UNITED STATES OF AMERICA
MERIT SYSTEMS PROTECTION BOARD
NORTHEASTERN REGIONAL OFFICE

GARY A. SHAPLEY and JOSEPH ZIEGLER, Appellants, v. DEPARTMENT OF JUSTICE Agency.	)	DOCKET NUMBERS PH-1221-25-1633-W-1 AT-1221-25-1932-W-1 DATE: August 13, 2025

APPELLANTS' FIRST SET OF DISCOVERY REQUESTS TO LESLEY WOLF

Appellants hereby submit the following discovery requests to third-party Lesley Wolf. A response is required by September 2, 2025, or as otherwise mutually agreed with Appellants, delivering the answers and any responsive documents or items by email to Appellant Representative Tristan Leavitt (tl@empowr.us). Please do not send responses by physical means.

Additionally, Appellants request that Ms. Wolf sit for a deposition at 10:00 AM on Friday, September 5 at the offices of Nixon Peabody, LLP, 799 9th St NW #500, Washington, D.C. 20001.

Instructions

1. All requests should be considered ongoing until the date of the hearing. Any supplemental responses shall be furnished to Appellants as soon as possible after the new information becomes available.
2. In answering each request for admission, interrogatory, or request for production, set out in full the question or part being answered, before providing the answer.

3. Each request is to be answered under oath, and fully on the basis of information which is in the possession of Ms. Wolf, her attorneys, agents, or other representatives.
4. If any of the information furnished is not from the personal knowledge of Ms. Wolf, identify each person who provided such information to Ms. Wolf and to whom the information is a matter of personal knowledge.
5. When an exact answer to an Interrogatory is not known, state the best estimate available, state that it is an estimate, and state the basis for such estimate.
6. In providing responsive documents or items, mark the document or item with the corresponding discovery request.
7. If your response to any request for admission is other than an unqualified admission, state the reason for the denial or qualification of the admission.
8. If there is an objection to any portion of a request, set out the basis for your objection and respond in full to any portion of the request to which there is no objection.
9. If, after a reasonable and thorough investigation, using due diligence, you are unable to answer any Interrogatory or Document Request or any part thereof, on the ground of lack of information available to you, specify in full and complete detail why the information is not available to you and what has been done to locate such information. In addition, specify what knowledge or belief you have concerning the unanswered portion of any Interrogatory and/or Document Request and set forth the facts upon which such knowledge or belief is based.
10. Whenever necessary to provide a complete answer to an Interrogatory or Document Request or to bring within the scope of an Interrogatory or Document Request the

broadest possible range of information, the singular form of a word shall be interpreted as plural and references to one gender shall include the other gender.

11. The words “each,” “every,” “any,” and “all” are defined inclusively. “Each” includes “every,” and “any” includes “all.” Ms. Wolf is instructed to use the broadest definition of these words to provide the most inclusive and expansive answers to request.
12. If you claim any form of privilege as a basis not to answer, you shall:
    a. Identify the nature of the privilege and the basis for asserting the privilege; and
    b. Describe the document, communication, etc., to the fullest extent possible, without divulging information that is asserted to be privileged, in order to permit Appellants to identify the document, communication, etc.
13. No part of an interrogatory should be left unanswered merely because an objection is interposed to another part of the interrogatory. If a partial or incomplete answer is provided, the responding party shall state that the answer is partial or incomplete.
14. When a document contains both privileged and non-privileged material, the non-privileged material must be disclosed to the fullest extent possible without thereby disclosing the privileged material. If a privilege is asserted with regard to part of the material contained in a document, the party claiming the privilege must clearly indicate the portions as to which the privilege is claimed. When a document has been redacted or altered in any fashion, identify as to each document the reason for the redaction or alteration, the date of the redaction or alteration, and the person performing the redaction or alteration. Any redaction must be clearly visible on the redacted document.
15. If, in answering these discovery requests, the responding party encounters any ambiguities when construing a request, question, instruction, or definition, the responding

party's answer shall set forth the matter deemed ambiguous and the construction used in responding.

16. If the requested documents are maintained in a file, the file folder shall be included with the production of those documents.
17. If documents are produced as electronically stored information, they shall be produced in Adobe PDF.

Definitions

1. "You" or "your" refers to Lesley Wolf.
2. "Record" means any kind of written, typewritten, printed, electronic, or recorded material whatsoever, including without limitation notes and memoranda, letters, reports, removable notes or stickers, e-mail, text messages, instant messages, calendar entries, publications, contracts, compact discs/DVDs, audio or video recordings, transcriptions of recordings, and public records, and includes originals, all non-identical copies, and all drafts, working papers, routing slips, and similar materials. If any responsive document was, but is no longer in your possession or subject to your control, state what disposition was made of it, when disposition was made, and the reasons for such disposition.
3. "Communication" means the transmittal of information by any means.
4. "Concerning" means relating to, referring to, describing, evidencing, or constituting.
5. "Person" refers to natural persons as well as to all other entities, including, but not limited to, corporations, associations, partnerships, firms, organizations, and Governmental agencies or bodies.

6. “Agency” means any component of the Department of Justice (including but not limited to the Delaware U.S. Attorney’s Office, the Federal Bureau of Investigation, the Tax Division, and the Office of the Deputy Attorney General), as well as its officers and employees.
7. “Identify” when used in reference to a natural person means to state his or her: (1) full name; (2) present or last known business and residence addresses and telephone numbers; (3) present or last known official business position, title, and grade level; and (4) business affiliation, address, title, and grade level for the time referenced in the particular Interrogatory and/or Document Request.
8. “Identify” when used in reference to any act, occurrence, occasion, meeting, communication, discussion, transaction, or conduct shall mean to set forth the event or events constituting such act, its location, the date, the persons participating, present, or involved, and, in the case of a communication or discussion, the substance thereof.
9. When an interrogatory asks for the “basis” for any contention, claim, or belief, the response shall include, but not be limited to, the description, identification, and enumeration of: (A) all facts relating in any way to the contention, claim, or belief; (B) each and every document that records, reflects, or relates in any way to such facts; (C) each and every statement or item of testimonial or other evidence that relates in any way to such facts; and (D) the name of each and every person consulted, relied on, or with knowledge for the substantiation of such contention, claim, or belief.
10. The singular includes the plural, and the plural includes the singular. “All” means “any and all;” “any” means “any and all.” “Including” means “including but not limited to.” Words in the masculine, feminine, or neuter form shall include each of the other genders.

11. "And" as well as "or" shall be construed both disjunctively and conjunctively so as to bring within the scope of each of these Interrogatories and/or Document Requests any information which otherwise might be construed to be outside the scope of any Interrogatory and/or Document Request.

Admissions

1. Admit Joseph Ziegler disclosed in September 3, 2020 phone call his belief that it would be unethical to remove Hunter Biden's name from electronic search warrants and other document requests.
2. Admit Joseph Ziegler disclosed to you on a December 11, 2020 phone call his concerns about deviating from Internal Revenue Service ("IRS") Criminal Investigation ("IRS-CI") practice by informing Hunter Biden's counsel of a Northern Virginia storage unit rather than executing a search warrant on the unit.
3. Admit when Joseph Ziegler disclosed his concerns on the December 11, 2020 phone call, you told Mr. Ziegler you had concerns about working with him moving forward and might need to address those concerns with IRS-CI management.
4. Admit in the August 16, 2022 meeting of the prosecution team, Internal Revenue Service ("IRS") attendees made disclosures concerning the Department of Justice's ("DOJ") handling of the Hunter Biden case.
5. Admit on October 24, 2022 you requested additional discovery production from Gary Shapley without requesting it of any other official at that time.
6. Admit the Federal Bureau of Investigation ("FBI") never produced management-level emails as part of discovery in the Hunter Biden criminal case.

7. Admit you met with the FBI regarding the Hunter Biden case on January 19, 2023, excluding the IRS investigative team.

Interrogatories

1. On what date did you begin reviewing materials Gary Shapley produced for discovery in April 2022?
2. Who first suggested requesting post-April 2022 discovery from Gary Shapley in the Hunter Biden criminal case?
3. Who first suggested requesting post-April 2022 discovery from FBI custodians in the Hunter Biden criminal case?
4. On what date did you first request management-level emails from the FBI in the Hunter Biden criminal case?
5. From October 7, 2022 to May 15, 2023, identify all phone calls or meetings you held with the FBI concerning the Hunter Biden criminal investigation.
6. On what date did you first become aware Gary Shapley or Joseph Ziegler intended to contact Congress concerning the Hunter Biden criminal investigation?
7. On what date did you first become aware Gary Shapley or Joseph Ziegler intended to contact the DOJ Inspector General or the Treasury Inspector General for Tax Administration concerning the Hunter Biden criminal investigation?
8. Identify all communications to which you were a party or of which you are aware concerning Gary Shapley and Joseph Ziegler making whistleblower disclosures.

9. Identify all communications to which you were a party or of which you are aware concerning the decision to remove Gary Shapley and Joseph Ziegler from the Hunter Biden criminal investigation.

Document Requests

1. All records from non-Agency accounts or devices, including personal or work accounts or devices, concerning Gary Shapley or Joseph Ziegler.
2. All records from non-Agency accounts or devices, including personal or work accounts or devices, which contain the words “whistleblower” or “whistleblowers.”

CERTIFICATE OF SERVICE

I certify that the attached document entitled *Appellants' First Set of Discovery Requests to Lesley Wolf* was sent by email to the following on this 13th day of August 2025:

Lesley Wolf
wolfl@ballardspahr.com

Jeffrey Mullins
jeffrey.j.mullins@usdoj.gov

James Bush
jamie.bush@usdoj.gov

Neil White
Neil.White@usdoj.gov

/s/ Tristan Leavitt
Tristan Leavitt
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Empower Oversight
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