

Govt. Ex. A



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December 22, 2025

Via Federal Express – Tracking No. 887353318613

Hon David A. Warrington
White House Counsel
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Re: **Request for Testimony of National Security Advisor Marco Rubio and White House Chief of Staff Susie Wile United States v. David Rivera and Esther Nuhfer, 22-cr-20552-MD**

Dear Mr. Warrington:

As counsel of record for David Rivera and Esther Nuhfer in connection with the attached Superseding Indictment, we are writing to formally request your acceptance of the attached subpoenas for the testimony of White House Chief of Staff Susie Wiles and Secretary of State and National Security Advisor Marco Rubio in connection with the trial of the case of *USA vs Rivera, et al*, currently pending in the Southern District of Florida under case number 1:22-20552-MD.

While part of the Executive Branch, we have not located specific *Touhy* regulations that are applicable to the White House or its staff. However, we are sending this correspondence in an abundance of caution to meet any such requirements and have decided to make this request pursuant to the *Touhy* regulations applicable to other Departments. If there are specific requirements for testimony requests made to White House staff or employees or other regulations which apply, please point us to them. If there are no applicable *Touhy* requirements, please advise as well.

With respect to National Security Advisor Rubio, please see our attached *Touhy* letter to the Department of State, dated December 15, 2025. Should it be required, we adopt this letter as our *Touhy* request to the White House for Mr. Rubio in his role as National Security Advisor. Please acknowledge your willingness to accept service of this subpoena.

With respect to Ms. Wiles, we expect that her trial testimony will focus on her employment at Ballard Partners during the time frame of Count 1 of the attached Superseding Indictment which charges a conspiracy to violate the Foreign Agent's Registration Act during 2017-2018. Specifically, Ms. Wiles will be asked about extensive communications between herself and others regarding U.S. government lobbying work that Ballard Partners had been contracted to perform during 2017-2018 for Venezuelan businessman Raul Gorriin ("Foreign Individual 1"), the owner of a Venezuelan television network known as Globovision.

On July 20, 2017, Ballard Partners filed a federal lobbying registration stating that, in exchange for Globovision paying Ballard Partners a fee of \$50,000 per month, the firm would lobby the “White House” on government issues and telecommunications and would “advise and advocate for the client on general government policies and regulations.” Mr. Gorin (“Foreign Individual 1”) is a central figure in the Superseding Indictment, and it is necessary for us to place his activities in full context. On October 1, 2017, Ms. Wiles was added to the Ballard Partners lobbying registration to lobby the White House on behalf of Globovision. Discovery documents show that Hugo Perera, an important government witness in the case, was involved in these pro-Venezuelan activities through Ballard Partners at the same time the government has alleged that Mr. Rivera and Ms. Nuhfer were supporting pro-Maduro efforts on behalf of Venezuela. These activities include a Brian Ballard arranged meeting between then Vice-President Mike Pence and Raul Gorin during 2017. Ms. Wiles is best positioned to explain email correspondence between (and often originating with) herself, Hugo Perera, Brian Ballard, Sylvester Lukis, Otto Reich, Harry Sargent and Raul Gorin in furtherance of these lobbying activities.

Evidence in the case also shows that Ms. Wiles engaged in email communications with Globovision executive Alexander Elorriaga regarding efforts to expand Globovision onto ATT and Comcast broadcast platforms at the same time Mr. Rivera and Ms. Nuhfer were similarly engaged in efforts to expand Globovision on ATT and Comcast broadcast platforms. The government has alleged that Mr. Rivera, Ms. Nuhfer and witness Perera were paid \$3.75 million by Mr. Gorin to lobby on behalf of the Venezuelan government. The actual reason for the payment, as Ms. Wiles’ similar and concurrent Globovision efforts can corroborate, was likewise to expand Globovision onto ATT and Comcast broadcast platforms and had nothing whatever to do with the normalization of relations for the Venezuelan government of President Maduro.

On request, if applicable, we will be pleased to comply with all parts of the *Touhy* regulations. Though we cannot exactly predict at this point, we estimate that Ms. Wiles will be on the witness stand for 1-2 days and should set aside at least that amount of time to be in Miami.

Please advise us that you will accept service of the attached subpoenas. If, for some reason, you are unable or unwilling to accept service of either subpoena please advise us of the manner in which we may perfect such service. We are awaiting word from the State Department as to Mr. Rubio’s subpoena as Secretary of State. Trial is presently set to commence on February 9, 2026. The witnesses do not have to be in court on that date. Please provide us with the best way to notify them and we will provide specific appearance notification as the trial progresses.

Please also let us know if there are any additional steps or documentation required to process this request. We are available to discuss this matter further at your pleasure. Our contact information is contained at the end of this letter.

Finally, we are requesting the opportunity to meet with Ms. Wiles pretrial and prepare her for her testimony by reviewing with her the voluminous communications and documents about which she will be asked. This process will make things much easier for Ms. Wiles. The meeting can be done by Zoom but in-person is preferred. We are willing to travel if necessary.

Please acknowledge your receipt of this letter and thank you in advance for your courtesy, professionalism and attention to this request. We look forward to your prompt response.

Sincerely,

/s/ Edward S. Shohat

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/s/ David Oscar Markus

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Counsel for Esther Nuhfer

Attachments (*Superseding Indictment, Trial Subpoena and Touhy Letter for Secretary Rubio*)
Cc: AUSA Harold Schimkat (*via email - harold.schimkat@usdoj.gov*)

UNITED STATES DISTRICT COURT

for the

United States of America

v.

DAVID RIVERA

Defendant

Case No. 22-20552-cr-DAMIAN

SUBPOENA TO TESTIFY AT A HEARING OR TRIAL IN A CRIMINAL CASE

To: Susie Wiles
c/o Hon David A. Warrington
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

YOU ARE COMMANDED to appear in the United States district court at the time, date, and place shown below to testify in this criminal case. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place of Appearance: Judge Melissa Damian United States District Court 400 North Miami Avenue, Miami, Florida 33128	Courtroom No.: (to be provided) Date and Time: Monday, February 9, 2026 (time to be provided)
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You must also bring with you the following documents, electronically stored information, or objects (*blank if not applicable*):

(SEAL)

Date: _____



CLERK OF COURT

[Signature]
Signature of Clerk or Deputy Clerk
Angela E. Noble

The name, address, e-mail, and telephone number of the attorney representing (*name of party*) DAVID RIVERA
_____, who requests this subpoena, are: EDWARD R. SHOHAT, ESQ.

JONES WALKER, LLP, 201 S. Biscayne Blvd., Suite 3000, Miami, Florida 33131
Email: eshohat@joneswalker.com; Telephone: 305 679-5700

Case No. _____

PROOF OF SERVICE

This subpoena for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

' I served the subpoena by delivering a copy to the named person as follows: _____

_____ on *(date)* _____ ; or

' I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____
_____ *Server's signature*

_____ *Printed name and title*

_____ *Server's address*

Additional information regarding attempted service, etc: