Thornton, an
7 entity with a beneficiary of Rosemont Seneca Partners, I understand your testimony
8 today is that that wire was supposed to go to Rosemont Realty.

9 Mr. Archer. Uh-huh.

10 Mr. Abourisk. But it's correct that that money, that \$3.5 million, roughly
11 \$2.5 million of that was not wired to Rosemont Realty, it was wired to Rosemont Seneca
12 Bohai, right?

13 Mr. Schwartz. If you know.

14 Mr. Archer. Is that -- I don't know, but if it -- you're saying that's the case.

15 Mr. Abourisk. And Rosemont Seneca Bohai, like you just said, was a 50-50
16 handshake between you and Hunter Biden, right?

17 Mr. Archer. Correct.

18 Mr. Abourisk. Okay.

19 BY MR. MANDOLFO:

20 Q And to finish up this spring 2014 Cafe Milano dinner, is there anything else
21 you remember about VP Biden saying during that dinner?

22 A No, not -- this is the first dinner? No.

23 Q Yes.

24 All right. Let's move on to the second dinner --

25 A The second dinner.

1 Q -- the spring 2015 Cafe Milano. Who was there?

2 A That dinner was -- I think we went over it before, but it was Vadym, Hunter,
3 Joe, myself, Karim Massimov, a Greek Orthodox priest, maybe someone from World Food
4 Programme.

5 Q And what did Joe do at that dinner? Did he have dinner? How long was
6 he there?

7 A He had dinner. He had dinner. And there was -- on that one, I believe the
8 first one was, like, a birthday dinner, and then the second was -- I think we were
9 supposed to talk about the World Food Programme. So there was some talk about that.

10 Mr. Goldman. Did you say when the first one was? I'm sorry, I didn't hear.

11 Mr. Archer. The first?

12 Mr. Schwartz. Dinner.

13 Mr. Archer. Oh, the first one was a birthday dinner.

14 Mr. Goldman. When?

15 Mr. Archer. That was the spring of --

16 Mr. Mandolfo. 2014.

17 Mr. Archer. -- 2014.

18 Mr. Goldman. All right.

19 [Discussion off the record.]

20 Mr. Schwartz. Yeah. Let's just clean that up.

21 Mr. Archer. Okay.

22 Mr. Schwartz. I think you said it a second ago, that Hunter Biden was the
23 corporate secretary of RSB. Do you know that to be true, or are you recalling a
24 document you have been shown after the fact?

25 Mr. Archer. I was shown a document after the fact.

1 Mr. Schwartz. And you hadn't seen that document before?

2 Mr. Archer. I had not seen that document before.

3 Mr. Schwartz. To your independent knowledge, did Hunter Biden ever have any
4 official position with RSB?

5 Mr. Archer. Just -- no. Just equity.

6 Mr. Schwartz. Handshake equity.

7 Mr. Archer. Handshake equity.

8 BY MR. MANDOLFO:

9 Q So you're saying there's no -- he had no -- "he" being Hunter Biden -- had no
10 position with RSB, Rosemont Seneca Bohai?

11 A Right.

12 Q So Hunter Biden at this time, he has -- at least for part of the RSB account, he
13 has an Owasco account, he has other bank accounts.

14 A Uh-huh.

15 Q What is the purpose in Hunter Biden receiving all of this money into the RSB
16 account? Because if I am partners with you and we have a split, you have access to the
17 entire account.

18 A Right.

19 Q You would be -- I would be -- not have access to my money.

20 So why was Hunter Biden not receiving this money in his Owasco account, where
21 his name would be affiliated with?

22 A I don't have an answer to that. I actually don't know.

23 Mr. Schwartz. Well, you answered that in part before. Did you view these
24 payments as personal payments to you and Hunter, or was that revenue for --

25 Mr. Archer. Revenue for our business.

1 But, at the end of the day, that was how we set it up. There were investments
2 made from it. You know, it's all -- I see all -- you know, in here. And it just kind of
3 happened from there. I don't -- that's all I -- that's all I know.

4 BY MR. MANDOLFO:

5 Q One of the phone calls that you discussed with Vice President Biden on was
6 with an individual by the name of Jonathan Li.

7 A Yes.

8 Q Who is Jonathan Li?

9 A He is the CEO of BHR.

10 Q When was that phone call?

11 A That I don't recall. Just --

12 Q Do you remember the year?

13 A I don't. It would be before, you know, spring of '16 and after spring of
14 2013.

15 Q What is Jonathan Li's role with that company?

16 A CEO.

17 Q And --

18 A He was also kind of the -- you know, the founder.

19 He left -- he was the CEO of Bohai Sea Industrial Fund, and he wanted to get out
20 of, you know, kind of a government private equity fund. And so he had the
21 entrepreneurial spirit to, you know, come to the States. I actually took him on a tour
22 of -- we met with Blackstone, with, you know -- I don't know -- Apollo, Franklin
23 Templeton, some other large sponsors.

24 And, in the meantime, we became -- Rosemont Realty got enough scale in, you
25 know, size of portfolio that we had a -- you know, we had a meeting, and he was like,

1 "Well, you guys are over 2 billion in AUM now. Why don't you just be the partner?"

2 And that was -- that's how -- how it was -- I was literally taking him on a roadshow
3 with all these -- with a lot of other firms that they were going to do JV with, and then he
4 suggested it to me, actually here in New York -- we're not in New York, but -- in New York.

5 Q Why did Hunter Biden put VP Biden on the phone, on the speakerphone,
6 when Jonathan Li was at the meeting?

7 Mr. Schwartz. You're asking him to speculate?

8 Mr. Mandolfo. No. I'm asking if they discussed it.

9 Mr. Schwartz. Okay.

10 Mr. Archer. Oh, no, no, they didn't discuss -- same answer for -- you know, I
11 never had a specific business discussion --

12 Mr. Schwartz. He's asking if you and Hunter discussed why Hunter put his dad
13 on the phone.

14 Mr. Archer. No.

15 BY MR. MANDOLFO:

16 Q What were Jonathan Li, you, and Hunter talking about at the time that
17 Hunter Biden put his dad on the phone?

18 A Beijing, how great Beijing is -- or Chengdu, whichever city we were in. But,
19 you know, same answers -- non-specifics relative to business and just, you know, an
20 expression of hellos, I guess.

21 Mr. Mandolfo. Do you want to ask your --

22 Mr. Abourisk. Yeah.

23 BY MR. ABOURISK:

24 Q I just have a couple followups --

25 A Sure.

1 Q -- on BHR. So you previously talked about -- you kind of went through the
2 30 percent --

3 A Threshold.

4 Q -- ownership that you needed for BHR.

5 A Uh-huh.

6 Q So I want to take you back to -- when did you -- that 30 percent. And it
7 was -- who were the partners of that 30 percent on the --

8 A Thornton?

9 Q -- American side? Which is who?

10 A James Bulger and Michael Lin.

11 Q Okay. And then who was the other --

12 A It was Hunter and myself.

13 Q Okay. So it was the four of you?

14 A Yes.

15 Q That owned the 30 percent?

16 A Yeah.

17 Q Okay. And when did you guys get ownership of BHR, that 30 percent that
18 we're talking about? Was that at the beginning, in 2014?

19 A That was in, yeah, the beginning.

20 Q Like, January or February of 2014?

21 A Yup.

22 Q Okay. And do you remember how much you all, the four of those partners,
23 initially invested in BHR at the beginning part of 2014?

24 A I'm sure it's in here, but maybe in the \$400,000 range.

25 Q Ballpark, \$420,000?

- 1 A There you go.
- 2 Q And later in 2014, did you invest again -- did the four of you invest again in
- 3 BHR?
- 4 A In '14?
- 5 Q Yeah, later, in December of 2014 there was another cap -- was there another
- 6 capital contribution requirement?
- 7 A Yeah. Registered capital contribution.
- 8 Q And how much did the four of you all put in December --
- 9 A A lesser --
- 10 Q -- of 2014?
- 11 A -- amount, I believe.
- 12 Q Was it \$480,000 in December of 2014? Does that sound about right?
- 13 A Yeah, it sounds about right.
- 14 Q Okay. So, if you added up the total, we're at about \$900,000 --
- 15 A Yeah.
- 16 Q -- that the four of you invested --
- 17 A Correct.
- 18 Q -- in BHR? Was that the total --
- 19 A And there was an additional capital call.
- 20 Q Okay, yeah. When was that?
- 21 A It was a couple years later. Like, a year later? I don't know.
- 22 Q Okay. Maybe 2015?
- 23 A Maybe. Yep.
- 24 Q Okay. And how much?
- 25 A I'm sure it's all right there.

1 Q How much was that capital contribution requirement?

2 Mr. Schwartz. He knows the answers to all these questions.

3 Mr. Archer. Yeah, I realize that. Help me out.

4 What?

5 BY MR. ABOURISK:

6 Q How much was the capital contribution for --

7 A The final?

8 Q -- the third one? Yeah, the final one.

9 A Let me guess. 3-? 4-? 5-?

10 Mr. Schwartz. Don't guess.

11 BY MR. ABOURISK:

12 Q Yeah, I don't want you to guess.

13 A I don't know. I know it's in here, but I would say, you know, probably
14 in the -- it probably all, you know, totaled out to a million and a half from the RSB side.

15 Q Okay. And for that million and a half dollars that was invested in BHR --

16 A Uh-huh.

17 Q -- that got the four of you, it got you two board seats on BHR? Or how
18 many board seats did it get you?

19 A That was two board seats.

20 Q Okay. And so you sat on the board of BHR?

21 A I did.

22 Q From when to when?

23 A I sat on the board from the beginning -- I was the vice chairman -- until I had
24 my legal issues.

25 Q Okay. So that was early 2014 to mid-2016?

1 A I think -- well, it was under -- yeah. May 31st, my birthday. May 31, 2016.

2 Mr. Schwartz. That is not the date that you stepped --

3 Mr. Archer. That was the indictment.

4 Mr. Schwartz. -- down from BHR.

5 Mr. Archer. No, no, that's the --

6 Mr. Schwartz. It wasn't that day.

7 Mr. Archer. Okay.

8 He knows better.

9 BY MR. ABOURISK:

10 Q Got it.

11 And when did Hunter sit on the board of BHR, to your knowledge?

12 A When did he sit on the board? I don't -- to my knowledge, I know he was
13 on the board at some point, but I don't know if it was before or after. That's a little
14 fuzzy.

15 Q Was it 2014 when you sat on the board?

16 A Perhaps. I don't know the answer to when he was on the board. I'm sure
17 that's easily discoverable.

18 Mr. Schwartz. It's okay to say you don't remember.

19 Mr. Archer. Yeah, I just don't remember.

20 Mr. Abourisk. Okay.

21 Mr. Archer. Because I know it was on and off, but he was definitely on the board
22 at some point.

23 BY MR. ABOURISK:

24 Q When was he on and off?

25 A I don't have the answer to that.

1 Q Okay. You were on the board of BHR and didn't know why a fellow board
2 member was taken -- was on or off?

3 A I just -- if you can give me the times that he was on and off? Do we know
4 the times?

5 Q No, no, I'm asking you. When you were on the board in 2014 at BHR, was
6 Hunter on the board? I mean, he was invested in the company with you, right, in 2014?

7 A I think initially was on the board, yes.

8 Q Okay.

9 A And I think he stepped off at some point, probably after Schweizer's book.
10 It's true.

11 Q Okay.

12 A I think it was "Secret Empires"?

13 Q Got it.

14 A That might have been the catalyst.

15 Q Okay. Thanks.

16 BY MR. GREENBERG:

17 Q You mentioned earlier in the interview that there was pressure coming from
18 all, kind of, several different angles regarding Mykola Zlochevsky --

19 A Uh-huh.

20 Q -- that he was facing. And you mentioned that one of those angles was his
21 difficulty in receiving a visa.

22 A Correct.

23 Q Do you know why he was having difficulty receiving a visa?

24 Mr. Schwartz. Do you know?

25 Mr. Archer. I don't know. I know he was having difficulty receiving a visa.

1 BY MR. GREENBERG:

2 Q Did anybody speak to you about why?

3 A Did anybody speak to me about why he was -- no. I just know that he was
4 very upset about it.

5 Q And that's for an American visa?

6 A Correct.

7 Q And then he --

8 A And the Mexican visa.

9 Q And a Mexican visa.

10 A Which I think reciprocal, so -- yeah. He was unable to receive either.

11 [Archer Exhibit No. 10

12 Was marked for identification.]

13 BY MR. GREENBERG:

14 Q If we can look at exhibit 10, this is an email from, at the bottom, Vadym
15 Pozharski on October 20, 2014, to Devon Archer, subject: "visa update." It says,
16 "Hello, mate. Are there any news re the visa issue? Vadym."

17 And then you wrote to Hunter Biden, "Any progress with DHS?"

18 Is that correct?

19 Mr. Schwartz. That -- you read it correctly.

20 BY MR. GREENBERG:

21 Q Do you have any -- do you remember writing --

22 A I don't remember writing this specifically, but I acknowledge that there was
23 an issue with the visa, and I -- but --

24 Mr. Schwartz. Let him ask the questions.

25 Mr. Archer. Yeah.

1 BY MR. GREENBERG:

2 Q What was your understanding of Hunter Biden's knowledge of progress
3 within DHS?

4 A I don't know. I don't know. I know that he never got a visa.

5 Q Do you know -- do you remember why you thought Hunter Biden had any
6 kind of connection to the Department of Homeland Security?

7 A I believe he had a -- you know, lobbyist that they worked with.

8 Q And do you remember any discussions regarding Hunter Biden with any
9 board member or executive in Burisma regarding the visa issue?

10 A Yes, it was -- yes. Was Hunter -- did Hunter know about the visa issue?

11 Q Yes.

12 A Yes.

13 Q And what were those conversations?

14 A He got rejected when he had got his visa; can you guys help us with
15 someone? And they spoke to a former DHS lobbyist lawyer-type person, which -- the
16 name escapes me, but I'm sure it's somewhere in the laptop.

17 Q Was one of the people that you spoke to Amos Hochstein?

18 A I know that name. I feel like it's a different person for this particular issue,
19 but maybe.

20 Mr. Schwartz. You've been asked about a lot of names. Do you --

21 Mr. Archer. Yeah, a lot --

22 Mr. Schwartz. Do you remember that --

23 Mr. Archer. No.

24 Mr. Schwartz. -- name in connection with this issue?

25 Mr. Archer. I remember that name, but not in connection with this. I think it

1 was a more -- there was basically -- like, essentially -- not "essentially." There's a
2 lobbyist that the D.C. team would call for, like, visa issues, and that was the guy that was
3 engaged.

4 BY MR. GREENBERG:

5 Q Amos Hochstein was the guy who was engaged?

6 A Oh, no. I don't know if it's Amos Hochstein. That doesn't sound familiar.
7 I think it was a more -- less exotic name.

8 Q All right.

9 BY MR. MANDOLFO:

10 Q Let's talk about some of the other times that you've interacted with Vice
11 President Biden.

12 A Uh-huh.

13 Q You went to the -- I believe it was the "visit Vice President Joe Biden" in April
14 of 2014. What was -- why did you go visit him then, if you can recall?

15 A Is this with my son?

16 Q I don't -- I don't know.

17 A April of 2014. Can you frame it a little bit more?

18 Q Well, it would've been around the same time that you had just joined the
19 board of Burisma. You got your payment from Burisma on April 15th of 2014.

20 Mr. Schwartz. You're taking about a meeting at the White House?

21 Mr. Mandolfo. Yes.

22 Mr. Archer. Yeah. Yes. That's what I was looking for. Yeah, the --

23 Mr. Schwartz. I know.

24 Mr. Archer. The, yes, meeting -- I met with Vice President -- then-Vice President
25 Biden in the office next to the White House, the Vice President's office, like that formal

1 office.

2 And it was -- I brought my son. We went into -- we did -- like, went into the
3 armored cars and did some things -- you know, showed him the thick glass. And
4 we -- this -- I mean, I think we have video that was, like, on Twitter, but basically we were
5 talking about his paper-mache White House project for second or third grade.

6 And then Hunter joined us for some portion, I think the formal White House
7 portion of that.

8 BY MR. MANDOLFO:

9 Q And then in the spring of 2015 you attended a breakfast at the Naval
10 Observatory where the U.N. Secretary-General was present?

11 A No --

12 Q Do you remember that?

13 A No, the U.N. Secretary-General was not present at that breakfast. But it
14 was, like, a U.N.-related conversation.

15 Q Who was present?

16 A A gentleman named Mark Holtzman, myself, Hunter, and the Vice
17 President -- Vice President.

18 Q And what was the discussion about?

19 A It was about who was going to be the next U.N. Secretary-General.

20 Q Why were you involved in that?

21 A Because Mark Holtzman was lobbying for Karim Massimov. But it
22 was -- obviously, that didn't happen.

23 Q Did there come a time when you ever met with the Prime Minister, Karim
24 Massimov, of Kazakhstan?

25 A Did I -- that I ever met --

1 Q Yes.

2 A Yeah. I'm friends with him. I'm a friend, a good friend.

3 Q And did you meet with him with Kenes Rakishev at any point?

4 A Yes.

5 Q What was the purpose of that meeting?

6 A The purpose of meeting -- well, I was -- I was trying to raise capital for
7 Rosemont Realty.

8 Q Did it have anything to do with the Chinese National Offshore Oil
9 Corporation, CNOOC?

10 A CNOOC. I mean, that could've come up, but I don't -- I don't remember
11 specifically. Certainly never -- nothing ever materialized from that.

12 The other reason for Massimov were Burisma Eurasia, because he was the Prime
13 Minister, and Burisma was trying to expand its businesses, so I leveraged the relationship
14 to introduce him to the company -- the country and new equipment and technology and
15 clean drilling.

16 So that was -- that was probably some of the effort. But, initially, it was the
17 Rosemont Realty pitch.

18 Q Are there any other dinners with Vice President Biden that we have not
19 discussed that you recall where he was present?

20 A With other -- with other people? I think I've -- or just me?

21 Q No, where you were present, with other people, either.

22 A Well, I think we had Vietnamese food in Georgetown once with just Hunter.
23 I don't know. Are there any that I --

24 Q No, I'm asking.

25 A I can't recall right now. But I think that those were, like, the extent of

1 the -- it's been pored over pretty well.

2 Q What about golfing?

3 A Golf, yes. I think everybody's well aware that I've golfed with the Vice
4 President.

5 Q And who else has been on those golfing trips?

6 A Hunter. And in one of them, we played with, you know, three different
7 people and the owner of the club.

8 Q Anybody else that was present for those?

9 A A lot of Secret Service. Yeah, I don't think anyone else was present on the
10 golfing.

11 Q Leading up to today's interview, has anyone contacted you regarding -- and
12 I'm not asking about any communication between you and your attorney -- outside of
13 your attorney, about you testifying here today with the committee in order to try and get
14 you to not testify or to meet with us?

15 Mr. Schwartz. He's received a lot of anonymous --

16 Mr. Archer. Yeah.

17 Mr. Schwartz. -- threats or whatever.

18 BY MR. MANDOLFO:

19 Q People who you know. How about that? People who you know.

20 A People who I know? Like, from a legal -- I mean, it's a lot.

21 Q No --

22 A I have so many opinions, it's -- I wouldn't even be -- it's mind-numbing, the
23 amount of --

24 Mr. Schwartz. He's not asking for your advice. He's asking if anyone was
25 passing a message to you not to testify, on behalf of the family or the administration.

1 Mr. Archer. No, not directly.

2 BY MR. MANDOLFO:

3 Q What indirectly?

4 A No, just, you know, death threats and my parents' death threats and all that
5 kind of stuff.

6 Q When was the last time you spoke with Hunter Biden?

7 A I had a Signal message exchange when his book was published. I can't put
8 a date on that, but years ago.

1

2 [12:43 p.m.]

3 BY MR. MANDOLFO:

4 Q Did Hunter Biden ever use encrypted apps when he talked with you?

5 A Signal.

6 Q How frequently would you talk on Signal?

7 A I mean, quite frankly, in the scope of what we're talking about, that was, like,
8 all post my issues. So not often, not often. Here, you know, here and there.

9 Q I believe you've mentioned this person before. But who's Eric Schwerin?

10 A Eric is -- he was the, you know -- you know, for lack of a better term,
11 Hunter's kind of COO at Rosemont Seneca Advisors and Seneca before that, I think the
12 lobbying firm before that.

13 Q And who is Jeffrey Cooper?

14 A He was -- he was the founder of Eudora Global, which was a firm that Hunter
15 Biden had some equity.

16 Q When was the last time you talked with Jeff Cooper?

17 A Jeff Cooper is a dear friend of mine.

18 Q And so when was the last time you talked with him?

19 Mr. Schwartz. After April 2016.

20 BY MR. MANDOLFO:

21 Q I want to get into some documents to see if you have them in your
22 possession or if you know who may have the documents.

23 A Sure.

24 Q Were there any -- related to Burisma -- were there any documents created in
25 relation to the board, such as board minutes, related to board appointments, resolutions,

1 notes? Are you aware of any of those documents?

2 A Am I aware?

3 Q Were those documents --

4 A Do I know where they are? No.

5 Q Were they created, first? That's my first question.

6 A Yes.

7 Q And your answer to the second question is you don't know where they are at
8 the moment.

9 A Correct.

10 Q Do you have any text messages or emails with any Burisma associates or
11 Hunter Biden or any other Biden associates in your possession?

12 A No.

13 Q Where are they?

14 A They would be easily found in my discovery from my case.

15 Q What about related to Rosemont Seneca Partners? Are all of your -- are all
16 of the materials related to Rosemont --

17 A Yeah, I don't have -- like, as far as documents, I don't have any -- I don't
18 have -- I barely have email.

19 Q Is there any --

20 A I don't have a computer.

21 Q Excuse me?

22 A I don't have a computer.

23 Q Is there anyone holding any of your documents that you're aware of at the
24 moment?

25 A AlixPartners.

1 Q What documents are they holding?

2 Mr. Schwartz. Sorry. They are retained through counsel. So that's us.

3 Mr. Mandolfo. So you have the documents. Boies Schiller has --

4 Mr. Schwartz. We have some documents. I'm not saying responsive to your
5 specific question. We have some documents.

6 BY MR. MANDOLFO:

7 Q If you can go to exhibit 1, tab 7. If you go to the line item that's August
8 26th of 2015.

9 A Yes. Sorry.

10 Q There's a beneficiary?

11 A Uh-huh.

12 Q MFTCG Holdings, LLC, Biden.

13 A Uh-huh.

14 Q For \$150,000. What is that?

15 A I'm assuming it's an account of Hunter's.

16 Mr. Schwartz. You're assuming?

17 Mr. Archer. Right. I'm assuming. MFTCG Holdings. Is that -- the account
18 name is -- I'm just reading it. It says

19 Biden. Is that a note, or is that the actual account?

20 Mr. Mandolfo. This is the bank records. This is the record that was created by
21 the bank, and I'm just asking if you know that company.

22 Mr. Archer. I don't offhand.

23 Mr. Greenberg. Who is Rob Walker?

24 Mr. Archer. Rob Walker was another Rosemont Seneca Advisor partner.

25 Mr. Greenberg. In 2015, Rob Walker used his company, Robison Walker, LLC, to

1 take in money from Gabriel Popoviciu.

2 Do you know who Gabriel Popoviciu is?

3 Mr. Schwartz. None of this is within scope. Don't answer that.

4 Mr. Biggs. Thank you. Thanks.

5 I know you're going to think I sound like a one-note piano, but I've got to keep
6 coming back because I want to make sure that I fully understand.

7 As you call it, you talked about the brand. Okay?

8 Mr. Archer. Uh-huh.

9 Mr. Biggs. I've got to understand the brand if I can -- so I can understand all of
10 this.

11 You're in Dubai and you're told that there's pressure coming on and going to make
12 a phone call to D.C., and, if I understand it right, they excuse themselves to go make this
13 call, right?

14 In the meantime, one thing you've said is that you guys had -- you worked with
15 some -- I think Blue Star? Is that the name of it?

16 Mr. Archer. Correct. Blue Star Strategies.

17 Mr. Biggs. Blue Star Strategies. And they took care of some of the lobbying
18 and internal D.C. mechanisms.

19 Mr. Archer. Correct.

20 Mr. Biggs. Okay. And -- but you've also testified that President -- excuse
21 me -- then Vice President Biden would make phone calls and actually made some -- went
22 to dinner at Cafe Milano.

23 And he might just say, "Hey, how's it going, take care of my boy" -- I don't know if
24 he said, "Take care of my boy" or not. I don't know. But he was giving some
25 glad-handing types of comments when he would call in. I think you testified about 20

1 times that he called in. Is that fair?

2 Mr. Schwartz. Is the question did Hunter Biden and his father speak 20 times in
3 front of Mr. Archer?

4 Mr. Biggs. No, no, in these conference calls, whether it was a dinner meeting or
5 meeting in front of clients or personal. Is that fair?

6 Mr. Archer. That is fair.

7 Mr. Biggs. Okay. And so what I'm trying to understand here is you had Blue
8 Star and other D.C. reps.

9 Mr. Archer. Uh-huh.

10 Mr. Biggs. You had Vice President Biden. Vice President Biden either attended
11 or made phone calls. But I assume that nobody from Blue Star Strategies was calling in
12 and getting put on a conference call with potential clients or business people. Is that a
13 fair assumption?

14 Mr. Archer. No, not necessarily. Blue Star was working very hard for their -- so
15 they were -- they were very well engaged with Burisma. They had a lot of problems.
16 There was a lot of work to do.

17 Mr. Biggs. They had a lot of problems, but they weren't being called in to recruit
18 or to --

19 Mr. Archer. To recruit?

20 Mr. Schwartz. Let him finish the question.

21 Mr. Archer. Yeah.

22 Mr. Biggs. To recruit or to basically be a PR face for your partnership like Joe
23 Biden was.

24 Mr. Archer. I disagree. They were brought in and -- and, you know, brought in
25 for other meetings. They were brought in to, you know, have meetings with State

1 Department people.

2 And, you know, they were -- Blue Star was very active with kind of dealing with
3 lower-level, you know, government folks to help advance whatever Burisma was trying to
4 solve for. There was --

5 Mr. Biggs. But they weren't the brand.

6 Mr. Archer. They were not the brand.

7 Mr. Biggs. The brand was really Joe Biden.

8 Mr. Archer. U.S. -- U.S. -- D.C. was the brand.

9 Mr. Biggs. D.C. But earlier in your response to me you said it was really the
10 Biden -- the Biden family. And then we got to it wasn't anybody else but Joe Biden.

11 Mr. Archer. In the context of the Biden family.

12 Mr. Biggs. Right. So that leads to the next question.

13 Did anybody else from the Biden family, as part of the Biden brand, ever show up
14 at these dinners or phone calls -- have phone calls -- or was it just the Vice President?

15 Mr. Archer. Not during my tenure.

16 Mr. Biggs. And did Vice President Biden ever call in to Burisma board of director
17 meetings while you were on the board or Hunter was on the board to your knowledge?

18 Mr. Archer. Not to my knowledge. I was on the board. I would say no, not to
19 the board, actual board meetings.

20 Mr. Biggs. Then that leads me to ask this follow-up question. What do you
21 mean when you say not to the actual board meetings? Was there some other way he
22 was contacting the Burisma board members?

23 Mr. Archer. No, not -- not that I know of.

24 Mr. Biggs. Okay. And so I just want to see if I can --

25 Mr. Archer. Uh-huh.

1 Mr. Biggs. -- put this square peg in the round hole again.

2 Mr. Archer. Sure.

3 Mr. Biggs. Is what I understand you to be testifying to, you don't have to
4 comment about what my understanding -- what my understanding. You just say I've got
5 it all screwed up or I'm with you.

6 And that is you had this group of individuals, Blue Star management, whatever
7 they were, that were working actively as problem solvers for, say, Burisma, right?

8 Mr. Archer. Right.

9 Mr. Biggs. And on the other hand, you had what you call D.C., and it became the
10 name brand, which we all agree is Joe -- Vice President Joe Biden. He's over here. And
11 he's making calls to all kinds of folks, 20 of them that you had mentioned. Fair to say?

12 Mr. Goldman. Who's making calls?

13 Mr. Schwartz. What is fair to say?

14 Mr. Goldman. Who's making calls?

15 Mr. Biggs. The Vice President made 20 calls. That's what you said.

16 Mr. Archer. Let's clarify. He did not -- whether it was Joe calling --

17 Mr. Biggs. Or Hunter Biden calling.

18 Mr. Archer. -- there was a call. And that also is over, you know, 10-year
19 partnership. So --

20 Mr. Biggs. But he was the brand, face of the brand, not anybody else?

21 Mr. Archer. Yes.

22 Mr. Biggs. Not anybody else in the Biden family?

23 Mr. Archer. No one else in the Biden family. It was Hunter Biden and him.

24 Mr. Biggs. And not the D.C., what do you call them, the machine or, you know,
25 the machine manipulators, Blue Star agency, right? That was not --

1 Mr. Archer. That was complementary to the brand. That was the operational
2 elements.

3 Mr. Biggs. Sure.

4 Mr. Schwartz. You guys have 2 minutes left on the clock.

5 Mr. Biggs. Back to you guys.

6 Mr. Mandolfo. I just have one question about Jeff Cooper. It falls within, even
7 though it's April 2016, he's a Biden associate. Whether any Biden associates, including
8 Jeff Cooper or anyone from the Biden administration, has communicated in any manner
9 with you regarding the committee's investigation.

10 Mr. Archer. No. No. No.

11 Mr. Mandolfo. Clark, anything you want to add? You've got 1 minute.

12 Mr. Schwartz. You don't have to use every last second.

13 Mr. Biggs. This may never happen again.

14 Mr. Schwartz. This won't happen again but it still --

15 Mr. Biggs. It may never happen again. Never say never.

16 Mr. Mandolfo. That's not in the letter.

17 Thank you. We'll take a break.

18 Mr. Greenberg. We're off the record.

19 [Recess.]

20  Back on the record at 1:36.

21 EXAMINATION

22 

23 Q Good afternoon, Mr. Archer.

24 A Thank you.

25 Q Before I start with my questions, I want to come back to documents you

1 were shown during the Republicans' round of questioning. You were shown various
2 documents that appear to be emails.

3 A Uh-huh.

4 Q The majority staff has represented -- the Republican staff has represented
5 that they come either from the internet or from a hard drive in their possession that they
6 have refused to date to provide to committee Democrats.

7 Mr. Archer, I want to be clear. You are unable to authenticate these emails. Is
8 that correct?

9 A I am unable to authenticate. That is correct.

10 Q You don't have a personal memory or recollection that would allow you to
11 determine whether these emails are, in fact, authentic.

12 A I don't -- I don't know if they're authentic. They're kind of in the genre of
13 what we talked about.

14 Q I'd like to start off by coming back to Burisma, which we've talked about a
15 lot.

16 You mentioned during the Republicans' round of questioning that you were
17 invited to come join the board of Burisma by former Polish President Kwasniewski.

18 Is that right?

19 A Correct.

20 Q And Kwasniewski has a reputation internationally of being a reformer --

21 A Uh-huh.

22 Q -- in Poland.

23 A Uh-huh.

24 Q Did you have an understanding of why he joined the board of Burisma?

25 A Do I have an understanding? I think -- I think he enjoyed the

1 compensation. I think that he also had some -- there was some messaging about energy
2 independence from Russia kind of thing.

3 Q And was that something that Mr. Kwasniewski felt important about?

4 A I think so.

5 Q And that's Burisma's role in being a bulwark on behalf of Ukraine against
6 Russia.

7 A Right.

8 Q And is that a pitch that he made to you when he was trying to recruit you to
9 the board of Burisma?

10 A Yes.

11 Q There's been public reporting that at the time in recruiting board members
12 Mr. Zlochevsky, the owner of Burisma, explained that he wanted his company to adapt to
13 Western standards of transparency.

14 Do you recollect whether that's something Mr. Zlochevsky would say?

15 A Yes.

16 Q And can you explain kind of what expertise you brought to the board of
17 Burisma?

18 A So what I brought -- the initial -- the initial engagement, it was really
19 about -- around me raising additional, you know, outside capital, possibly debt capital,
20 expansion capital, from, you know, European, Western, Singapore, U.S. markets, for them
21 to -- I think the initial idea was expansion into the U.S. by a small U.S. company.

22 But as things got, you know, hotter, it was -- it was by, you know, by
23 another -- expand it to other countries that were less sensitive to kind of the -- the public,
24 you know, press and what have you in regards to the company.

25 So I think the first was raise capital.

1 The second, when the capital window kind of closed based on really, you know,
2 based on Hunter joining the board, When the capital window closed, it became, "Okay,
3 Devon, repurpose your efforts on expanding internationally."

4 Q And you explained that you had a background in finance and private equity --

5 A Uh-huh.

6 Q -- in Asia?

7 A I did, yeah. I started in Asia.

8 Q So is it fair to say that, you know, you had a lot of business connections --

9 A Yes.

10 Q -- throughout Asia?

11 A Uh-huh, globally.

12 Q But particularly in Asia.

13 A Particularly in Asia, yes.

14 Q And do you remember talking about Burisma to Hunter Biden?

15 A Yes.

16 Q And what --

17 A Just in general.

18 Q And what was -- what was your -- what were your conversations with Hunter
19 Biden about joining Burisma -- about doing work with Burisma?

20 A I don't recall directly. I do know it started under the guise of legal
21 representation and then evolved outside of my -- well, it was in my purview but outside
22 of my direction into a board membership.

23 Q And by that you mean at the time Hunter Biden was of counsel at the law
24 firm Boies Schiller. Is that right?

25 A That is correct.

1 Q And is it fair that you talked to Hunter Biden about corporate governance
2 issues that Burisma was facing?

3 A Yes.

4 Q And is it fair that you thought that he and the firm of Boies Schiller might be
5 able to help Burisma with that?

6 A Yes.

7 Q Is that something that you --

8 A We went so far we commissioned a report where the initial reading was,
9 like, a Crowell Report. Then we commissioned a report from Nardello, which still sits in
10 my office -- it's about ten binders wide -- to, you know, to dig into the governance and,
11 you know, vision forward and set new ground rules and all that kind of stuff.

12 So, yeah, it was very -- we were very active. That took quite some time.

13 Mr. Goldman. And he, Hunter Biden, was involved in that process?

14 Mr. Archer. Yes.

15 [REDACTED] And Boies Schiller, where he was of counsel, is an international
16 law firm with, you know --

17 Mr. Archer. They're all right. No, I'm just kidding.

18 [REDACTED] It's an international law firm with a very good reputation. Is
19 that fair?

20 Mr. Schwartz. He'll stipulate it's the greatest law firm ever.

21 Mr. Archer. That's great.

22 [REDACTED] And Mr. Biden, who was an attorney at that law firm, is it fair to
23 say that he had some expertise in issues of corporate governance from a legal
24 perspective?

25 Mr. Archer. Yep. Yes.

1 ██████████ I want to turn to --

2 Mr. Goldman. Just on that subject.

3 You said you met Hunter Biden at one of the conventions and then were
4 reconnected to him through your mutual friend, Chris Heinz, in around 2008.

5 Mr. Archer. No. It was Marc LoPresti.

6 Mr. Goldman. Marc LoPresti. Okay.

7 Mr. Archer. Yeah, so I would have met him with Chris Heinz at the convention.

8 Mr. Goldman. I see.

9 Mr. Archer. And then this attorney, LoPresti, introduced us, Marc LoPresti.

10 Mr. Goldman. At that time what did you know Hunter Biden's profession to be?

11 Mr. Archer. Well, he introduced himself as a, you know, a -- he was in the D.C.
12 advisory business, that he had -- he was going to have to leave lobbying or he left
13 lobbying -- I forget at the time -- and shifted from lobbying to advisory, and that he was
14 the -- obviously, he was then interested in private equity. So he was, "Why don't we
15 combine forces?" and blah, blah, blah.

16 Mr. Goldman. You said initially that there were some rumblings that you
17 overlapped --

18 Mr. Archer. At Yale.

19 Mr. Goldman. -- at Yale.

20 Mr. Archer. Yes.

21 Mr. Goldman. Where was he at Yale?

22 Mr. Archer. He was at law school I guess --

23 Mr. Goldman. So he graduated from Yale Law School.

24 Mr. Archer. He graduated from Yale Law School. Two of the years he was -- I
25 think he transferred from somewhere. But two of the years he was there and lived very

1 close to me.

2 Mr. Goldman. Okay. So by the mid-two thousand teens he was of counsel at
3 Boies Schiller after having a career in lobbying, advising, consulting, and some business
4 ventures?

5 Mr. Archer. Yes, some business ventures. But, yeah, it was all in the legal.
6 And I think he worked for a credit card company, as well.

7

8 Q And we talked about how President Kwasniewski felt that Burisma had a role
9 to play in helping as a bulwark against Russia --

10 A Uh-huh.

11 Q -- which was being aggressive toward Ukraine at the time.

12 Is it fair to say that Hunter Biden kind of shared that thought? He was quoted,
13 for example, in the press as saying that: Helping out a domestic Ukrainian gas producer
14 as a bulwark against Russia -- Russian aggression -- seems like I was on the side of angels.

15 A Right. I think that was the belief.

16 Q So is it fair to say that there was kind of an idealistic fiber to Hunter Biden's
17 interest in Burisma, in part?

18 A In part.

19 Q I want to turn to exhibit 2, which is one of the exhibits your counsel and
20 Republican -- committee Republicans agreed to as one of the exhibits in this TI. I want
21 to turn to point 8 in here.

22 "Burisma has an opportunity here to play the hero if it ignores the artificial market
23 value of their product and plays to the national interest."

24 And so I just -- is that kind of a continuation of that theme of Burisma's role in
25 Ukraine's energy independence?

1 A I don't -- I don't really understand that comment. "Opportunity here to
2 play here if it ignores the artificial market value of their product"?

3 Q I think above it says, "There would be enormous pressure on Burisma to
4 lower prices for the national good."

5 A Oh, oh, I see. I see.

6 Mr. Schwartz. It's okay if you don't understand.

7 Mr. Archer. Yeah, I don't know what that means.

8 ████████████████████

9 Q I'd like to point you to point 16 --

10 A Uh-huh.

11 Q -- where in this email it says, "We can actually be of real value here.

12 Developing relationships, bringing U.S. expertise to the company, supplying strategic
13 advice on politics and geopolitical risk assessment."

14 Do you see that sentence?

15 A Yep.

16 Q Does that coincide with your recollection of the value that Hunter Biden felt
17 he could add to the firm Burisma?

18 A That is -- I felt like that was -- yeah, I think collectively we probably felt that.

19 Mr. Goldman. Burisma, as well.

20 Mr. Archer. Yeah, I think that's the -- that was kind of the spirit of it.

21 ████████████████████

22 Q I want to point you now to point 20 in this email --

23 A Uh-huh.

24 Q -- where it says, "To that end, they" -- and I believe "they" is a reference to
25 Burisma here -- "need to know in no uncertain terms that we will not and cannot

1 intervene directly with domestic policymakers, and that we need to abide by FARA and
2 any other U.S. laws in the strictest sense across the board."

3 Do you see that sentence?

4 A I do.

5 Q And do you understand FARA to be a reference to the Foreign Agents
6 Registration Act?

7 A I do.

8 Mr. Schwartz. You're asking him his current understanding.

9 Mr. Archer. Yes, current understanding, yes. At the time I don't think I was
10 familiar with FARA.

11 But, yes, I am very aware of it.

12

13 Q Is it your understanding that Hunter Biden felt that it was important that his
14 role -- in his role in Burisma he comply with U.S. laws?

15 A Did he -- did I --

16 Q Yes.

17 A I could speculate that he would think that, yes.

18 Q Based on your interactions with him.

19 A Based on interactions, and I don't think he was looking to break any laws.

20 Mr. Goldman. Well, on this, does this refresh your recollection, this email, as to
21 whether or not you heard him say that to you either in writing or verbally as you look at
22 this document?

23 Mr. Archer. Yeah. He -- yes, he was -- he was very -- he was cognizant of his
24 name and his brand and would talk about it, yeah.

25 Mr. Goldman. This doesn't talk about the name and the brand. This just talks

1 about his -- making sure that Burisma understands --

2 Mr. Archer. Yes.

3 Mr. Goldman. -- the scope of what he can and cannot do and that he cannot
4 intervene directly with domestic policymakers and need to abide by FARA and any other
5 U.S. laws in the strictest sense across the board.

6 Was that your understanding of both his approach and Burisma's understanding,
7 as well?

8 Mr. Archer. I would say -- I would say yes to the first part of the question. The
9 first part of the statement, yes, I think Burisma was constantly looking for more.

10 And it kind of speaks a little bit to that other email that we used as an exhibit
11 earlier where it's, like, we're going to use my dad's thing and take credit for it. There
12 was an element that he was always trying to avoid that but at the same time trying to
13 prove value. So it was this element of, like, signals.

14 [REDACTED] Well, we'll return to that --

15 Mr. Schwartz. Your reference to the name and the brand, what you mean is he
16 had to be scrupulous about not violating the law because that would --

17 Mr. Archer. Right. That's why I refer to the brand.

18 Mr. Schwartz. -- reflect on the name and the brand.

19 Mr. Goldman. All right. So when you were talking about the name and the
20 brand, that because of that --

21 Mr. Archer. Because of that --

22 Mr. Goldman. -- it was your understanding that he was even more fastidious
23 about following the law --

24 Mr. Archer. Right.

25 Mr. Goldman. -- because of the name and the brand --

1 Mr. Archer. Yes.

2 Mr. Goldman. -- as you describe it.

3 Mr. Archer. It was a -- it was a constant push-pull in that regard, you know.

4 Mr. Goldman. Because Burisma wanted him --

5 Mr. Archer. People always wanted more.

6 Mr. Goldman. Burisma wanted him to do more --

7 Mr. Archer. Right.

8 Mr. Goldman. -- with his connections.

9 Mr. Archer. Correct.

10 Mr. Goldman. And Hunter Biden understood that he could not do that, but he
11 was trying to --

12 Mr. Archer. Balance it.

13 Mr. Goldman. -- balance it and prove value to a company that expected him to do
14 things that --

15 Mr. Archer. Right.

16 Mr. Goldman. -- he was uncomfortable doing.

17 Mr. Archer. Right.

18

19 Q And so as a Biden, it was important for him to follow the law. Is that fair?

20 A That's fair.

21 Q On point 17, on this same email, the previous page, it says, "BSF" -- which I
22 believe is a reference to Boies Schiller Flexner -- "can actually have direct discussions at
23 state, energy, and NSC. They can devise a media plan and arrange for legal protections
24 and mitigate U.S. domestic negative press regarding the current leadership if need be."

25 Is it your understanding that Hunter Biden's plan, in order to make sure he

1 followed the law, was to hire a different partner at Boies Schiller to take care of these
2 discussions with U.S. Government entities?

3 A Yeah, that happened.

4 Q And so was the idea that hiring kind of that firm for that mission would help
5 ensure that actions on behalf of Burisma stayed in compliance with the law?

6 A That was the intent, yes.

7 Q And in addition to -- and just to be clear, when he talks about Boies Schiller
8 doing that, he's talking about a different partner at Boies Schiller, not him, right?

9 A Right.

10 Q And in addition to bringing in Boies Schiller to do that, is it also fair that at
11 some point a different -- I think you called it lobbying group -- the Blue Star Group was
12 brought in to handle interactions with U.S. Government officials?

13 A Correct.

14 Q And then when we talked about exhibit 10, which is the email about any
15 progress with DHS --

16 A Uh-huh.

17 Q -- I think you mentioned that there was another lobbyist who was brought in
18 to deal with this visa issue.

19 A Yes.

20 Q And I think you said that it actually was unsuccessful and Mr. --

21 A Yes, he never --

22 Q -- Zlochevsky never got his visa.

23 A Correct. It was a lot of work on that. Never happened.

24 Q So is it fair to say that Hunter Biden helped bring in a group of government
25 affairs and lobbying experts to handle the interactions with U.S. Government agencies?

1 A Uh-huh, yes, that's fair to say.

2 Q And so I think you referenced a D.C. team.

3 A Uh-huh.

4 Q Is it fair to say that there was a whole D.C. team that handled public affairs
5 on behalf of Burisma?

6 A Yes.

7 Q And that D.C. team was firms like Boies Schiller, Blue Star Group, this
8 lobbyist who was brought in to do the DHS issue. Is that fair?

9 A Fair.

10 Q That's not Joe Biden.

11 A No, that's not -- that's not the D.C. team.

12 Mr. Goldman. You mean Joe Biden is not the D.C. team.

13 Mr. Archer. Right.

14 

15 Q So Congress, particular Republicans in Congress, have been talking about
16 Burisma for a long time.

17 A Uh-huh.

18 Q And so forgive me, but I want to bring up 2020.

19 In 2020, going back a few years, the Senate Committee on Homeland Security and
20 Governmental Affairs and the Senate Finance Committee, which were then under
21 Chairman Johnson and Chairman Grassley, Republican chairmen, conducted an extensive
22 investigation in an effort to show some connection between Hunter Biden's work on
23 behalf of Burisma and then Vice President Biden's role in carrying out official U.S. policy in
24 Ukraine.

25 As part of that investigation, there were 46 subpoenas issued, 50 hours of

1 transcribed interviews of 10 witnesses, reviews of tens of thousands of pages of
2 documents over the course of a year-long investigation.

3 A Uh-huh.

4 Q At the conclusion of that investigation, Senate minority staff issued a report
5 summarizing the findings. And I'd like to read those for you.

6 "Every witness interviewed for this investigation testified that Vice President
7 Biden did not alter United States foreign policy to benefit his son Hunter Biden, and that
8 Hunter Biden's presence on the board of the Ukrainian gas company Burisma had no
9 effect on U.S. foreign policy.

10 "Every witness stated that Hunter Biden and his associates had no role in the
11 formulation of U.S. policy, that Hunter Biden's role did not influence U.S. foreign policy
12 decisions, and that Vice President Biden carried out U.S. foreign policy in the interest of
13 the United States.

14 "The investigation's evidence, set forth in this Minority report, confirms there was
15 no corruption, wrongdoing, or impropriety on the part of" the Vice President."

16 Having read that for you, I have a few questions for you based on your own
17 knowledge and experience.

18 So based on your own knowledge and experience -- your relationship with Hunter
19 Biden, your time on Burisma's board, and the entirety of your knowledge and
20 experience -- do you have any basis to disagree with the conclusion that, quote, "Vice
21 President Biden did not alter U.S. foreign policy to benefit his son Hunter Biden"?

22 A I have no basis to know if he altered. I have no basis to know if he altered
23 policy to benefit his son.

24 Q So you have no knowledge --

25 A I have no knowledge. Sorry.

1 Q -- of him --

2 A Yes, I have no knowledge.

3 Q -- altering U.S. policy to benefit his son.

4 A I have no knowledge.

5 Q You -- do you have any basis to disagree with the conclusion that "Hunter
6 Biden's presence on the board of the Ukrainian gas company Burisma had no effect on
7 U.S. foreign policy"?

8 A Not directly. You mean like making laws? I don't -- I don't think so.

9 Mr. Goldman. Foreign policy.

10 Mr. Archer. No -- no -- no on foreign policy.

11

12 Q No basis to disagree with that conclusion.

13 A No.

14 Q Do you have any basis to disagree with the conclusion that "Hunter Biden's
15 role did not influence U.S. foreign policy decisions"?

16 A I have -- yeah, I have no basis.

17 Q Do you have any basis to disagree with the conclusion that "Vice President
18 Biden carried out U.S. foreign policy in the interest of the United States"?

19 A I have no basis to judge.

20 Q Or to disagree with that.

21 A Or disagree.

22 Q You have no knowledge -- nothing based on your knowledge or experience
23 contradicts this conclusion.

24 A No.

25 Q Does anything in your knowledge or experience contradict the conclusion

1 that "there was no corruption, wrongdoing, or impropriety on the part of Vice President
2 Biden"?

3 A I have no basis to know.

4 Q The report also found, quote, "No --"

5 Mr. Goldman. I'm sorry. You have no basis to know or is that a no?

6 Mr. Archer. I have -- I have -- I would have no idea.

7 Mr. Goldman. No basis --

8 Mr. Schwartz. Are you aware of any wrongdoing by Vice President Biden?

9 Mr. Archer. No, I'm not aware of any.

10

11 Q So based on your knowledge and experience, you have no evidence that
12 would contradict any of these conclusions I just read.

13 A No.

14 Q The report also found, quote, "No evidence that any action of the U.S.
15 Government or any U.S. official was taken to benefit Burisma or Hunter Biden."

16 Do you have any evidence or knowledge that contradicts this conclusion?

17 A No.

18 Q So based on everything you saw, heard, and observed, did you have any
19 knowledge of Joe Biden having any involvement with Burisma?

20 A No -- not direct, no.

21 Q No involvement of Joe --

22 A No.

23 Q -- Biden with Burisma.

24 A No. My only thought is that I think Burisma would have gone out of
25 business if it didn't have the brand attached to it. That's my, like, only honest opinion.

1 But I have no basis for any -- never heard any conversations --

2 Mr. Goldman. But that's different than Joe Biden's action.

3 Mr. Archer. Right.

4 Mr. Goldman. You're just talking about that Hunter was on the board.

5 Mr. Archer. Right. And I think that's why --

6 Mr. Goldman. And so --

7 Mr. Archer. -- it was able to survive for as long as it did.

8 Mr. Goldman. By -- because of additional capital or --

9 Mr. Archer. Just because of the brand.

10 Mr. Goldman. Well, I don't understand. How does that have an impact?

11 Mr. Archer. Well, the capabilities to navigate D.C. that they were able to, you
12 know, basically be in the news cycle. And I think that preserved them from a, you know,
13 from a longevity standpoint. That's like my honest -- that's like really what I -- that's like
14 how I think holistically.

15 Mr. Goldman. But how would that work?

16 Mr. Archer. Because people would be intimidated to mess with them.

17 Mr. Goldman. In what way?

18 Mr. Archer. Legally.

19 Mr. Goldman. Uh-huh.

20 Mr. Archer. So on this line of questioning, I have no, like, proof. I have no
21 nothing.

22 Mr. Goldman. Let's talk about legally, I think just pivot to that, because you had
23 said earlier that -- I believe the direct quote is that Burisma felt like they had Shokin under
24 control.

25 Mr. Archer. Correct.

1 Mr. Goldman. What did you mean by that?

2 Mr. Archer. That was like -- that was a narrative that was -- that was told to me
3 by various of the D.C. team, that the firing of Shokin was bad for Burisma because he was
4 under control.

5 Mr. Goldman. What did you understand "under control" to mean?

6 Mr. Archer. Meaning that they were going to maybe give a slap on the wrist as
7 opposed to --

8 Mr. Goldman. Okay.

9 Mr. Archer. -- you know, seize all his assets.

10 Mr. Goldman. Because there was a lot of characterizations by the Republicans in
11 the first part about a Ukrainian investigation.

12 Mr. Archer. Uh-huh.

13 Mr. Goldman. But you're not actually aware of any investigation by the
14 prosecutor general in Ukraine into Burisma which is different from the
15 British investigation.

16 Mr. Archer. Right. The British investigation I was aware of. I think in the
17 early stages, like the visa and the British, I was made aware of. And then it kind of
18 my -- I had other responsibilities and I was less informed as we moved forward and Blue
19 Star kind of was more involved.

20 Mr. Goldman. Was taken over on that --

21 Mr. Archer. Yeah.

22 Mr. Goldman. -- on that angle of things.

23 Mr. Archer. I was, like, an FYI at first, and then I became less FYI as time
24 progressed.

25 Mr. Goldman. So was it -- Shokin was ultimately removed from office.

1 Mr. Archer. Right.

2 Mr. Goldman. Was that a bad thing for -- and the Burisma leaders felt like that
3 would be bad for them?

4 Mr. Archer. That was what I was told.

5 Mr. Goldman. Okay. Maybe go to the --

6 Mr. Schwartz. Not by the Burisma leaders.

7 Mr. Archer. Exactly. Not by the Burisma leaders. I was told by the D.C. team.

8 Mr. Goldman. Got it.

9

10 Q So there was a lot of talk about the December 2015 phone call that you
11 made.

12 A Uh-huh.

13 Q So I want to kind of zoom out and kind of take stock of what was going on at
14 that time.

15 A Sure.

16 Q January 2015 is when Zlochevsky's assets in the U.K. were unfrozen.

17 A Uh-huh.

18 Q Do you remember that?

19 A Yes.

20 Q And it was widely reported that that was because of a lack of cooperation
21 from the Ukrainian prosecutor's office.

22 A Correct.

23 Q And so this goes to this idea that Shokin, who was prosecutor general in
24 2015, was good for Burisma.

25 A Uh-huh.

1 Q Is that fair?

2 Now, Vice President Biden was vocal about his concerns about corruption in the
3 prosecutor general's office in Ukraine during this time period.

4 A Correct.

5 Q And called for the removal of Shokin from office. Is that correct?

6 A Yes. That was very well publicized.

7 Q Okay. And the Senate minority report, which I referenced earlier,
8 described how Vice President's public calls for the Ukrainian Government to remove
9 Shokin as prosecutor general was part of an anticorruption policy of the U.S. Government
10 with broad bipartisan support, as well as support from allies and international institutions
11 like the EU and the International Monetary Fund.

12 Do you agree with that conclusion?

13 A Sorry. Can you repeat that?

14 Q Yeah. The Vice President's public calls for the removal of Shokin was part
15 of this broad bipartisan, international anticorruption effort in Ukraine.

16 A Yes, I believe that was -- that was part of the conversation.

17 Q But it was bad for Burisma. That was the perception at Burisma, because
18 they had Shokin under their control.

19 A No. Burisma never informed me of that. I just was -- that's what was I
20 told, that it was bad for Burisma. But I don't know. I don't know if it was good or bad.

21 Mr. Schwartz. Told by the D.C. team.

22 Mr. Archer. Yeah, by the D.C. team.

23 Mr. Goldman. But you knew that the funds were unfrozen --

24 Mr. Archer. I did know that, yes.

25 Mr. Goldman. -- because of lack of --

1 Mr. Archer. Cooperation.

2 Mr. Goldman. -- cooperation from the Ukrainian prosecutor.

3 Mr. Archer. Yes.

4 Mr. Goldman. So if you heard that from the D.C. team and then you thought
5 about your understanding of what happened with those funds, your own personal
6 knowledge was consistent with what you were hearing --

7 Mr. Archer. Right.

8 Mr. Goldman. -- from the D.C. team.

9 Mr. Archer. Right.

10

11 Q And the same minority report noted that State Department officials
12 interviewed in this investigation explained that Shokin did not pursue corruption
13 investigations against Burisma's owner, effectively shielding the owner from prosecution,
14 and that removing Shokin made an investigation into Burisma more, not less, likely.

15 It sounds like that's in accordance with --

16 A Uh-huh.

17 Q -- your general understanding of what was going on at the time.

18 A But quickly after, where all of his assets were seized, Zlochevsky, and he had
19 to leave Ukraine.

20 Q But so do you have any basis to believe that Vice President Biden's call for
21 Shokin's removal was driven by anything other than the U.S. Government's anticorruption
22 policy in Ukraine?

23 A Yeah, I have no -- I have no other -- I have no proof or thought that
24 that -- that he fired him for that reason.

25 Q You have no reason to believe otherwise.

1 A I have no reason to believe.

2 Q And so kind of going back to the call in Dubai in December of 2015, you
3 explained that Zlochevsky and Vadym left --

4 A Uh-huh.

5 Q -- to go make a call --

6 A Uh-huh.

7 Q -- that you did not hear. Is that right?

8 A Right.

9 Q And I think you described that you were told that the call was a call to D.C.

10 A Correct.

11 Q But you don't know to who that was.

12 A I do not have -- I do not know.

13 Q You don't know whether it was to the D.C. team that we talked about earlier.

14 A I do not know.

15 Q I also -- okay. I want to ask you now about an FBI Form 1023 --

16 A Uh-huh.

17 Q -- that Chairman Comer and Senator Grassley recently made public, on July
18 20th.

19 A Right.

20 Q Do you -- have you seen that form?

21 A Yeah.

22 Q Is it your understanding that in this form an FBI confidential human source is
23 reporting years after the fact statements supposedly made by executives at Burisma,
24 including Mykola Zlochevsky?

25 A Yes.

1 Q That's what it represents.

2 A Yeah, yeah, absolutely.

3 Q In this form, the FBI confidential human source appears to relate a
4 statement attributed to Mykola Zlochevsky that says, "It costs five to pay one Biden and
5 five to another," the mark "million" in parentheses.

6 Do you remember reading that?

7 A I do. I do.

8 Q Were you ever made aware of Mr. Zlochevsky paying \$5 million to two
9 different Bidens?

10 A No, I'm not. I would assume he's probably talking about me and Hunter,
11 but I don't know. But I don't know anything about those five.

12 Q Based on your knowledge, including your work for Burisma's board, your
13 conversations with Hunter Biden, Mykola Zlochevsky, and others at Burisma, does this
14 allegation strike you as credible, meaning the allegation that there were two \$5 million
15 payments to two Bidens?

16 A I think it's -- the agent explains it pretty well on the bottom. And it's similar
17 to, you know, Hunter Biden taking credit for his dad's visit. It's like sending a signal.

18 So he's bragging to this guy that they paid, you know, where he probably paid \$5
19 million or whatever, \$6 million altogether, you know, so that, you know, just to show
20 he's -- well, there's a lot of -- and he explains it. I forget. There's a word in the
21 document.

22 Mr. Schwartz. You're guessing.

23 Are you aware of a \$5 million payment --

24 Mr. Archer. No.

25 Mr. Schwartz. -- to one Biden and a \$5 million payment to another?

1 Mr. Archer. No.

2 Mr. Schwartz. You ever hear anything about that?

3 Mr. Archer. In that document.

4

5 Q Other than that document.

6 A The \$5 million and the \$5 million, I first saw that in the document.

7 Q And so I think the point you're referring to is that in this document the
8 confidential human source says he cannot opine to the veracity of the allegations and
9 notes that it's not unusual for Ukrainian business executives to brag or show off.

10 A Correct.

11 Q Is that consistent with your understanding?

12 A It's consistent of what I was just explaining in both directions.

13 Q If someone were to conclude from this that this is evidence, this Form 1023
14 is evidence that Joe Biden was bribed by Mykola Zlochevsky, would you disagree with
15 that conclusion?

16 A Yeah, I would.

17 Q So in talking about how Zlochevsky and other Ukrainian businessmen brag --

18 A Uh-huh.

19 Q -- exaggerate, tell fibs, is that fair?

20 A Yep, very similar to D.C. operators.

21 Q Similar to D.C. operators.

22 In another sense, you know, is it fair to say that people in D.C. like to give off the
23 impression of access that they don't necessarily actually deliver on?

24 A Yep, correct. And in Ukraine, in Russia they brag about how much -- they
25 brag about bigger bribes than they actually give. So it's pretty kind of similar symbiosis

1 there.

2 Q Now, I want to come back to exhibit 2, which you discussed, and point 18,
3 where it says, "The announcement of my guy's upcoming travels should be characterized
4 as part of our advice and thinking -- but what he will say and do is out of our hands. In
5 other words, it could be a really good thing or it can end up creating too great an
6 expectation. We need to temper expectations regarding that visit."

7 A Yep.

8 Q So to the extent you remember, would this have been a comment about an
9 upcoming trip of Hunter Biden -- of then Vice President Joe Biden to Ukraine?

10 Mr. Schwartz. Again, we can't authenticate the documents. We don't know
11 that it was said.

12 Are you representing that this accurately reflects --

13 [REDACTED] I'm asking about Mr. Archer's recollection and whether
14 there -- shortly after April 12th, 2014, there was an upcoming visit of Vice President Joe
15 Biden to Ukraine.

16 Mr. Schwartz. So your question is chronologically whether there was an
17 upcoming visit of Vice President Biden?

18 [REDACTED] Yes.

19 Mr. Schwartz. In April 2014?

20 [REDACTED] Yes.

21 Mr. Archer. Yeah, this is back to my point from earlier.

22 [REDACTED]

23 Q And to your knowledge, did Hunter Biden have any role whatsoever in
24 getting his father, the Vice President, to visit Ukraine?

25 A I have no idea. I have no knowledge.

1 Q You have no basis to believe that Hunter Biden --

2 A No.

3 Q -- had any role in his --

4 A I have no basis to believe.

5 Q In fact, this statement, if it is actually a statement from Hunter Biden, says,
6 "He will say" -- "What he will say and do is out of our hands."

7 Does it accord with your recollection that Hunter Biden had no ability to influence
8 what his father would do or say on official trips to Ukraine?

9 A Yeah, I have -- I have no -- I have no basis to understand what his father and
10 his conversations were about policy in Ukraine. But, as you can see, that seems pretty
11 familiar, that, you know, he can't influence it but take credit for it.

12 I mean, that was -- it's literally the back and forth between the last exhibit and this
13 exhibit. That's what goes on. People send signals and those signals are basically used
14 as currency. And that's kind of how a lot of D.C. operators and foreign tycoons and
15 businessmen work.

16 Q In other words, it's not that Hunter Biden was influencing U.S. policy. It's
17 that Hunter Biden was falsely giving the Burisma executives the impression that he had
18 any influence over U.S. policy.

19 A I think that's fair.

20 Q And in exhibit 3, there appears to be a quote from Vice President Joe Biden
21 about fighting the cancer of corruption and about the importance of Ukraine reducing its
22 crippling dependence on Russia for supplies of natural gas.

23 A Uh-huh.

24 Q Do you see that?

25 A Yes.

1 Q And there's a statement here that seems like it comes from you that says,
2 "We need to make sure this ragtag temporary government in the Ukraine understands
3 the value of Burisma to its very existence."

4 Do you understand what that sentiment means?

5 A Yes. I think it was I was a believer in Burisma at the time.

6 Q Meaning that you believed that --

7 A Yeah, I thought we were doing something good. It's all funny in retrospect.

8 Q In terms of working toward Ukraine's energy independence.

9 A Yeah. A fresh company that was doing incredibly well and incredibly
10 efficient in their, like, capacity and hit rate and all that stuff. So it was -- yeah.

11 Q And then above that there's a comment that's attributed to Hunter Biden
12 that says, "You should send to Vadym -- makes it look like we are adding value."

13 A Yep.

14 Q "Makes it look." Does that mean that he's actually adding value or that
15 he's claiming credit for something he has no control over?

16 Mr. Schwartz. Again, are we accepting this as genuine?

17 [REDACTED] I'm asking whether --

18 Mr. Goldman. Commonsense interpretation.

19 Mr. Archer. The commonsense interpretation is taking credit where credit is not
20 due.

21 [REDACTED]

22 Q In other words, Hunter Biden would take credit for his father's actions, even
23 though he had no role or influence in those actions.

24 A He would take credit for them.

25 Q Despite having no role in them or no influence over them.

1 A Yeah.

2 Q Is that fair?

3 A Yeah, I can't -- I don't know --

4 Q Based on what you knew --

5 A Based on what I knew, yes.

6 Q Did Hunter Biden ever tell you, "I can get my dad to change U.S. policy"?

7 A No.

8 Q Are you aware of Hunter Biden ever asking his dad to change foreign policy?

9 A No.

10 Q Are you ever -- were you ever privy to any conversations between Hunter

11 Biden and Joe Biden in which they discussed how --

12 A No.

13 Q -- Joe Biden would --

14 A No.

15 Q -- take official actions on behalf of Hunter Biden?

16 A No.

17 Q So is it fair to say that Hunter Biden was selling the illusion of access to his

18 father?

19 A Yes.

20 Q So when you talk about selling the brand --

21 A Uh-huh.

22 Q -- it's not about selling access to his father. It's about selling the illusion of

23 access to his father. Is that fair?

24 A Is that fair? I mean, yeah, that is -- I think that's -- that's almost fair.

25 Q Almost fair. Why almost fair?

1 A Because there -- there is -- there are touch points and contact points that I
2 can't deny that happened, but nothing of material was discussed. But I can't go on
3 record saying that there was -- there was communications.

4 Mr. Goldman. You mean --

5 Mr. Archer. Yeah, yeah.

6 Mr. Goldman. -- hello and --

7 Mr. Archer. Yeah, there were communications.

8 ████████████████████

9 Q By "touch points," you mean Hunter Biden talked to his dad a lot. Is that
10 fair? Is that right?

11 A He talked to him every day.

12 Q He was his son.

13 A Correct.

14 Q Father and son talked all the time.

15 A Uh-huh.

16 Q In 2015, in spring of 2015, Beau Biden died. Is that right?

17 A That's correct.

18 Q Did the frequency of interactions between Hunter Biden and his father
19 increase after Beau Biden's death?

20 A I would say yes.

21 Q Did Joe Biden regularly check in on his son who's admitted he had issues
22 with --

23 A Every day.

24 Q -- drugs and other issues?

25 A Uh-huh.

1 Q Yes?

2 A Yes. Sorry.

3 Q In the context of those conversations, did you ever witness them discussing
4 the substance of Hunter Biden's business?

5 A No.

6 Mr. Goldman. Can we just stop on the Beau point a minute?

7 Mr. Archer. Uh-huh.

8 Mr. Goldman. Did you know Beau?

9 Mr. Archer. I did.

10 Mr. Goldman. Do you recall when he got -- when his health really started
11 deteriorating?

12 Mr. Archer. Yes.

13 Mr. Goldman. What impact did that have on Hunter Biden?

14 Mr. Archer. He was distraught. Definitely a huge impact. And, obviously, you
15 know, it cascaded into -- into a relapse.

16 Mr. Goldman. And --

17 Mr. Archer. Lasted a long time.

18 Mr. Goldman. That -- that last --

19 Mr. Archer. Lasted a long time.

20 Mr. Goldman. Yeah. And so you were still in a business relationship with him
21 during the period when Beau was sick and then after he died, when Hunter relapsed,
22 right?

23 Mr. Archer. Right.

24 Mr. Goldman. And what impact could you see that Beau's death had on then
25 Vice President Biden?

1 Mr. Archer. Yeah. I think absolutely devastated, the same, you know, the
2 same -- very similar effect, obviously, about the relapse. But he was, yeah, devastated.

3 Mr. Goldman. So he died -- Beau died in the spring of 2015. Do you remember
4 how long he had been really --

5 Mr. Archer. Sick?

6 Mr. Goldman. -- sick?

7 Mr. Archer. It was -- the deterioration was quick at the end.

8 Mr. Goldman. Yeah.

9 Mr. Archer. So there was obviously always the notion of that he had gotten this
10 diagnosis, but it was -- he was fairly functional. And then it was -- then it was a very
11 quick, like, you know, you could really see it at the end.

12 So I'm thinking about, like, summer of -- so that was out. We were out to, you
13 know, and like the last time I saw Beau was we had ice cream in South Hampton with the
14 kids. And he was, like, on the way out, and it was, yeah, it was really sad.

15 And, obviously, his dad there was and he was extremely -- it was a very, very
16 difficult time for them.

17 Mr. Goldman. Was that right before he passed away --

18 Mr. Archer. Yeah.

19 Mr. Goldman. -- or was that the previous summer?

20 Mr. Archer. It was like -- what month was it? Spring of -- of -- it was like
21 September, like, yeah, like Indian summer. So it was probably -- I can't remember.

22 Mr. Goldman. '14?

23 Mr. Archer. Yeah.

24 Mr. Schwartz. '15, May 30th, 2015.

25 Mr. Archer. '15.

1 Mr. Goldman. That's when he died, right?

2 Mr. Archer. Yeah.

3 Mr. Goldman. You were saying --

4 Mr. Archer. Yeah, so it was probably September, yeah.

5 Mr. Goldman. And so was -- you obviously were spending a fair amount of time
6 with Hunter. Were the conversations between Hunter and his father primarily centered
7 at that point around Beau's illness and how they were both coping? Is that --

8 Mr. Archer. Yeah. A lot of logistics and, you know, travel for between, you
9 know, his treatments and who was going to be with him that week and a lot of it.

10 Mr. Goldman. And then after just the grief and the sorrow --

11 Mr. Archer. Yeah.

12 Mr. Goldman. -- and checking in? Is that --

13 Mr. Archer. A lot, yeah, and then the checking in.

14 Then I think, yeah, the optempo of the comms, when it was every other day, it
15 became every day from kind of that -- those days forward until it seems like they had a
16 little bit of a hiatus, but I was out of the picture by then.

17 Mr. Goldman. And you -- to your knowledge, you know, none of the times that
18 you would ever overhear Vice President Biden calling Hunter was to -- was with the
19 purpose of discussing business with him.

20 Mr. Archer. It was, yeah, not related to commercial business, politics, that kind
21 of stuff.

1

2 [2:20 p.m.]

3 Mr. Goldman. Family.

4 Mr. Archer. Family, politics, you know, and geography, fishing, whatever

5 the -- but --

6 Mr. Goldman. But not Hunter's business ventures.

7 Mr. Archer. -- only the practical -- yeah -- the practical stuff that I would hear
8 would be politics-related. Like, I think he -- I think his dad really respects his -- respected
9 or still respects -- you know, his opinion on political things.

10 Mr. Goldman. Unrelated to whatever --

11 Mr. Archer. Yeah.

12 Mr. Goldman. -- business dealings you guys had together.

13 Mr. Archer. Yeah. I don't think there's much -- he doesn't have much expertise
14 in the world of business.

15

16 Q Joe Biden, that is?

17 A Right.

18 Q I want to come back -- there was a lot of conversation in the Republicans'
19 hours of questioning about these phone calls --

20 A Uh-huh.

21 Q -- around the presence of business partners.

22 A Right.

23 Q I think you've discussed the Dubai call --

24 A Yes.

25 Q -- which you didn't actually --

1 A That one I did not --

2 Q -- hear at all.

3 A Yes.

4 Q There was a call in Paris --

5 A Uh-huh.

6 Q -- and you mentioned a call with Jonathan Li.

7 A Yes.

8 Q During those calls -- let's start with the one in Paris.

9 A Sure.

10 Q -- did Joe Biden -- was Joe Biden calling Hunter Biden? Was Hunter Biden

11 calling Joe Biden?

12 A I believe on the Paris, it was he called Hunter.

13 Q He called Hunter.

14 A Uh-huh.

15 Q One of the regular kind of check-in calls?

16 A Uh-huh.

17 Q You said he'd call him every day.

18 A Yep.

19 Q And Hunter Biden picked up --

20 A Correct.

21 Q -- and put him on speakerphone? Is that correct?

22 A Yes.

23 Q Did Joe Biden know he was on speakerphone?

24 A Yes, I would say he knew. I don't -- I have no basis to know, but he would

25 say -- you know, he'd say, "Hey, say hello to" -- you know, it's great in Paris, the weather's

1 this. And everybody would know. And then that was over.

2 Q So Hunter Biden would tell his dad --

3 A Yeah.

4 Q -- he's in Paris, the weather's great?

5 A Yeah, he never -- there was no ambushing in the sense that, like, Hunter
6 wouldn't just, like, be like, listen, this is my dad.

7 Q And he said, "Say hello to," and he would just say the names of the people
8 there?

9 A I don't recall directly, but, yes, something like that.

10 Q And did you ever have the impression that Joe Biden actually knew who
11 these people were? Or was he just telling -- saying hello, kind of, at Hunter Biden's
12 invitation?

13 A You know, sometimes yes, sometimes no, but generally no.

14 Q Generally he didn't know these people?

15 A Generally it was a very good political, you know, action.

16 Q So he said, "Say hello to Louis" --

17 A Yeah.

18 Q -- and Joe Biden would say, "Hello, Louis," without knowing who Louis was.
19 Is that fair?

20 A Sometimes, yes.

21 Q And on this Paris call -- because let's take them --

22 A Uh-huh.

23 Q -- was there any discussion of Hunter Biden's business in Paris or this
24 business meeting that they were having?

25 A No.

1 Q The conversation was about the weather --

2 A The weather and niceties, all of it -- any -- as it goes for any of the -- there
3 was never a discussion of cap tables, and that wasn't -- you know, that was not the
4 purpose of the calls.

5 Q But beyond cap tables, there wasn't any conversation of "you need to help
6 me with this business I have with these people," or, "you need to take this action or that
7 action to help these business partners of mine."

8 A Correct.

9 Q That never happened.

10 A That did not happen.

11 Q Jonathan Li --

12 A Yes.

13 Q -- that call, was that an inbound call, an outbound call? To the extent you
14 remember.

15 A Yeah, to the extent I remember, that -- I don't know, but I know there was a
16 "hello." There was, like -- you know, they ended up having coffee, I think, so he
17 might've known him.

18 Q Jonathan --

19 A Jonathan Li and President Biden had coffee. So it might've been, like, after
20 they had coffee, and he was saying hello, so there was, like, some familiarity.

21 Q Where was that, that they had coffee?

22 A They had coffee in Beijing.

23 Q So it was reported that that meeting was kind of just a handshake --

24 A Yeah.

25 Q -- meeting in --

1 A Right.

2 Q -- Beijing --

3 A Yes.

4 Q -- while --

5 A I wasn't there, so I'm not -- I don't -- I just -- I read the reporting and heard
6 from Hunter and Jonathan. So he might've been saying, "Oh, I'm with Jonathan Li again.
7 Remember, you met him in Beijing."

8 Q Although, isn't it fair to say the Vice President probably shakes hands with
9 thousands of people over the course of the Vice Presidency?

10 A That is fair to say.

11 Q So did you have any reason to believe that, on that call, Joe Biden actually
12 knew who Jonathan Li was?

13 A I have no basis.

14 Q And was there any discussion of BHR or Hunter Biden's business with
15 Jonathan Li?

16 A Yeah -- oh, you mean with --

17 Q While Joe Biden was on the phone.

18 A No.

19 Q Was there any -- did you ever witness Hunter Biden asking Joe Biden to do
20 something for -- you know, to help BHR or help out Jonathan Li?

21 A A college recommendation. She didn't get in.

22 Mr. Goldman. For who?

23 Mr. Archer. I think for his daughter, to Georgetown. It didn't work.

24

25 Q Was it a kind of nonpersonalized letter of recommendation?

1 A It was a -- I don't -- I actually don't remember it. But I remember the -- I
2 remember he got him to write him a recommendation -- her, the daughter.

3 Q Did he take any official action on behalf of BHR?

4 A No.

5 Q Was he ever asked to take an official action on behalf of BHR?

6 A No.

7 Q So is it fair to say that these conversations that my Republican colleagues
8 asked you about where Hunter Biden had Joe Biden on the phone around business
9 partners, that there was nothing in those conversations beyond the exchange of
10 pleasantries?

11 A That is correct.

12 Q And we talked earlier about, kind of, Hunter Biden liking to project this
13 image, this illusion, of access to his father.

14 A Uh-huh.

15 Q Was this just part of his effort to say, "Hey, I'm Joe Biden's son, and I talk to
16 Joe Biden a lot"?

17 Mr. Schwartz. If you know. I mean, don't speculate about what --

18 Mr. Archer. Right. I don't want to speculate about what he was thinking. But
19 I think it's just, you know, just common sense and, you know, that it's the brand and
20 that's the value and -- yeah. I don't --

21

22 Q But it was just about --

23 A It was about projecting who he was.

24 Q But, in fact, Hunter Biden -- Joe Biden never helped out Joe Biden's -- sorry.
25 Scratch that.

1 In fact, Hunter Biden never asked his father to take official actions on behalf of his
2 business partners?

3 A He did not. He did not ask him -- to my knowledge, I never saw him say, do
4 anything for any particular business.

5 Q And you're not aware of Joe Biden ever doing anything to help his son's
6 business partners?

7 A No. I think that the calls were -- that's what it was. They were calls to talk
8 about the weather, and that was signal enough to be powerful.

9 Q So this, again, was about projecting this illusion of access to his father. Is
10 that right?

11 A Correct.

12 Q And then, you know, we talked -- you talked during the Republicans' hours of
13 questioning and during this hour of questioning about Hunter Biden's various business
14 ventures with you.

15 A Uh-huh.

16 Q And I understand that in December 2020 you received a grand jury subpoena
17 as part of the Delaware-led investigation into Hunter Biden, the investigation led by U.S.
18 Attorney David Weiss.

19 Mr. Schwartz. So where are you going with this? Because anything in this time
20 period is out of scope.

21 [REDACTED] I just want to establish that Mr. Archer received a grand jury
22 subpoena, participated in an interview, and answered the questions honestly and
23 fulsomely.

24 Mr. Schwartz. He did. He appeared. He answered questions in a voluntary
25 proffer. And then he testified pursuant to an immunity order in the grand jury.

1

2

Q And at that meeting when you provided testimony, there were people from the Delaware U.S. Attorney's Office --

4

A Uh-huh.

5

6

Q -- Department of Justice's Tax Division, Department of Justice's National Security Division, the FBI, and the IRS. Is that right?

7

A Correct.

8

9

Q And you answered all the questions they had for you fulsomely and truthfully. Is that right?

10

A Yes.

11

Mr. Goldman. As you are doing here today?

12

Mr. Archer. Yes.

13

14

Q And did the questions they have for you generally cover the same subject areas that we're covering here today?

15

Mr. Schwartz. Don't get into the subject --

16

Mr. Archer. Okay.

17

Mr. Schwartz. -- matter of -- I mean, you can answer that question.

18

Mr. Archer. Yes.

19

Mr. Schwartz. Don't get into the subject matter of your --

20

Mr. Archer. It was, like, a --

21

Mr. Schwartz. -- interviews with law enforcement.

22

23

Mr. Archer. Yeah. It was, like, a, I would say, 20-percent overlap. There were a lot of other directions.

24

Q Meaning, they covered more --

25

Mr. Archer. Yeah, it covered more.

1 [REDACTED] -- than what we have covered here?

2 Mr. Archer. It was also 18 hours, I think.

3 Mr. Goldman. How was the temperature?

4 Mr. Archer. It was hot too. It was kind of hot. Not as hot as this room.

5 Mr. Schwartz. It might've felt like it.

6 Mr. Archer. Felt like it, yeah.

7 [REDACTED] Let's go off the record. I think we're arriving at the --

8 Mr. Goldman. Let's, yeah, take a quick break.

9 [REDACTED] -- end of our first hour.

10 Mr. Archer. Okay.

11 [REDACTED] And so we'll take a quick break and then pick back up and finish.

12 Mr. Archer. Yeah.

13 [Recess.]

14 [REDACTED] Ready to go back on the record?

15 Mr. Schwartz. Yep.

16 Mr. Archer, before the break, you were asked a question along the lines of, was
17 Hunter Biden selling access to his father or was he selling the appearance of access to his
18 father? Do you recall that question?

19 Mr. Archer. Yes.

20 Mr. Schwartz. My question is, was it that Hunter Biden was creating the
21 appearance of access to his father or that he was creating the appearance of access to
22 Washington, D.C.?

23 Mr. Archer. It was the -- overall, it's the appearance to all of D.C.

24 Mr. Schwartz. And part of his perceived value-add was the ability to navigate
25 Washington --

1 Mr. Archer. Right.

2 Mr. Schwartz. -- and access to various people and --

3 Mr. Archer. He spent a career in D.C., and he carried the Biden name. So I
4 think that's -- that's it.

5 Mr. Goldman. So is the difference that you're trying to draw out here that he
6 actually did have a lot of his own contacts and experience in navigating Washington, D.C.,
7 and so that was actually something that he provided to Burisma?

8 Mr. Archer. Yes.

9 Mr. Goldman. And then, separately --

10 Mr. Archer. He was helpful.

11 Mr. Goldman. And then, separately, he wanted to also give off the illusion of
12 having access to his father as the Vice President?

13 Mr. Schwartz. Well, don't speculate on what someone else wanted unless you
14 two talked about it.

15 Mr. Goldman. Well, I'm just trying to understand why you're making this -- the
16 only reason to make this clarification is because he has his own experience in lobbying
17 and D.C. connections from his own professional experience.

18 Mr. Schwartz. Yeah.

19 Mr. Goldman. But what you said about his relationship and connection and use
20 of his father remains the same, which is that he never asked for anything from his father,
21 never received anything from his father, and his father was not involved in any of these
22 business dealings, nor making policy based on whatever his son's business dealings were.

23 Mr. Schwartz. So, if you separate the prelude to that question from the actual
24 question, I think he'll agree with the question. Try it again.

25 Mr. Goldman. So he was giving the impression that he had --

1 Mr. Schwartz. It is still true that you are not aware that Hunter Biden ever
2 discussed policy with his father, discussed business with his father, influenced American
3 policy for purposes of his business or otherwise caused the Vice President or asked the
4 Vice President to do anything improper, right?

5 Mr. Archer. That's my understanding.

6

7 Q So Hunter Biden did help set Burisma up with Boies Schiller, with Blue Star
8 Group, with the DHS lobbyists, with a whole government affairs and lobbying team in D.C.
9 Is --

10 A Correct.

11 Q -- that right?

12 A That is correct.

13 Q That was access that he provided to them to D.C. public affairs and lobbying
14 groups. Is that correct?

15 A That's correct.

16 Mr. Goldman. And that was what he had -- in that statement, you know, that
17 summary of what he was bringing to Burisma, that was included in that explanation,
18 correct?

19 Mr. Archer. Yes. There's a portfolio of access.

20

21 Q But he did not provide the Burisma executives with actual access to his
22 father. The access to his father was an illusion of access to his father. Is that right?

23 A Right. An illusion of access to his father, other than social -- you know,
24 socials. Because Vadym was at dinner, for instance, so I can't --

25 Mr. Goldman. Right, to say -- when they socially said "hello." Is that what

1 you're referring to?

2 Mr. Archer. They had dinners together, et cetera.

3 So it was -- it was -- like I said from the beginning, there was never -- they
4 didn't -- it's just like when, you know, Jamie Dimon comes in to talk about an IPO. You
5 know, he doesn't know what the pricing's going to be or when the date's going to be.
6 It's just a -- it's a conversation, and that was never part of it.

7 But the actual, tangible assets of the portfolio were, you know, lobbying and a
8 career in D.C.

9 Mr. Goldman. Let me ask you a followup. You've used this Jamie Dimon
10 analogy, and I think you used it during the majority's time of questioning in reference to
11 your description of the brand.

12 Mr. Archer. Uh-huh.

13 Mr. Goldman. Just so I can understand what you mean by that, let's take the
14 Trump family.

15 Mr. Archer. Sure.

16 Mr. Goldman. Would you say that the Trump family has a brand?

17 Mr. Archer. Absolutely.

18 Mr. Goldman. And would you say that Donald Trump, Jr., gets access and --

19 Mr. Schwartz. This is so out of scope. He doesn't know anything about the
20 Trump family.

21 Mr. Goldman. Well, did you play golf with Donald Trump?

22 Mr. Archer. No, I haven't played golf with him.

23 Mr. Goldman. You never did play golf with Donald Trump?

24 Mr. Archer. Oh, I did play behind him. Sorry. Scratch that. I played behind
25 him. And then he came up to me at the clubhouse and talked -- he didn't know who I

1 was, but he didn't like my, like, athletic shorts.

2 Mr. Goldman. It is within the scope. If you're going to bring up Jamie Dimon,
3 then we get to clarify what he means by "the brand."

4 Mr. Archer. That's fine.

5 Mr. Schwartz. You can ask him that without getting into other people that are
6 outside of scope.

7 Mr. Goldman. So -- well, I think you can give a little leeway here, Mr. Schwartz.
8 This is not going into his criminal case or anything that we had nothing to do with
9 negotiating it.

10 But I do think it's important to provide proper context for, when you're talking
11 about the Biden brand, that there's another brand that you just described, which is the
12 Trump brand. And is it your --

13 Mr. Schwartz. You want to start drawing equivalencies between the Biden brand
14 and the Trump brand?

15 Mr. Goldman. I would like for you to let me ask the question, which is: Would
16 you say that Donald Trump's children benefit from their last name being Trump?

17 Mr. Archer. I would speculate to say yes.

18 Mr. Goldman. I'll leave it at that.

19 

20 Q You mentioned, kind of, social dinners. You talked about two dinners at
21 Cafe Milano.

22 A Uh-huh.

23 Q I just wanted to go over those quickly.

24 A Sure.

25 Q The second dinner, the one in 2015, that was a dinner about the World Food

1 Programme? Is that right?

2 A Yes, that was the -- there was an attendee from the World Food Programme.

3 Q And Hunter Biden is on the board of the World Food Program USA or
4 something along those lines?

5 A I think he was along -- in 2015, he was.

6 Q Okay.

7 And The Washington Post reported on that dinner, and their reporting was that it
8 was organized to discuss food security issues in connection with Hunter Biden's role as
9 chairman of World Food Program USA.

10 Does that sound right?

11 A That does.

12 Q Okay.

13 A That's probably where I remember it from.

14 Q And The Washington Post also reported that President Biden made an
15 appearance at this dinner, which is also what you testified to. But the Washington Post
16 reporting was that President Biden only spoke to his longtime friend, Father Alex
17 Karloutsos, a prominent member of the Greek Orthodox Church, at that dinner.

18 Does that coincide with your memory?

19 A No.

20 Q What do you remember?

21 A I remember just a regular dinner where there was a table of conversation
22 and -- you know, talked about the World Food Programme probably. I don't recall, but
23 it wasn't -- it wasn't -- that's not correct reporting.

24 Q Did Hunter Biden or any of his business associates talk about their business
25 together at that dinner?

1 A No.

2 Q Was the conversation just about the World Food Programme and, kind of,
3 general pleasantries?

4 A Again, I don't recall -- I don't -- it was a long time ago. I don't recall the
5 specific conversation. But I would -- you know, like I've said across the board, there was
6 no business-deals specifics discussed ever at any of these things, but it was -- it was a
7 nice, you know, conversation.

8 Q And is that also the case at the first Cafe Milano dinner, that the
9 conversation was not about Hunter Biden's businesses with his various business
10 associates?

11 A Right. It was dinner conversation.

12 Mr. Goldman. And just to be clear, Joe Biden had nothing to do with any of your
13 business ventures with Hunter Biden, right? He was --

14 Mr. Archer. As far as ownership?

15 Mr. Goldman. Yeah, or --

16 Mr. Archer. No.

17 Mr. Goldman. -- investing or anything, to your knowledge.

18 Mr. Archer. Not to my knowledge.

19 Mr. Goldman. And in all this exhibit 1, 260 pages, you didn't see a single wire
20 transfer to Joe Biden, did you?

21 Mr. Archer. I -- no, I have not seen a wire transfer to Joe Biden.

22 Mr. Goldman. Give us 1 second.

23 Mr. Archer. Uh-huh.

24 [Discussion off the record.]

25 Mr. Goldman. Oh, I do have a question for you.

1 Mr. Archer. Sure.

2 Mr. Goldman. We can go back on the record.

3 Because of your experience at the beginning of your career working in Asia, did
4 you have more -- would you say you had more access than the average private-equity
5 businessman, you know, working in the United States to that part of the world?

6 Mr. Archer. Yes.

7 Mr. Goldman. You have greater familiarity?

8 Mr. Archer. Yes.

9 Mr. Goldman. And this private-equity deal with Bohai was used -- it was using
10 some of Chinese investors' money to source deals outside of China?

11 Mr. Archer. That was the original intent, yes. And then there was a -- the
12 original intent was outbound private equity. And then there was a policy shift, and
13 there was a small window of privatizations, so -- the Sonipak Marketing and some other
14 privatizations. And then --

15 Mr. Goldman. Where were those privatizations?

16 Mr. Archer. Those were, like -- those were, like, privatizations of divisions of
17 Chinese companies.

18 Mr. Goldman. In China?

19 Mr. Archer. In China. So there was -- what happened was, the capital controls
20 tightened, so a shift in strategy based on policy from China. So they had --

21 Mr. Goldman. Chinese policy made it more --

22 Mr. Archer. Yeah. And then CFIUS got a lot tighter with the U.S., so it was
23 harder -- you know, so those assets were not able to be purchased. And it just -- and
24 then, again, like every business dealing that Hunter touched, it just turned into -- all just
25 went by the wayside.

1 Mr. Goldman. What was his involvement with that venture?

2 Mr. Archer. He was on the board initially.

3 Mr. Goldman. Initially.

4 Mr. Archer. Yes. He was on the board initially, and I think it was the -- I
5 corrected ourselves. It was not the Schweizer book, but it was the -- I believe it was the
6 Navy issue was when he resigned from the board.

7 Mr. Goldman. And was that around the same time that Beau's death --

8 Mr. Archer. Yeah.

9 Mr. Goldman. -- and thereafter?

10 Mr. Archer. Yeah.

11 Mr. Goldman. So he was going through his personal issues as well?

12 Mr. Archer. Correct.

13 Mr. Goldman. Okay.

14 But, originally, it was your entree into China? Is that how --

15 Mr. Archer. It was actually Thorn- -- well, it was -- the direct relationship was
16 like, "Oh, this guy's worked in private equity in Asia." And then some -- you know, a
17 mutual partner of Rose- -- it was called Rosemont Solebury Co-Investment
18 Fund -- introduced us to Thornton and said, "Oh, they're thinking about, you know,
19 setting up these private equity funds in China. You've got experience in Asia" -- even
20 though it wasn't in the same country. "Why don't you go over and meet them?"

21 And I actually went, and I met Jonathan Li on the first trip. And then --

22 Mr. Goldman. That was how --

23 Mr. Archer. That was, like, 2008, though. So it was 6 years later that I think we
24 ended up kicking it off.

25 Mr. Goldman. Got it. Okay.

1 Mr. Archer. Yeah, it actually predated me meeting Hunter.

2 Mr. Goldman. So the Jonathan Li relationship was your relationship.

3 Mr. Archer. Uh-huh.

4

5 Q And, just to clarify, there are two entities that were discussed in the
6 Republicans' hours of questioning, Rosemont Capital and Rosemont Realty.

7 A Uh-huh.

8 Q Hunter Biden didn't have an ownership stake in any of those -- in either of
9 those?

10 A He did not. Definitely not in Rosemont Capital. There might have been a
11 small -- I just have to check. There might have been a small dividend when Rosemont
12 Realty was sold, but it was a very low, low percentage. It was probably based on
13 whatever capital he had brought to the table, like, raised -- like, raised capital.

14 Mr. Schwartz. Not based on equity.

15 Mr. Archer. Yeah, not based on equity.

16

17 Q And that capital he raised didn't involve any of the funds from Ms. Baturina?

18 A No. He had no -- no --

19 Mr. Schwartz. No.

20 Mr. Archer. He had no -- no Baturina.

21 Mr. Goldman. Could I clarify the arrangement you had with Burisma through
22 RSB?

23 Mr. Archer. Uh-huh.

24 Mr. Goldman. So, essentially, both you and Hunter Biden had a board contract
25 that, in return for all of your work for the board, you would get paid a million dollars a

1 year. That went into RSB.

2 Mr. Archer. Uh-huh.

3 Mr. Goldman. And then it was split up in three ways -- you, Hunter, and then the
4 Tri Global?

5 Mr. Archer. Tri Global. Yeah.

6 Mr. Goldman. Why was that, with Tri Global?

7 Mr. Archer. Because they were the -- they, like, were the cap intro and
8 basically initially introduced Zlochevsky and the Burisma team --

9 Mr. Goldman. Uh-huh.

10 Mr. Archer. -- you know, early on, and then followed up in that -- you know,
11 followed up in that 2014.

12 And, you know -- so, during my tenure, that was -- and minus any investments or,
13 like, collective expenses that we incurred.

14 Mr. Goldman. Right. But the idea was --

15 Mr. Archer. So the net wasn't necessarily that every month, but theoretically
16 that was, like, what our share was --

17 Mr. Goldman. Got it.

18 Mr. Archer. -- of that piece.

19 Mr. Goldman. And the reason it went through RSB is because you had this third
20 partner involved in -- you know, related to the Burisma board work you were doing?

21 Mr. Archer. I don't think I could say that. The reason it went through RSB was
22 it just happened to be, like, kind of a catchall. Like, you understand I was
23 running -- Rosemont Realty was a 2-, almost 3-billion-dollar fund. I was a general
24 partner. We had 400 employees. Like -- this, though, has gotten more airtime
25 than -- it really wasn't my -- I wasn't doing this --

1 Mr. Goldman. You weren't focused on it.

2 Mr. Archer. -- on a day-to-day --

3 Mr. Goldman. But I guess I'm just -- you then paid Tri Global out of RSB.

4 Mr. Archer. Yes, we did. Yeah. There -- that's all in there. You can find
5 them all.

6 Mr. Goldman. All right.

7 Mr. Archer. It's probably -- it's the different consulting groups and whatever
8 they were.

9

10 Q So it's fair to say Burisma paid the money into RSB, and then RSB disbursed
11 the relative shares to you, Hunter Biden, and Tri Global?

12 A Yes.

13 [REDACTED] All right. I think we're good. Off the record.

14 [Whereupon, at 3:00 p.m., the interview was concluded.]

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Certificate of Deponent/Interviewee

I have read the foregoing ____ pages, which contain the correct transcript of the answers made by me to the questions therein recorded.

Witness Name

Date