**Ariana Cobb**

**U.S. District Court/Eastern District of N.Y**

**Barrack**

**09/12/2022**

The illegal foreign agents trial of Thomas Joseph Barrack, 75 and Matthew Grimes, 27 is slated to begin in the coming week on September 19th. Accused of acting and conspiring to act as agents of the United Arab Emirates (UAE) between April 2016 and April 2018, the U.S government has charged the defendants on nine counts in an indictment that was issued in July 2021. Another person, Rashid Sultan Rashid Al-Malik Alshahhi, a UAE national was also charged. However, he remains at large.

Barrack and Grimes were indicted for unlawful efforts to advance the interests of the UAE in the United States at the direction of senior UAE Officials. This means that UAE officials told the defendants to take certain actions to influence the United States government. They were told to influence the foreign policy positions of former President Donald Trump when he was a candidate during the 2016 U.S. presidential election and after he was elected president. The two defendants also sought to influence public opinion in favor of UAE interests, meaning they used the media and other sources to get Americans to encourage U.S. government officials to support the UAE.

According to the indictment, Barrack, Grimes, and Alshahhi used Barrack’s friendships and access to former President Trump and other high-ranking campaign and government officials, as well as the American media to advance the policy goals of the UAE without disclosing to the U.S. Attorney General that they were lobbying for a foreign government, as required by U.S. law. The indictment specifically states that Barrack and Grimes acted, aided, and abetted one another in acting, in the U.S., as agents of the UAE, a foreign government. It also states that they knowingly, intentionally, and corruptly obstructed, influenced, and impeded an official proceeding, namely, the federal grand jury investigation. The indictment further charges Barrack with making several material false statements to the Federal Bureau of Investigations, including falsely stating that Alshahhi did not ask him to do anything for the UAE, and did not proffer any policies or requests to him. He also falsely stated that other than Gmail, iMessage, and WhatsApp, he did not use or download any messaging application with anyone associated with the Middle East, did not have a dedicated telephone to communicate with senior UAE officials, and had no role in arranging or knowledge of telephone calls or meetings between the President-elect, or other U.S. government officials with senior UAE officials. The indictment was broadened in May 2022 to include charges that Barrack sought hundreds of millions of dollars in investments from the UAE to benefit his global investment company, while lobbying the Trump administration on behalf of the UAE.

Although the trial has yet to begin, several proceedings and pleadings have been filed in the case since the July 2021 indictment was issued. Following their arrest and jailing for two days, an arraignment hearing was held which resulted in Barrack’s release on a $250 million bond and Grimes's release on a $5 million bond, according to court documents. In addition, the defendant's attorneys filed a motion to dismiss which asserted that the case should be dismissed because it is insufficiently pled since it fails to allege that the defendants owed a duty to a foreign sovereign, the government failed to make an adequate record of the false statement issue, and the prosecution improperly delayed bringing the charges. The trial is proceeding next week since the judge did not grant the motion to dismiss. The Honorable Terence Cook, a judge in the Criminal Division of the New Jersey Superior Court, notes that “the defense’s job is to poke holes in the prosecution’s case”. The fact the judge did not grant the defendant's motion to dismiss and the trial is proceeding shows that the defendant was not able to discredit the arguments raised by the prosecution. “The FBI has been investigating this case since 2016. They’re not going to bring a criminal indictment, put it before a federal grand jury unless they know they have all the evidence they need to prove their case,” said Judge Cook.

If the prosecution proves its case and the defendants are convicted, it is expected that they will be sentenced to many years in prison and substantial fines. With respect to the obstruction of justice charges, the U.S. government will seek forfeiture of any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of such offense.

Both the defense and prosecution were contacted but chose not to comment on the trial.

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