

Ruff day in court: Judge bets her dog that House GOP is barking up the wrong tree on Hunter Biden

- **Judge Ana Reyes issued an ultimatum in a long-running fight over subpoenas in the House investigation of the president's son.**

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10/23/2024 04:13 PM EDT, Updated: 10/23/2024 05:43 PM EDT

<https://www.politico.com/news/2024/10/23/subpoena-fight-hunter-biden-00185119>

A highly unusual ultimatum from a frustrated judge caused House Republican investigators to postpone their demand for testimony from two Justice Department tax attorneys in a probe of Hunter Biden's finances.

"I'm willing to bet everything I own, plus my dog Scout, that these two line attorneys are going to have zero information to confirm your suspicion," U.S. District Judge Ana Reyes told a lawyer representing the House GOP on Wednesday.

Reyes threatened to order Attorney General Merrick Garland and House Judiciary Committee Chairman Jim Jordan (R-Ohio) to show up next week in her Washington courtroom for legal arguments on the dispute.

"Don't test me on this ... I'm not bluffing," said Reyes, an appointee of President Joe Biden who is often seen around the federal courthouse with her golden retriever.

The fight emerged from House Republicans' long-running search for evidence that the White House exerted political pressure on officials who investigated the younger Biden's failure to pay income taxes. As part of that inquiry, the House Judiciary Committee tried to obtain testimony from two Justice Department tax lawyers who worked on the case.

When the Justice Department resisted the House GOP's subpoenas to the two lawyers, the fight ended up before Reyes, who has been refereeing the dispute for months with increasing exasperation.

During a two-hour hearing on Wednesday, she pressed lawyers for both sides to punt the dispute until next year. If they refused, she said, she would summon their bosses into court.

After a brief recess, the House's top lawyer, Matthew Berry, and veteran Justice Department lawyer Elizabeth Shapiro told the judge they had agreed to shelve the matter until early next year. By that point, a new Congress and a new president will have been sworn in — developments likely to diminish both sides' appetite for a fight linked to an all-but-defunct effort to impeach Joe Biden.

Hunter Biden [pleaded guilty](#) to tax evasion last month and is scheduled to be sentenced in December. The White House and the Justice Department have staunchly denied any

political interference in cases involving the president's son, and Hunter Biden's lawyers have argued that he was actually treated overly harshly as a result of political pressure from Republicans.

Wednesday's hearing on the subpoena fight was perhaps most notable for the furious tongue-lashing that Reyes delivered to both sides over their handling of the matter. It was a follow-up to a similarly brutal bench-slapping [she dealt out in the same case](#) in April.

The judge took particular umbrage with the House's insistence that the two subpoenaed career attorneys would have any information relevant to the Judiciary Committee's inquiry.

And in one memorable exchange, Reyes appeared to get Berry to acknowledge that Jordan's decision in 2022 to blow off a subpoena from the House's Jan. 6 select committee was based on flimsy premises. Reyes baited Berry by asking whether it would be acceptable for the Justice Department to refuse to comply with a House subpoena over concerns about testimony being politicized or misrepresented.

After Berry roundly rejected those excuses as unacceptable, Reyes said she had quoted them directly from a letter Jordan had written refusing to comply with a subpoena the Jan. 6 committee issued to the Ohio lawmaker for his testimony.

"Both sides here are being beyond hypocritical," Reyes said. "You all are abusing the court — abusing the court system and abusing my time. This is not acceptable."

Berry recognized the trap Reyes laid and emphasized that while he was representing Jordan in this particular fight, he also represents the House more broadly and has to stand up for institutional prerogatives.

The Justice Department has argued that its so-called line attorneys shouldn't be subject to questioning from congressional committees because that would intrude on executive branch deliberations. Shapiro also noted that DOJ made various other people involved in the Hunter Biden case available for questioning, including special counsel David Weiss and other top officials and FBI agents.

But Reyes expressed irritation that the negotiations broke down over whether DOJ attorneys representing the subpoenaed lawyers could be in the room when they were questioned.

"The separation of powers concern is way overblown," the judge said. "Democracy is not going to come falling down in shambles because two ... attorneys are outside of the door instead of inside the door of a deposition. I think that's insanity and ridiculous and laughable as an argument."

Reyes also skewered the Justice Department for hypocrisy for instructing the two career lawyers not to show up for their House depositions, while successfully prosecuting two former Donald Trump aides — Steve Bannon and Peter Navarro — on contempt charges for defying subpoenas from the Jan. 6 committee in the last Congress.

Working from a tally she ordered both sides to give her, Reyes complained that the subpoena litigation had cost taxpayers \$1.1 million and counting.

“It is an outrageous waste of taxpayer funds,” the judge said.