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POLITICS

Giuliani Weighed Doing Business With Ukrainian Government

Trump's lawyer drew up retainer agreements with Yuriy Lutsenko and the Ukraine Justice Ministry worth \$500,000 before deciding against the arrangement



While Rudy Giuliani ultimately didn't represent either Ukrainian prosecutor Yuriy Lutsenko or the Ministry of Justice, he continued to be in close contact with the prosecutor. PHOTO: SMG/ZUMA PRESS

By Rebecca Ballhaus

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Rudy Giuliani said Wednesday he was in talks earlier this year to earn hundreds of thousands of dollars from Ukrainian government officials but decided against it as he pushed the country to pursue investigations sought by his client, President Trump.

In January, Yuriy Lutsenko, then Ukraine's prosecutor general, asked Mr. Giuliani to represent the Ukrainian Ministry of Justice and him personally on two matters, Mr. Giuliani said in an interview. Mr. Giuliani said he subsequently drew up two retainer agreements, for a total of about \$500,000, and gave them to Mr. Lutsenko.

The next day, Mr. Giuliani decided he couldn't represent Mr. Lutsenko personally because he believed doing so would pose a conflict with his representation of the president, he said, but continued to consider the Ministry of Justice contract. He said he ultimately declined that one, too, and was never "paid a penny" in connection with the proposed arrangements.



Yuriy Lutsenko, then prosecutor general of Ukraine, speaking in Kyiv in March. PHOTO: SERGEY DOLZHENKO/EPA/SHUTTERSTOCK

Mr. Lutsenko, who was removed from his post in August, didn't immediately respond to a request for comment.

Mr. Giuliani's discussions about representing Mr. Lutsenko and the Ukrainian ministry came, he said, as he was meeting the Ukrainian prosecutor in New York to discuss an entirely different matter: investigations the president was seeking into former Vice President Joe Biden and his son, as well as into alleged Ukrainian interference in the 2016 U.S. election.

Mr. Biden's son sat on the board of the Ukrainian gas company Burisma Group while his father was overseeing U.S. policy toward Ukraine. The Bidens deny any wrongdoing.

U.S. intelligence agencies have concluded it was Russia, not Ukraine, that interfered in the 2016 election.

The talks between Mr. Giuliani and the Ukrainian officials were reported earlier by the New York Times and the Washington Post.

The push for those investigations by Mr. Giuliani and the president ultimately led to a phone call between Mr. Trump and the new Ukrainian President Volodymyr Zelensky, which set off the impeachment inquiry this fall. The overlap between Mr. Giuliani's business interests in Ukraine and his campaign on behalf of Mr. Trump is also at the center of a growing investigation by Manhattan federal prosecutors, which among other matters is examining whether the president's personal attorney might have violated rules on domestic and foreign lobbying.

A recent broad subpoena issued by the Manhattan U.S. attorney's office sought records of any payments to Mr. Giuliani and records related to his consulting firm, Giuliani Partners, The Wall Street Journal has reported.

Mr. Trump has called the impeachment inquiry a hoax that should end. Mr. Giuliani has denied wrongdoing.

More recently, Mr. Giuliani said, he was in talks to help represent Privat Bank, Ukraine's largest lender, in a lawsuit against the former co-owners of the bank, Igor Kolomoisky and Gennadiy Bogolyubov. Mr. Giuliani said he met with lawyers at the law firm Quinn Emanuel about the case, but ultimately decided against it.

Lawyers for Quinn Emanuel in Europe saw Mr. Giuliani's public mentions about Mr. Kolomoisky and believed he might have information that would be helpful to their case, according to a person familiar with the talks. After two meetings with Mr. Giuliani, the person said, it became clear that he didn't have any independent information about Mr. Kolomoisky and the law firm determined "there was no role for him."

Founded in 1992 in Ukraine's industrial east, PrivatBank grew into the country's biggest privately owned lender. After the 2014 revolution, the central bank set about cleaning up a banking sector beset by bad loans and inadequate capital. Backed by the International Monetary Fund, which has lent billions to Ukraine, regulators closed nearly 80 lenders. As its rivals shut down, PrivatBank increased its share of the country's deposits to around one-third by the time it was nationalized in 2016.

When Mr. Lutsenko asked Mr. Giuliani about representing him in January, he said he wanted Mr. Giuliani's help to arrange a meeting with the Justice Department, Mr. Giuliani said. "He wanted me to walk him into the Justice Department," Mr. Giuliani said.

He said he referred Mr. Lutsenko to Victoria Toensing and Joe diGenova, a wife-and-husband legal team close to Mr. Giuliani. At one point, Mr. Giuliani said, Mr. Lutsenko tried to arrange for Mr. Giuliani to work for Ms. Toensing and Mr. diGenova as an investigator, an arrangement Mr. Giuliani declined.

Mr. Giuliani spent more time considering working for the Ukrainian Ministry of Justice, which he believed could help him get more information about money laundering, he said. He said he was only considering working on a portion of the ministry's case, which involved helping recover certain funds.

"I wasn't considering taking on the whole case, otherwise I would have charged \$1 million," he said.

He ultimately referred that case to Ms. Toensing and Mr. diGenova, too, he said, adding that some of the retainers also named them.

Mark Corallo, a spokesman for the two lawyers, said in a statement: “We have always stated that we agreed to represent Ukrainian whistleblowers. Only because it was already public did we state that Yuriy Lutsenko was one of them. All the other names are attorney-client privileged, and it is unfortunate that some unethical person chose to violate that privilege.”

Mr. Corallo said the retainer agreements involving Mr. Giuliani, his associates and Ukrainian officials, which were never signed, “contain the necessary notice of [Foreign Agents Registration Act] registration.” Individuals are required to register with the Justice Department if they lobby in the U.S. on behalf of a foreign entity.

While Mr. Giuliani ultimately didn’t represent either Mr. Lutsenko or the Ministry of Justice, he continued to be in close contact with the Ukrainian prosecutor. In their January meeting, Mr. Lutsenko told Mr. Giuliani he thought there were unanswered questions about the Bidens’ role in Ukraine.

Mr. Giuliani and Mr. Lutsenko met again in Warsaw in February and continued to be in touch over the following months. In May, Mr. Giuliani planned a trip to Kyiv where he was planning to press the incoming president, Mr. Zelensky, to pursue investigations into the Bidens and alleged election interference. Ms. Toensing was planning to travel there with him, but Mr. Giuliani ultimately canceled the trip after news of it was reported.

Mr. Lutsenko served as prosecutor general of Ukraine from May 2016 through August 2019. In addition to discussing investigations into the Bidens and election interference with Mr. Giuliani, he worked alongside the president’s lawyer to push for the removal of Marie Yovanovitch from her post as U.S. ambassador to Ukraine. In March, Mr. Lutsenko told the news outlet the Hill that Ms. Yovanovitch had given him a list of people not to prosecute, an allegation that the State Department dubbed an “outright fabrication” and that Mr. Lutsenko later recanted.

Mr. Trump ultimately ordered Ms. Yovanovitch removed from her post in the spring, after hearing concerns from Mr. Giuliani and others. Mr. Lutsenko was dismissed from his post as prosecutor general in August.

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