

# **EXHIBIT 6**

**From:** "Costello, Robert J." <rjc@dhelegal.com>

**To:** "Joseph.Cooney@usdoj.gov" <Joseph.Cooney@usdoj.gov>

**Subject:** |EXTERNAL| FW: October 13, 2021 Benny Thompson Letter

**Date:** Wed, 3 Nov 2021 22:23:35 -0000

**Importance:** Normal

**Attachments:** Bannon\_Letter.pdf

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**From:** Costello, Robert J.

**Sent:** Thursday, October 14, 2021 5:13 PM

**To:** Steve Bannon <Stephenkbannon@protonmail.com>

**Cc:** Boris Epshteyn <hepshteyn@gmail.com>; Adam Katz <akatz\_ofcounsel@russolaw-llc.com>

**Subject:** Fwd: October 13, 2021 Benny Thompson Letter

This is not accurate. He definitely stated that Trump was invoking the executive privilege because I told him the House in Bennie Thompson's letter to me stated they did not believe that Trump had formally or informally invoked executive privilege. I sent him Thompson's letter stating that. I also told him to not leave anyone guessing he should send an email to the House stating Trump's invocation of executive privilege.

I don't know what game Clark is playing but it puts Steve Bannon in a dangerous position. Beware.

Bob

Sent from my iPhone

Begin forwarded message:

**From:** Justin Clark <justin.clark@electionlawllc.com>

**Date:** October 14, 2021 at 4:48:17 PM EDT

**To:** "Costello, Robert J." <rjc@dhelegal.com>

**Subject:** October 13, 2021 Benny Thompson Letter

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Bob – I just read your letter dated October 13, 2021 to Congressman Benny Thompson. In that letter you stated that “[a]s recently as today, counsel for President Trump, Justin Clark Esq., informed us that President Trump is exercising his executive privilege; therefore, he has directed Mr. Bannon not to produce documents or testify until the issue of executive privilege is resolved.”

SKB-000018

US-000987

To be clear, in our conversation yesterday I simply reiterated the instruction from my letter to you dated October 6, 2021, and attached below.

Best Regards,

Justin Clark

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## ELECTIONS, LLC

Attorneys at Law  
Justin R. Clark  
E Justin.Clark@ElectionLawLLC.com

October 6, 2021

Mr. Robert J. Costello  
Davidoff Hutcher & Citron LLP  
605 Third Avenue  
New York, NY 10158  
rjc@dhelegal.com

Dear Mr. Costello:

I write in reference to a subpoena, dated September 23, 2021, by the Select Committee to Investigate the January 6th Attack on the United States Capitol (the "Select Committee"), that was issued to your client Steven Bannon (the "Subpoena"). The Subpoena requests that Mr. Bannon produce documents by October 7, 2021, and appear for a deposition on October 15, 2021. While it is obvious that the Select Committee's obsession with President Trump is merely a partisan attempt to distract from the disastrous Biden administration (*e.g.*, the embarrassing withdrawal from Afghanistan, the overwhelming flood of illegal immigrants crossing our southern border, and growing inflation), President Trump vigorously objects to the overbreadth and scope of these requests and believes they are a threat to the institution of the Presidency and the independence of the Executive Branch.

Through the Subpoena, the Select Committee seeks records and testimony purportedly related to the events of January 6th, 2021, including but not limited to information which is potentially protected from disclosure by the executive and other privileges, including among others the presidential communications, deliberative process, and attorney-client privileges. President Trump is prepared to defend these fundamental privileges in court.

Therefore, to the fullest extent permitted by law, President Trump instructs Mr. Bannon to: (a) where appropriate, invoke any immunities and privileges he may have from compelled testimony in response to the Subpoena; (b) not produce any documents concerning privileged material in response to the Subpoena; and (c) not provide any testimony concerning privileged material in response to the Subpoena.

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Thank you for your attention to this matter. Please do not hesitate to contact me if you have any questions or would like to discuss.

Sincerely,

A handwritten signature in black ink, appearing to read "Justin Clark", with a large, stylized loop at the beginning.

Justin Clark  
*Counsel to President Trump*

SKB-000021

US-000990