



U.S. Department of Justice

Channing D. Phillips
Acting United States Attorney

District of Columbia

*Judiciary Center
555 Fourth St., N.W.
Washington, D.C. 20530*

BY EMAIL

May 19, 2021

Kurt Glass, Esq.
kurt.w.glass@gmail.com

Re: Rocky Hardie

Dear Mr. Glass:

As you are aware, the United States Attorney's Office for the District of Columbia in conjunction with a federal Grand Jury and various law enforcement agencies is conducting an investigation into 18 U.S.C. § 1512(c)(2) (Obstruction of Congress) and related crimes in the District of Columbia.

It has come to our attention that your client, Rocky Hardie, may have information that can assist the Grand Jury in furtherance of its investigation.

Initially, we must advise you that this Office does not intend by this letter to grant your client immunity from prosecution (*i.e.* "transactional immunity"). That is, this Office will retain its right to prosecute your client for all crimes of any nature that may have been committed by your client.

We are, however, sensitive to your concerns about your client's Fifth Amendment constitutional right to remain silent and not to incriminate himself in any criminal wrongdoing.

Accordingly, this Office proposes the following agreement:

1. Your client agrees to supply complete and truthful information to the attorneys for this Office and law enforcement officers working on this matter and to the federal Grand Jury conducting this investigation, as well as in any other proceeding related to or growing out of this investigation. Your client must answer all questions concerning the subject matter of this investigation and must not withhold any information. Your client must neither attempt to protect

any person or entity through false information or omission nor falsely implicate any person or entity.

2. In return for your client's cooperation in this matter, this Office agrees that no testimony or other information provided by your client in this matter, pursuant to this agreement, or any information directly or indirectly derived from such testimony or other information, will be used against your client in any criminal case, except a prosecution for perjury or for giving a false statement (*i.e.* "use immunity"). However, if your client violates any terms or conditions of this agreement, then the Government reserves its right, in its discretion, to void this agreement and use against your client, either directly or indirectly, any information or testimony provided by your client to law enforcement authorities, the Grand Jury, or elsewhere during the course of your client's cooperation in this matter.

3. There are no other agreements, promises, understandings, or undertakings between your client and the Government and your client understands that there can be no valid addition or alteration to this agreement unless the modification is made on the record in open Court or made in a writing signed by all of the parties.

4. Only the Criminal and Superior Court Divisions of the United States Attorney's Office for the District of Columbia are bound by this agreement. This agreement does not bind any other United States Attorney's Office.

If these terms are acceptable to your client, please have your client execute this agreement by affixing your client's signature where indicated below. Once signed, please return the original to me and retain a copy for your files.

Sincerely,

CHANNING D. PHILLIPS
Acting United States Attorney

BY:



Jeffrey Nestler
Risa Berkower
Assistant United States Attorneys

WITNESS'S ACCEPTANCE

I have read every word of this agreement, and its meaning has been fully explained to me by my attorney. After consultation with my attorney, I understand and agree to the contents of this letter.

5-21-2021

DATE

Rocky Hardie

Rocky Hardie

ATTORNEY'S ACKNOWLEDGEMENT

I have read this agreement, reviewed it with my client, and discussed the provisions of the agreement with my client, fully. These pages accurately and completely set forth the entire agreement. I concur in my client's desire to enter into the agreement.

5/26/21

DATE

Kurt Glass

Kurt Glass, Esquire,
Attorney for Rocky Hardie