

Why Giuliani Singled Out 2 Ukrainian Oligarchs to Help Look for Dirt

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VIENNA — They were two Ukrainian oligarchs with American legal problems. One had been indicted on federal bribery charges. The other was embroiled in a vast banking scandal and was reported to be under investigation by the F.B.I.

And they had one more thing in common: Both had been singled out by Rudolph W. Giuliani and pressed to assist in his wide-ranging hunt for information damaging to one of President Trump's leading political rivals, former Vice President Joseph R. Biden Jr.

That effort culminated in the July 25 phone call between the American and Ukrainian presidents that has taken Mr. Trump to the brink of impeachment and inexorably brought Mr. Giuliani's Ukrainian shadow campaign into the light.

In public hearings over the last two weeks, American diplomats and national-security officials have laid out in detail how Mr. Trump, at the instigation and with the help of Mr. Giuliani, conditioned nearly \$400 million in direly needed military aid on Ukraine's announcing investigations into Mr. Biden and his son, as well as a debunked conspiracy theory that Ukraine, not Russia, interfered in the 2016 presidential election.

But interviews with the two Ukrainian oligarchs — Dmitry Firtash and Ihor Kolomoisky — as well as with several other people with knowledge of Mr. Giuliani's dealings, point to a new dimension in his exertions on behalf of his client, Mr. Trump. Taken together, they depict a strategy clearly aimed at leveraging information from politically powerful but legally vulnerable foreign citizens.

In the case of Mr. Firtash, an energy tycoon with deep ties to the Kremlin who is facing extradition to the United States on bribery and racketeering charges, one of Mr. Giuliani's associates has described offering the oligarch help with his Justice Department problems — if Mr. Firtash hired two lawyers who were close to President Trump and were already working with Mr. Giuliani on his dirt-digging mission. Mr. Firtash said the offer was made in late June when he met with Lev Parnas and Igor Fruman, both Soviet-born businessmen involved in Mr. Giuliani's Ukraine pursuit.

Mr. Parnas's lawyer, Joseph A. Bondy, confirmed that account and added that his client had met with Mr. Firtash at Mr. Giuliani's direction and encouraged the oligarch to help in the hunt for compromising information “as part of any potential resolution to his extradition matter.”

Mr. Firtash's relationship to the Trump-allied lawyers — Victoria Toensing and Joseph diGenova — has led to intense speculation that he is, at least indirectly, helping to finance Mr. Giuliani's campaign. But until now he has stayed silent, and many of the details of how and why he came to hire the lawyers have remained murky.

In the interview, Mr. Firtash said he had no information about the Bidens and had not financed the search for it. “Without my will and desire,” he said, “I was sucked into this internal U.S. fight.” But to help his legal case, he said, he had paid his new lawyers \$1.2 million to date, with a portion set aside as something of a referral fee for Mr. Parnas.

And in late August, Ms. Toensing and Mr. diGenova did as promised: They went to the Justice Department and pleaded Mr. Firtash's case with the attorney general, William P. Barr.

In an interview, Mr. Giuliani acknowledged that he had sought information helpful to Mr. Trump from a member of Mr. Firtash's original legal team. But, Mr. Giuliani said, “the only thing he could give me was what I already had, hearsay.” Asked if he had then directed his associates to meet with Mr. Firtash, Mr. Giuliani initially said, “I don't think I can comment,” but later said, “I did not tell Parnas to do anything with Firtash.”

He added, though, that there would be nothing improper about seeking information about the Bidens from the oligarchs. “Where do you think you get information about crime?” he said.

[How Did Rudy Giuliani Get Here? The man once hailed as “America's Mayor” is at the center of the most confounding political story of the Trump presidency. Watch this special episode of “The Weekly,” our TV show, available to Times subscribers in the U.S.]

But Chuck Rosenberg, a legal expert and a United States attorney under President George W. Bush, said the “solicitation of information, under these circumstances, and to discredit the president's political opponent, is at best crass and ethically suspect.”

He added: “And it is even worse if Mr. Giuliani, either directly or through emissaries acting on his behalf, intimated that pending criminal cases can be ‘fixed’ at the Justice Department. The president’s lawyer seems to be trading on the president’s supervisory authority over the Justice Department, and that is deeply disturbing.”

Mr. Bondy, the lawyer for Mr. Parnas — who was arrested with Mr. Fruman last month on campaign finance-related charges and has signaled a willingness to cooperate with impeachment investigators — said in a statement that all of his client’s actions had been directed by Mr. Giuliani.

“Mr. Parnas reasonably believed Giuliani’s directions reflected the interests and wishes of the president, given Parnas having witnessed and in several instances overheard Mr. Giuliani speaking with the president,” the lawyer said. Mr. Parnas, he added, “is remorseful for involving himself and Mr. Firtash in the president’s self-interested political plot.”

A Conduit to Ukraine

By the time Mr. Giuliani turned his attention to Mr. Kolomoisky and Mr. Firtash, he had been working for months to turn up damaging information about Mr. Biden and his son Hunter, who joined the board of the Ukrainian energy company Burisma while his father was vice president.

Mr. Giuliani spoke with Ukrainian officials like Viktor Shokin, the former prosecutor general who suggested, falsely, that Mr. Biden had had him fired for looking into Burisma, as well as with Mr. Shokin’s successor, Yuriy Lutsenko. And he enlisted Ms. Toensing and Mr. diGenova, trusted colleagues since their days together in the Reagan Justice Department, to help interview and potentially represent anyone willing to come forward with dirt. Mr. Parnas acted as translator and fixer, crisscrossing the Atlantic with stops at the Manhattan cigar bar that was Mr. Giuliani’s hangout, a strip club in Kyiv and even a Hanukkah reception at the White House.

The campaign seemed to be paying off, with the Ukrainian president, Petro Poroshenko, poised to announce the investigations Mr. Giuliani sought, when the political situation changed. On April 21, Mr. Poroshenko was unseated by Volodymyr Zelensky, a comedian and political novice, sending Mr. Giuliani scrambling to establish a conduit. Two days later, Mr. Parnas and Mr. Fruman flew to Tel Aviv to meet with Mr. Kolomoisky, who was seen as Mr. Zelensky’s patron.

Mr. Kolomoisky, a banking and media tycoon who is one of Ukraine’s richest men, is also known for financing mercenary troops battling Russian-supported separatists in eastern Ukraine. Earlier in April, The Daily Beast had reported, citing unnamed sources, that the F.B.I. was investigating him for possible money-laundering in connection with problems at a bank he had owned. He is also entangled in a civil lawsuit in Delaware.

Mr. Giuliani’s assessment, according to Mr. Parnas’s lawyer, was that those legal problems made Mr. Kolomoisky vulnerable to pressure.

But the meeting did not go according to plan. In an interview, Mr. Kolomoisky said the two men came “under the made-up pretext of dealing liquefied natural gas,” but as soon as it became clear that what they really wanted was a meeting between Mr. Giuliani and Mr. Zelensky, he abruptly sent them on their way. The exchange, he said, went like this:

“I say, ‘Did you see a sign on the door that says, ‘Meetings with Zelensky arranged here’?”

“They said, ‘No.’

“I said, ‘Well then, you’ve ended up in the wrong place.’”

Mr. Kolomoisky, who has denied wrongdoing in the bank case, said he had not been contacted by the F.B.I.; a bureau spokesman declined to say whether the oligarch was under investigation.

After the Kolomoisky meeting’s unsuccessful end, Mr. Giuliani tweeted about the Daily Beast article and gave an interview to a Ukrainian journalist. Mr. Zelensky, he warned, “must cleanse himself from hangers-on from his past and from criminal oligarchs — Ihor Kolomoisky and others.”

Mr. Kolomoisky offered a warning of his own, predicting in the Ukrainian press that “a big scandal may break out, and not only in Ukraine, but in the United States. That is, it may turn out to be a clear conspiracy against Biden.”

Help to Fight an Extradition

The pair fared better with Mr. Firtash.

For several years, Mr. Firtash’s most visible lawyer had been Lanny Davis, a well-connected Democrat who also represented Mr. Trump’s fixer-turned-antagonist, Michael Cohen. In a television appearance in March, Mr. Giuliani had attacked Mr. Davis for taking money from the oligarch, citing federal prosecutors’ contention that he was tied to a top Russian mobster — a charge Mr. Firtash has denied.

Now, however, Mr. Giuliani wanted Mr. Firtash’s help. After being largely rebuffed by a member of the oligarch’s legal team in early June, he hit upon another approach, according to Mr. Parnas’s lawyer: persuading Mr. Firtash to hire more amenable counsel.

There was a brief discussion about Mr. Giuliani’s taking on that role himself, but Mr. Giuliani said he decided against it. According to Mr. Parnas’s lawyer, that is when Mr. Giuliani charged Mr. Parnas with persuading the oligarch to replace Mr. Davis with Ms. Toensing and Mr. diGenova. The men secured the June meeting with Mr. Firtash in Vienna after a mutual acquaintance, whom Mr. Firtash declined to name, vouched for them.

In the interview, Mr. Firtash said it had been clear to him that the two emissaries were working for Mr. Giuliani. The oligarch, a major player in the Ukrainian gas market, said Mr. Parnas and Mr. Fruman initially pitched him on a deal to sell American liquefied natural gas to Ukraine, via a terminal in

Poland. While the deal didn't make sense financially, he said, he entertained it for a time, even paying for the men's travel expenses, because they had something else to offer.

"They said, 'We may help you, we are offering to you good lawyers in D.C. who might represent you and deliver this message to the U.S. D.O.J.," Mr. Firtash recalled, referring to the Justice Department.

The oligarch had been arrested in Vienna in 2014, at the American authorities' request, after his indictment on charges of bribing Indian officials for permission to mine titanium for Boeing. Mr. Firtash, who denies the charges, was free on bail but an Austrian court had cleared the way for his extradition to the United States.

In hopes of blocking that order, Mr. Firtash and his Vienna lawyers had filed records showing that a key piece of evidence — a document known as "Exhibit A" that was said to lay out the bribery scheme — had been prepared not by Mr. Firtash's firm, but by the global consultancy McKinsey & Company. But Mr. Firtash's legal team had been unable to persuade federal prosecutors to withdraw it. McKinsey has denied recommending "bribery or other illegal acts."

Ms. Toensing and Mr. diGenova, the Giuliani emissaries told him, "are in a position to insist to correct the record and call back Exhibit A as evidence," Mr. Firtash recalled.

He hired the lawyers, he said, on a four-month contract for a singular task — to arrange a meeting with the attorney general and persuade him to withdraw Exhibit A. He said their contract was for \$300,000 a month, including Mr. Parnas's referral fee. A person with direct knowledge of the arrangement said Mr. Parnas's total share was \$200,000; Ms. Toensing declined to discuss the payment but has said previously that it was for case-related translation.

There was one more piece to Mr. Parnas's play. "Per Giuliani's instructions," Mr. Parnas's lawyer said, his client "informed Mr. Firtash that Toensing and diGenova were interested in collecting information on the Bidens." (It was the former vice president who had pushed the Ukrainian government to eliminate middleman gas brokers like Mr. Firtash and diversify the country's supply away from Russia.)

While Mr. Firtash declined to say whether anyone linked to the dirt-digging efforts had asked him for information, he was adamant that he had not provided any. Doing so might have helped Mr. Giuliani, he said, but it would not have helped him with his legal problems.

"I can tell you only one thing," he said. "I do not have any information, I did not collect any information, I didn't finance anyone who would collect that information, and it would be a big mistake from my side if I decided to be involved in such a fight."

At any rate, Ms. Toensing and Mr. diGenova soon delivered for Mr. Firtash, arranging the meeting with Attorney General Barr. But by the time they met, in mid-August, the ground had shifted: The whistle-blower's complaint laying out Mr. Trump's phone call with Mr. Zelensky, and Mr. Giuliani's activities in Ukraine, had been forwarded to the Justice Department and described in detail to Mr. Barr. What's more, concerns about intervening in the Firtash case had been raised by some inside the Justice Department, according to two people with knowledge of the matter.

The department declined to comment, but Mr. Firtash said the attorney general ultimately told the lawyers to “go back to Chicago,” where the case had initially been brought, and deal with prosecutors there.

Mr. Firtash continues, however, to have faith in Ms. Toensing and Mr. diGenova’s ability to work the Justice Department angle. Their contract was just extended at least through year’s end.

Documents Leaked

If Mr. Firtash had nothing to offer, Mr. Giuliani still got some results.

After Ms. Toensing and Mr. diGenova came on board, confidential documents from Mr. Firtash’s case file began to find their way into articles by John Solomon, a conservative reporter whom Mr. Giuliani has acknowledged using to advance his claims about the Bidens. Mr. Solomon is also a client of Ms. Toensing.

One article, citing internal memos circulated among Mr. Firtash’s lawyers, disclosed that the office of the special counsel, Robert S. Mueller III, had offered a deal to Mr. Firtash if he could help with their investigation into Russian interference in the 2016 presidential election. Mr. Giuliani, who as a former federal prosecutor was aware that such discussions are hardly unusual, took the story a step further. In an appearance on Fox News, he alleged that the offer to Mr. Firtash amounted to an attempt to suborn perjury, but said the oligarch had refused to “lie to get out of the case” against him.

Then, after the meeting with Mr. Barr, Mr. Solomon posted a sworn affidavit from Mr. Shokin, the former Ukrainian prosecutor, repeating his contention that Mr. Biden had pressed for his firing to short-circuit his investigations.

Mr. Giuliani was soon waving the affidavit around on television, without explaining that it had been taken by a member of Mr. Firtash’s legal team to support his case.

Mr. Firtash said he had not authorized the document’s release and hoped his lawyers had not either. He said the affidavit had been filed confidentially with the Austrian court because it also included the former prosecutor’s statement that Mr. Biden had been instrumental in blocking Mr. Firtash’s return to political life in Ukraine — an assertion that Mr. Firtash believes speaks to the political nature of the case against him.

Ms. Toensing and Mr. diGenova declined to say whether they had played a role in leaking the documents, but Mark Corallo, a spokesman for their law firm, said that the pair “took the Firtash case for only one reason: They believe that Mr. Firtash is innocent of the charges brought against him.”

When Mr. Parnas and Mr. Fruman were arrested, they were at Dulles International Airport awaiting a flight to Vienna, where they had arranged to have the Fox News host Sean Hannity interview Mr. Shokin. Mr. Giuliani was planning to join them the next day, he said in an interview.

A bemused Mr. Kolomoisky has watched the events unfold from Ukraine, where he returned after Mr. Zelensky's victory. Initially he didn't believe that Mr. Parnas was all that connected, he said, but after Mr. Giuliani started going after him, "I was able to connect A to B."

He said he had since made peace with Mr. Parnas and had spoken to him several times, including the night before he was detained. In their conversations, he said, Mr. Parnas made no secret that he was helping Mr. Firtash with his legal case. And while Mr. Kolomoisky insisted that neither Mr. Parnas nor Mr. Fruman had mentioned his own legal travails, he added:

"Had they, I would have said: 'Let's watch Firtash and train on Firtash. When Firtash comes back here, and everything is O.K., I will be your next client.'"