

April 29, 2022

Celia Muller, attorney, NBC News –

Celia.muller@nbcni.com

Dear Ms. Muller:

We represent Dmytro Firtash. We have significant experience related to media defamation. In fact, Mr. Webb spent weeks trying a substantial case against ABC which resulted one of the most substantial defamation settlements in United States history. We are asking for the deletion of three false and reckless statements about Mr. Firtash published by NBC on April 26, 2022 (<https://www.nbcnews.com/politics/national-security/kremlin-helped-make-dmytro-firtash-rich-now-denouncing-putin-rcna26028>). Alternatively, we are asking for the addition of a conspicuous note using our proposed rebuttal inserts immediately after the objectionable false statements (the rebuttals are noted further below).

1. **The false and reckless anonymous quote**

The first statement is an anonymous quote that is false, malicious, and violates NBC's and many other main-stream media outlets' journalistic standards prohibiting personal character attacks with anonymous quotes.

A former U.S. official familiar with Firtash said: "Firtash knows that the influence of *his Kremlin handlers* has been substantially reduced in Austria, who have been able to slow and thus far *prevent his extradition to the U.S.*, so he's trying to find other patrons. But I doubt anyone in Ukraine will be willing to save him."

The first italicized phrase falsely asserts as a fact that Mr. Firtash has "Kremlin handlers." This statement was made with no facts in support. It is not enough to for you to publish my denial. We want this paragraph deleted entirely. The phrase puts Mr. Firtash's life at risk since falsely states that Mr. Firtash has "Kremlin handlers," leaving the unavoidable inference that he is a traitor to Ukraine or an asset for Russia. This false statement, and the inference it implies, is especially dangerous in the middle of a Russian invasion of Ukraine that Mr. Firtash has publicly and emphatically denounced.

The second italicized phrase falsely implies that Mr. Firtash was involved, along with his "Kremlin handlers," in the corruption of the judicial process in Austria. This is false and reckless – not only with respect to Mr. Firtash, but it also in its implication that the Austrian judicial system is corrupt.

DISSEMINATED BY DAVIS GOLDBERG GALPER, A REGISTERED FOREIGN AGENT, ON BEHALF OF DMITRYO FIRTASH. ADDITIONAL INFORMATION IS AVAILABLE AT THE US DEPT OF JUSTICE, WASHINGTON, D.C.

We request the deletion of the entirety of this false paragraph, with a notation in the online version of its deletion because of Mr. Firtash's explicit denial of its veracity.

If you deny our requested deletion, we demand that you include the following rebuttal immediately after the false paragraph:

Dan Webb and Lanny Davis, attorneys for Mr. Firtash, said in rebuttal:

"This anonymous quote is false, reckless, and cowardly – the latter because this individual doesn't have the courage to stand to account for his false assertions. Mr. Firtash has never had "Kremlin handlers" or any supervision by Russians, nor has he allowed any Russians to inappropriately influence the Austrian justice system. I believe that the Austrian justice system determined the extradition issues on the facts and the law, not under any foreign influencers, including so-called "Kremlin handlers."

2. The false and reckless statement related to "the mob's blessing"

The second false and reckless statement is that "Later cables say Firtash, *with the mob's blessing*, Firtash made a fortune in the gas business."

We ask for the deletion of the italicized statement, "with the mob's blessing," because it is false. If you deny our requested deletion, we demand that you include the following rebuttal immediately after the false statement:

Attorneys for Mr. Firtash, Dan Webb and Lanny Davis, state in rebuttal that the statement—"with the mob's blessing"—is false. Past statements by U.S. prosecutors that Mr. Firtash was associated with Russian organized crime are false. Notably, the U.S. Government did not make any allegations that Mr. Firtash is associated with Russian organized crime, presumably because the Government would then have to actually prove the allegation (which the Government knows it cannot).

3. The false and reckless statements related to the Russians using Mr. Firtash to buy political power in Ukraine and to Mr. Firtash spending money on behalf of the Kremlin.

The third false and reckless statement is the following:

"Anders Aslund, a former Swedish diplomat who has studied Ukraine's economy for years, told NBC News in 2020 Firtash is more of a purveyor of bribes than a proper businessman.

'He has *essentially been used by the Russians to buy political power in Ukraine*,' said Aslund, now a senior fellow at the Atlantic Council, a think tank. 'He's the person who has spent the most money *on behalf of the Kremlin* on Ukraine's politicians.'"

We ask for the deletion of these paragraphs because they contain false statements. The italicized statements by Mr. Aslund are false and defamatory, recklessly stated without any facts in support and NBC should delete them a notation of the deletion in the online story.

If not deleted, we demand that you include the following rebuttal immediately after the false statements:

Rebuttal by Dan Webb and Lanny Davis, attorneys for Firtash:

Mr. Aslund has made a malicious, false, defamatory statement, with reckless disregard for the truth. Mr. Firtash was not used "by the Russians to buy political power" nor spent money "on behalf of the Kremlin," let alone the "most money."

If you do not agree to our deletions or rebuttals within the next 24-48 hours, we will consider taking legal action and will make public NBC's refusal and its violation of widely accepted journalistic standards.

Sincerely,

Dan Webb, Winston and Strawn, Chicago Illinois

DWebb@winston.com

312-558-5856

Lanny Davis, Davis Goldberg Galper, PLLC, Washington D.C.

LDavis@dggpllc.com

202-744-2792

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