

Dahlia:

Hi, I'm Dahlia Lithwick, legal correspondent, author, and host of Slate's Amicus podcast, a show about the rule of law, the law, and the Supreme Court justices who interpret it for the rest of us. I've been watching the high court for over two decades, and I bring all that experience, and knowledge to examining the US justice system and democracy. Each episode, I am joined by guests with deep knowledge of the law, and policy who help me and you navigate our constitutional landscape. Slate's Amicus podcast, subscribe now wherever you listen.

Joyce:

Welcome back to #SistersInLaw with Barb McQuade, Kimberly Atkins Stohr, Jill Wine-Banks, and me, Joyce Vance. Today, we'll be discussing the Mar-a-Lago superseding indictment, and other Trump news. Hunter Biden's misfire of a guilty plea hearing, and DOJ's lawsuit against Texas, after that state put razor wire and spinning buoys into the Rio Grande river, endangering migrants. As always, we look forward to answering your questions at the end of the show. Remember, go to [politicon.com/merch](https://politicon.com/merch) to buy our shirts, totes, and other goodies in time for your summer fun. We'd love to see you wearing it out and about. Thinking about summer fun leads me to have a question for all of you. RealFeel Temperature index down here in Alabama is about 105 degrees, and it is humid as Alghero. I'm having a rich fantasy life, thinking about places I would like to go if there were no limits on what was possible. What does your fantasy mid-summer vacation look like? Kim, you look thoughtful. I'll start with you.

Kim:

Well, I love beaches and just in real life, on Planet Earth one, I have the benefit that next week. I am participating in an event with my alma mater Boston University on Martha's Vineyard.

Joyce:

Ooh, that sounds good.

Kim:

I'll definitely get to see a beach. I am totally a beach person. If anybody is on Martha's Vineyard on Thursday, August 3rd, you should come, check out the Charles Ogletree Public Forum Series where I'll be talking to Dr. Ibram Kendi, Congresswoman Ayanna Pressley, and film director Fred Zollo about anti-racism, and allyship, and political action. It's an important conversation, but it's in a beautiful place to be in summer. Martha's Vineyard in August is amazing, so I'm looking forward to that. What about you guys? What do you like to do, Jill?

Jill:

Well, I actually like staying in Chicago in the summer, because I like getting away from Chicago in the winter. But right now, we are having a heat wave, and it is very humid, and very hot, so I'm dreaming of somewhere like maybe Alaska. But they will have to stop shooting wolves from airplanes, for me to ever visit Alaska, because I care about that. In the meantime, I am, like you, going to be going to somewhere I hope is cooler. I'm going to Denver for the ABA Annual Meeting, and I'm hoping the weather will be good there.

Barb:

Where you'll be receiving a big award.

Joyce:

Oh, that sounds nice.

Barb:

By the way, we're pretty excited. Try to tell us all about it.

Joyce:

Jill, go on.

Jill:

Oh, guys.

Barb:

Yes, tell us about it.

Joyce:

Please don't be shy. It's a big deal day.

Barb:

We'll talk about it.

Jill:

The ABA award.

Barb:

She's being recognized for her contributions to the law as a pioneer, as a woman in the law, and for all that she accomplished as a Watergate prosecutor, and we couldn't be more proud of you, jill.

Jill:

Thank you very much. It is an honor. All the other honorees are fabulous, and it'll be-

Joyce:

So are you.

Jill:

... nice to just be with all of them. It'll be great. It's named the Margaret Brent Award for one of the very first lawyers in America, going back to 1600. If anybody didn't know there were lawyers back then, which I didn't, it's really wonderful to know that.

Barb:

That's really great. Well, congratulations, Jill, we're really proud of you.

Joyce:

Congrats.

Jill:

Thank you.

Joyce:

Barb, what's your fantasy summer getaway?

Barb:

Well, I think I just had it. I love going to Northern Michigan. As we say here, Kim recognizes, we say we're going up north. Up north can mean anything from, what would you say, Kim, north of Oakland County to the Upper Peninsula. It depends on one's definition, but we were up in Walloon Lake, last weekend. We like to go. There's a lot of the different lakes up there, Petoskey, Harbor Springs, Charlevoix, there are all kinds of beautiful places up there. We were on Walloon Lake, and they're just the prettiest little inland lakes you've ever seen. The Great Lakes are amazing also. Just to be on a lake in Northern Michigan and in the woods, it's cool, it's not humid, it's just so pleasant. We had a great time. We did a lot of active things, but also time to just sit and read by the water. That's my fantasy vacation.

Joyce:

That sounds wonderful, and a lot like mine. I'm dreaming of just a little tiny fishing cabin up in Maine, tucked on a lake, where I can get up real early, and go out, and fish, and read books to my heart's content, and be out of the hot Alabama sun, which is getting to be a little bit much. Well, I think that, at this point, we have a lot to talk about this week. Y'all, let's get on with the show.

Barb:

From small family farms to your dining table, Moink gives you access to the freshest, sustainably sourced meat and fish, all while supporting American family farms. You can help save the family farm, and get access to the highest-quality meat on earth, when you join the Moink movement today. Moink delivers grass-fed, and grass-finished beef, and lamb, pastured pork, and chicken, and sustainable wild-caught Alaskan salmon straight to your door. Moink farmers farm like our grandparents' generation did. As a result, Moink meat tastes just like it should. The Moink difference is a difference you can taste, and you can feel good knowing you're helping family farms stay financially independent.

Jill:

You get to choose the meat delivered in every box. You can pick ribeyes, or chicken breasts, pork chops, or salmon fillets, and much, much more, plus you can cancel anytime. I have really loved the juiciness of their chicken breasts, and their salmon, and other fish. Shark Tank host Kevin O'Leary called Moink's bacon the best bacon he's ever tasted, and my husband agrees. Ring doorbell founder, Jamie Siminoff, jumped at the chance to invest in Moink, plus they guarantee you'll say, "Oink, oink. I'm just so happy I got Moink." I love saying that. It's just so cute. You'll love it like we do. It's the perfect option for a family meal, or summer party.

Kim:

Keep American farming going by signing up at [moinkbox.com/sisters](https://moinkbox.com/sisters), right now. Listeners of this show get free ground beef for a year. That's one year of the best ground beef you'll ever taste, but it's only for

a limited time. Go to M-O-I-N-Kbox.com/sisters, that's moinkbox.com/sisters, and you can also find that link in our show notes.

Barb:

Well, we got some very interesting news from the special council this week. While everyone was on indictment watch in the January 6th investigation, Jack Smith surprised everyone with a superseding indictment in the Mar-a-Lago case. That came on Thursday night. Joyce, first, can you just tell us what's a superseding indictment, and then maybe interested in your thoughts about whether a superseding indictment could ultimately delay the May 20th trial date, in this case?

Joyce:

Yeah. Superseding indictments are something that prosecutors use a lot. Sometimes, it can be for something as mundane as correcting an error, but usually it means that you're either adding new defendants, or bringing new charges, and both of those things happened in this indictment. The trial date question, Barb, is a really interesting one. I've I've been thinking about it a lot. There's no reason that De Oliveira as a standalone defendant couldn't be ready for trial on this very gracious, lengthy schedule the judge has set. The charges against him are not extensive, in the sense that they would require more than 10 months to prepare for. Of course, if he pleads guilty, which is what he should do, logically speaking, then it wouldn't be an issue. But this is Donald Trump world, and Donald Trump's game is delay, and he will use this superseding indictment to justify more delay.

The new charge against Trump, which involves his display of the Iran battle plan. We've all heard him waving it around in this meeting that he took up in Bedminster. Those allegations were part of the original fact, in the original complaint. He was on notice that he had to defend against that. Now, he's newly charged in new count 32 of the superseding indictment with that as a standalone charge, possession and retention of that particular document. He can't really say that he's being asked to defend against something new that he wasn't already on notice of. But he absolutely will. I think what we will see, at some point, will be Donald Trump manufacturing additional claims that the case now has to be delayed, because of the superseding indictment.

Jill:

But I think we should note that it's only a few weeks from the original indictment, and so if there were to be a delay proportional, it would only be a few weeks. Of course, that depends on the judge's calendar. But I agree with you, Joyce, that it isn't necessary. He can be prepared in the time that was already generously allotted to him. I don't think she needed to go as far as May, to have a fair hearing.

Barb:

Yeah. I find that judges are typically inclined to give defendants a lot of time, and a lot of leeway, because they don't want to create an issue for appeal. I remember a case I had, where we were getting close to trial. It was a gun case, where a search warrant revealed like a dozen guns in somebody's house, and they were prohibited from possessing them, for some reason. We found another one, or something, or we added one gun, or we added the serial number on a gun, or added an obliterated serial number, or something like the most minor change you can imagine. The judge gave 30 more days, and I remember they were arguing against like, "Come on, it's the same case. It's just one tiny fact. It doesn't mean anything." But then the judge, "I know. But we want to make sure there's adequate time."

I do think there's a possibility of a delay, even though it doesn't really make a lot of sense. Well, Kim, let's talk about the meat of what's in here. There are some interesting new allegations, I mean. There's something about meetings in a closet, and destroying evidence. Tell us what you think about these new allegations, and whether you think they make... Did they make the case stronger, or did they just muddle it with more details?

Kim:

Well, I think this case has already shown, we used to say it's not the crime, it's the coverup, that this case was already it's the crime and the coverup. We have more crime, and more coverup in this. What you're talking about is the coverup to what Joyce explained the crime is being, which was apparently Donald Trump had ordered De Oliveira, I think I'm saying that right, De Oliveira, and other Trump employees at Mar-a-Lago. Once he realized the FBI was looking for surveillance video from Mar-a-Lago, which may show how they were hiding these boxes of classified documents, and also directed Walt Nauta, who had been scheduled to travel with Donald Trump, and who was at Bedminster, to go down to Mar-a-Lago. Walt Nauta was very... Had made a lot of excuses about why he was going down there, but tried to keep it a secret.

Essentially, it was a plot directed by Trump, and led by Nauta, and Oliveira to get another Trump employee, according to the indictment, to figure out how to delete this surveillance footage. They did so through text messages, phone calls, and also at least one meeting where they went into something called an audio closet. I'm guessing it's either like a phone booth kind of thing on the Mar-a-Lago property, I guess, to have discussions about deleting these, or this surveillance footage. The employee who is unnamed, is called, I believe, employee four in the indictment said, "That's not my job. I don't know how to do that. I'm not authorized to do that," was clearly very uncomfortable with this, and they really wanted it done. In the end, they did not actually delete this footage. In fact, the FBI got a hold of it. But the evidence of that was clearly an effort to obstruct, and it landed Donald Trump with another additional obstruction charge, I think two additional obstruction charges in this superseding indictment over the obstruction that he was already charged with.

Barb:

Jill, why do you suppose we're only getting these charges now instead of when the initial indictment was filed?

Jill:

We don't know, of course, but I think that one of the most likely explanations is that the government was working to flip the new defendant, and was hoping that he wouldn't be charged, that he would testify. His testimony is really important, because he's the one who had the conversation, and it would be really helpful to have, well, to both Nauta, and De Oliveira speaking directly to the jury, and not having their information put in through employee number four. I think it was just because they were hoping to flip him. I think they still may hope to flip him, and as Joyce mentioned, if I were his lawyer, I'd be telling him, "You have a lot of value to the government, and you can get a good deal, so you should plead guilty."

Barb:

Yeah. I suppose it does make it stronger instead of having, as you point out, I think employee forces, the boss wants this. Walt said, "The boss said we want this. You could hear it directly out of the horse's mouth." That probably would be a stronger case.

Jill:

Right.

Barb:

You think they were just squeezing him for the past few weeks, trying to get him to cooperate?

Jill:

I do, I do. I think they should have been able to. I don't know who his lawyer is being paid by, but based on past history, I'm pretty sure that it was a Donald Trump PAC.

Joyce:

I think that's right. I've seen reporting, to that extent.

Barb:

Well, let's turn to the January 6th investigation. We've been on indictment watch now for a while, following the target letter received by Donald Trump. I think there's also been reporting now, that his legal team has come in to talk with DOJ, which happens with some regularity, I would say, in high profile cases. The Justice Department is usually happy to hear from the defense, to learn anything more they can about the case. Joyce, what's your sense now as to when we'll see an indictment in the January 6th case?

Jill:

Barb, when you say it's the January 6th investigation, I just want to point out that I think it's time to switch to calling it the election interference investigation, which includes January 6th, but also includes the fake electors, the pressure on Mike Pence, the pressure on state legislatures, the call to Georgia. It's a much broader conspiracy that goes well before January 6th, and continues to this day.

Barb:

Yeah. No, you're right. January 6th is a lazy shorthand for it all, I guess. Well, the election interference case you think is a better way to capture all of that kind of conduct?

Jill:

I think so. It's simple and easy to remember, it's the same two words as January 6th. I mean, you could go into much more, but I think election interference, peaceful transfer of power obstruction is too long.

Barb:

I like the election interference. I will accept your friendly amendment.

Jill:

Thank you.

Barb:

I agree with you just like to call it the Mar-a-Lago case also, I think, minimizes the seriousness of that, right? The reckless disregard for national secrets or something.

Jill:

Right.

Barb:

That case should be gone, but nonetheless. All right. Joyce, what is your assessment as to when we might see an indictment in the election interference case?

Joyce:

I have an opinion, but I will chime in on Jill's point, and just say Trump is engaged in so much rampant criminality that we actually need these shorthand labels or else, it would take us an entire episode just to explain the details of all of the cases. But I agree, Jill's friendly amendment is a great one, and I like that too. Barb, I think I heard you say this on TV as well this week. I was one of the voices that was a little bit cautious about buying into the notion that the case against Trump, the election interference case, would be indicted on Friday, for two reasons. The first one was that we had not seen Trump's team go into Justice to make their final demand, and appeal. Since Trump loves delay tactics, and that process would push out even if only by a matter of days, that just is buying time.

That's apparently what they're all about doing right now, so we did not see that happen. We saw that happen on Friday. It's likely that they'll get an appeal to the Attorney General, who I think was out on vacation last week, and so that may take a little bit of extra time. But the bigger issue was that we were seeing reports that the January 6th grand jury was scheduling additional witnesses. Bernie Kerik had reportedly turned over documents. It actually wasn't clear to me that he was a grand jury witness, but there was reporting that he would speak with investigators mid-month in August. He, of course, is important. He was working with Rudy Giuliani investigating these fake claims of election fraud. I suspect that the government doesn't view him as a witness, that they will use, but they need to know what he's going to say to see if it creates defenses for Trump, so they can assess that before they finalize the indictment.

And then there was this very interesting news that there are grand jury subpoenas out for some of the fake electors who were parts of these slates of fake electors, who DOJ does not appear to have spoken with previously. As that part of the conduct takes on more centrality to this investigation, at least, I suspect it was always central to the special counsel's office. We're learning more about it in recent reporting. Seems to me that you've got to talk to those witnesses before you indict. Look, my crystal ball is no better than anybody else's. We could find out on Monday that there was an indictment two weeks ago that's being unsealed, but it looks to me like there's a little bit more tie down work to be done here.

Kim:

Well, let me ask this though, because the one thing that we learned from the superseding indictment in the national security case out of Mar-a-Lago is that just because an indictment is filed doesn't mean the entire investigation is over. Obviously, there was still more going on. Can't the same thing happen in this case, perhaps? Say, for example, if they have the goods, and they're ready to move forward with respect to Donald Trump's role on the day of January 6th, yet they are still investigating the election interference efforts in Georgia, and other states. Can they still unseal an indictment in one while the other continues to be investigated, or unseal an indictment while an investigation in even the same investigation is still going on?

Joyce:

Yeah. Here's how I would handle that one, and this is maybe with, Kim, yours and my joint appellate hat on. I would say the most important thing is to do nothing differently here than you would do in any other case, right? You want to have the appearance that you're treating Trump just like everybody else, and you want the reality of that too. Typically, I would wait. If I was close, if everything came out of one ball of wax, I would wait until the case was ready, to indict it. You can technically indict on some charges, and then continue to investigate other charges. But there's a little bit of a problem here. I think that there's, we are all anticipating, I think we are, a big conspiracy indictment that includes the fake slates of electors as one of the ways, as one of the, I think, methods that Trump used to try to interfere with certification of the electoral college vote, and the transfer of power.

You could be in a messy situation where you could find yourself, if you created that artificial break, investigating stuff that turns out to be part of the original complaint that you indict. There's no need, I don't think, to get involved in that mess, especially if it's just a matter of a couple of extra weeks. I think it's more important here to get it right than to do it fast.

Jill:

I agree. But there is a problem with the timeline, because they can't wait for forever. Mid-August, of course, they can wait. I'm with you on thinking that they are waiting until they finish Kerik, and maybe some of the others that we're hearing about now, and that would be wise. But at some point, you have to say enough is sufficient. I have enough to indict, and I'm going to go with the case that I have, because otherwise, you run into, it's too close to the election. That's the one thing that they are up against, and have to act before that timeline runs out.

Joyce:

Yeah, I think that's right. I'll argue against myself, and say it's possible that they have more than one case. There could be conspiracies with different defendants. They could indict Trump on Monday, and they could continue to indict, or to investigate rather fake slates of electors in some of the other states, so lots of mystery here, not very much certainty.

Barb:

Yeah. At some point, Jack Smith has to act like the kindergarten teacher, and go to his prosecutors and say, "The picture you made is already very pretty. It's time to stop finger painting it, because it's not going to get better. It's going to get worse, it's going to have too much muddled stuff on it. The birds are pretty, the sky is blue. It looks very nice. I'm taking it away. I'm going to tack it up on the wall right now."

Kim:

Barb, is this something that happened to you in elementary school?

Barb:

I think, the piff.

Kim:

The piff?

Barb:



Well, let's talk about the timing, Kim. I want to ask you about whether you think the superseding indictment in the national security documents case could lead to a delay of the trial in the election interference case, and so I worry that these two are in tandem. As Jill pointed out, the delay is a problem. Does this case necessarily go after the Mar-a-Lago documents case, in which case that superseding indictment pushed the goalpost back? In that case, does that mean the trial in the January 6th case is also going to get pushed back?

Kim:

I don't think so, just because Jack Smith has demonstrated that he can walk and chew gum at the same time. They're being tried, not... They came out of different grand juries. They're being tried in different places, one in Florida, one in DC, I think, and they're being handled by different teams, so I think that they could keep them fairly different. I think that Jack Smith has shown that he's agile enough, even within investigations to keep them, to keep the investigation up and amend, or issue a superseding complaint when needed. I think he is aware of the timing. Of course, criminal investigations have nothing to do with elections, and that is not a consideration in terms of the timing, or how you bring it. But he's also a member of this earth, and he understands what the stakes are, and I don't think he wants to wait until long after an election to bring this to trial either.

Barb:

Yeah. In fact, one of our friends suggested that maybe Jack Smith is just diabolically brilliant, and the superseding indictment was an effort to delay the Mar-a-Lago documents case, so that the January 6th case, sorry, election interference case could sneak in and go first. What do you think of that?

Kim:

Strategy.

Barb:

I thought that was an interesting suggestion.

Joyce:

Prosecutors don't normally do stuff like that.

Barb:

Yeah. I know. Right.

Joyce:

We can be a devious breed when we think a judge is doing us wrong.

Barb:

Yeah, I don't know. That's probably too clever by half, so it's probably not what's really going on here, but I think we're just-

Jill:

I'm not sure with his deliberate intention, but it may be the impact of it that this could go first.

Barb:

Yeah. Well, let me just ask one last question, Jill. Did you see the Trump video that he is using for fundraising, as he awaits these criminal charges for election interference? What did you make of that?

Jill:

Well, first of all, unfortunately, I did see it. Someone has somehow put me on a list where I'm getting Trump text messages. I normally delete them without opening them. But there was something about the message of this one that I decided that I was going to open it, and it was a video of him, Barb, using everything that you have laid out in your very wonderful book on disinformation, and misinformation, and the threat from within. I felt like it was something you needed to put as part of your audiobook, because it's one of those things where he uses all the authoritarian tactics of lying, often, and loudly, and strongly, and saying, "I am the only thing standing between you and the horrible things of the left." Unfortunately, those tactics are, as you point out in your book, effective, and that's why authoritarians use them.

It's a horrifyingly awful, disgusting thing. What was even worse was I got a DNC fundraising text immediately after that, which was so limp that it really made the Donald Trump one seem even more important. I'm not saying I want the DNC to start using authoritarian tactics, I don't. But there has to be something in between saying, we're really short of money, we're losing, we need to get your money, which is what they said versus the very appeal to emotion, which is one of the points of your very wonderful book.

Barb:

Thank you.

Jill:

I can't wait for it to come out.

Barb:

Thanks so much.

Joyce:

Can I just add to that and say, Barb, I mean, I love your wonderful publisher, Seven Stories. I just want to make a special plea, because I suspect that they listen to us, that they bring your book out earlier, so my students can read it this fall. I have that special request to make.

Barb:

All right. We'll see what they can say.

Jill:

I think they really should make an effort. I know my book was pushed up from May until February, because of the impeachment hearings, and so it can be done, and it really is like watching a live portrayal, if you follow the news, and you read your book, and you see it happening live on television. Yeah. Please, please, please publish it-

Joyce:

Listen up, Seven Stories.

Jill:

... right away. I've pre-ordered it on Amazon, so I'll get an early copy.

Barb:

Wow, you guys are so nice. Thank you. One of my favorite products in the whole world is Thrive Causemetics Mascara. It is just the most long-lasting, never flakes, and I know that all of you are now using it too. What do you think, Joyce?

Joyce:

Same here, I am. In fact, this morning my face is all Thrive. One of my favorite things about it is how quickly I can put my makeup on, with the assurance that it will stay in place, even in the sultry southern humidity that we're experiencing right now. Thrive Causemetics make high-performance beauty, and skincare products made with clean, skin-loving ingredients. There are no parabens, sulfates, or phthalates, and their products are certified 100% vegan, and cruelty-free. Cause is in the name for a reason. We love how every purchase supports organizations that help communities thrive. Their products are perfect for any look.

Kim:

I really love their Sheer Strength Hydrating Lip Tint, which is really hydrating. I get dry lips year round, but you can either wear that alone, or I also wear it under lipstick, which is a good trick that I use. It's an amazing, lightweight, balmy, non-sticky formula that hydrates lips to make them visibly softer, smoother, plus there's no mirror needed, and the application is effortless. Just as Joyce says, it really takes no time at all. It feels great, how smoothly it glides on with beautiful colors in six tints to choose from, that's comfortable to wear all day.

Jill:

I know, it's the best, especially in the drying summer heat, or in front of an air conditioner, lasting all day. Thrive has so many more amazing products in great colors, and textures, plus lotions for your skin and more. You need to get over to Thrive Causemetics website, and check them out. You truly can't get enough of Thrive, especially how they contribute to helping communities thrive, with every purchase through their Bigger Than Beauty program. They give to over 300 causes, spanning colleges, cancer research, and homelessness, along with many more.

Barb:

You have to try Thrive Causemetics to see for yourself. Right now, you can get an exclusive 20% off your first order, when you visit [thrivecausemetics.com/sisters](https://thrivecausemetics.com/sisters). That's [thrivecausemetics.com/sisters](https://thrivecausemetics.com/sisters) for 20% off your first order. The link to this deal also looks beautiful, in our show notes.

Kim:

This week, we all watched in real-time, as Hunter Biden's plea agreement on weapons, and tax charges, which we all thought was pretty much forma at this point, all fell apart. Joyce, I loved your newsletter on being wrong, sometimes. Sometimes, rarely, we are wrong, but there seemed to be two issues that

hung up the agreement here. One was a disagreement between the parties as to what they even agreed upon. Can you explain that? Make it make sense? Is it unusual, in your experience as a prosecutor, that such a mistake could be made, and why didn't you, or I see it coming?

Joyce:

Yeah. I was badly wrong about this, when I expected it to be a perfunctory change of plea hearing. 99.9% of the time, these things go off without a hitch. Occasionally, you get a defendant who just boxed, when it comes to the point of acknowledging in open court, that he did the bad things. His friends, his family are there, he's tried to soft pedal it, maybe he's ashamed. Sometimes, the judge has to take a brief recess, and the parties all go to their corners. And then the defendant will always come back, and acknowledge what he did, and the plea goes forward. By the way, I expect that that's what will ultimately happen here. I think everybody goes back, they talk, and they work this out. But it's an interesting, and a very unusual situation, Kim, and I think we can be forgiven for not seeing it coming, because the plea agreement itself was not made public, and the devil is in the details here.

Plea agreements, they're contracts between the parties. The court doesn't get involved in negotiating them, but it is the judge's job to make sure, before she accepts the plea agreement, that it's knowing, and voluntary. The breakdown here came to knowing this, on Hunter Biden's part, about the scope of the plea. He, and the government apparently had very different understandings of what the agreement meant, so the judge was absolutely right to shut it down. The parties hung up, in essence, on whether Biden could be prosecuted for more crimes based from this ongoing investigation, after this guilty plea took place. The normal expectation is, once you plead guilty, that's it for that particular investigation. If the government finds out down the road that you were committing other crimes, or if you can commit new crimes, that's fair game for prosecution. But if you're investigating a drug trafficking network, plea agreements usually will contain language that says this is it, the government won't prosecute more crimes related to this particular investigation.

That was apparently not the government's view of the agreement here, and under questioning from the judge, the prosecutor said, for instance, that they could prosecute Biden for his failure to register as a foreign agent. Look, I'm going to go out on a limb here, and I'll be interested to see what y'all think, because I might be wrong, but this is my sense. I think the government and the Biden side, both understood that there are no further indictments coming here. This has been going on for five years. Before you prosecute someone for the FARA violation, the Foreign Agent Registration Act failure, the government almost always makes a demand that that individual register. For instance, with Mike Flynn, he was prosecuted after refusing to register, or failing to register. That has not happened with Biden. I'm unaware of any demand made here.

But that's not how plea agreements work. You're required to put your full understanding on the record, and in the agreement. You can't have any sort of a side understanding or side agreement, and I think that's why, this falls apart. The judge was right to insist that they hammer out the details of the agreement, so there can't be any confusion down the road. She's given them 30 days to work it out. I think that they will.

Kim:

Yeah. It's just so interesting, because I mean, we've talked about, on this podcast, the fact that the potential FARA violation investigation is ongoing. It said so in the announcement of charges by the DOJ that those were ongoing, so how the parties were taken by surprise like, oh, yeah, there's this other thing that has nothing to do with this plea deal, and that's still a go, and how anybody was taken by surprise by that was just really baffling to me. But, Jill, another issue that hung up this plea agreement

was a constitutional one involving separation of powers that the judge brought up. Can you explain that, and what do you think about the way that she handled it?

Jill:

Again, I agree with Joyce that the judge has done a really admirable job in this. This was handled extremely properly. The constitutional issue is that, as to the diversion agreement that is normally separate and never goes to a court, because it is an agreement not to bring charges that would go to court. It is an agreement between the defendant, and the prosecutor that the prosecutor will forego any charges, if the defendant follows certain requirements. In this case, it would've been that he not have any drugs, that he not have any more guns. As long as he does that for the period of time in the diversion agreement, then they would drop all charges, and then that would be the end of it. The problem here was with the possibility that Donald Trump would be reelected. There was a problem, because Donald Trump has said he would definitely bring cases against Hunter Biden.

In order to protect Hunter Biden from the Department of Justice in the future, violating the agreement reached by the Trump appointed US attorney who is handling the case of special counsel, they needed to have some additional guarantee, so they were looking to the court to be involved in it. The court balked and said, "I don't bring charges, and I don't dismiss charges, or prevent them from being filed. That is an executive branch responsibility, and so you're going to have to figure out a different solution. I applaud your creativity, and I understand why you did this, but you can't do it." Again, like Joyce, on the first issue of the meeting of the minds, and by the way, not only do I see that very seldom in plea agreements, but I have... When I became a business person at Motorola, and was doing joint ventures, I frequently saw it in business deals where people think, oh, what I want is what you want, and therefore this agreement will work.

But they really had different goals, and so it ends up falling apart as a joint venture. That's what happened in the part you asked Joyce about. But I think they will, in this case too, work it out. It is in the best interest of everyone. Honestly, if it wasn't Hunter Biden, this would not be prosecuted, and either of these things. He paid back the taxes, that would be the end of it, it's over. On FARA, they would've said register, he would've or he wouldn't have, and they would've had a discussion, and agreed that there was no case. On the diversion charges, that would never be a case, unless he used the gun for some other crime, or did something else horrible, and he didn't. None of this would even be something he would have to plead guilty or not guilty to. It would never have existed. I think it will be worked out.

Kim:

Barb, what do you think? I mean, you have experience entering into plea agreements as a prosecutor. Do you agree that this is a minor hiccup and they'll get beyond it, or do you think that the fact that these potential FARA charges are still open, and hanging over Hunter Biden might present a problem, and might we end up in trial?

Barb:

Well, I guess, I don't know, because I don't know the facts that are causing it. But I do think that this is a misguided effort to Trump-proof this plea agreement. It just shows you how every facet of life has been negatively impacted by the presidency of Donald Trump, the past, and future potential presidency. I mean, it seems like they're working really hard to anticipate all of the political problems they're going to face, instead of just doing it the normal way, and that's what the judge... I think the judge even at one point said like, "Kerik, why don't you just do this the normal way?" In both of these, and I think she was

absolutely right on all of these things. The first one, the first issue about this, does this resolve everything or not? Plea agreements can go either way.

Sometimes, it resolves everything. Sometimes, it only resolves something narrow, but the agreement has to spell that out. We would frequently use language to the effect of something like, the government agrees not to prosecute any additional cases of which it is currently aware, and so if there turns out... In Michigan, we always said, turns out he kidnapped and killed Jimmy Hoffa, we could still bring that case, or if they commit crimes in the future, we could still bring that case. But we've been investigating all this stuff for a long time, and we agree that this is a fair disposition of the case, so we should all be on the same page with the meeting of the minds. I do think though that Hunter Biden's lawyer was being a little bit cute when he said, "I had no idea that FARA was still on the table. What are you talking about?" He said as much, in his public statements.

I'm not sure how will this happen, because usually, by the time you get to a plea agreement, the parties have spent a lot of time together hammering out the language, and exactly what it means. But I think they'll get there. But I think, Weiss, maybe they do want to bring more charges. But one possibility is that he is just trying to deflect the political heat that this is a sweetheart deal for Biden, which I don't think it is. But that's the heat he's getting, and there's all this other international business activity that you should be looking at. If he can just say, "Yeah, we're still looking at that," maybe he deflects some heat. That's one possibility. And then with regard to this, the judge's involvement in enforcing the pretrial diversion agreement, I agree that that is not her lane, constitutionally.

It usually says something like, it is in the government's sole discretion to determine whether the defendant has breached this agreement, and then maybe decide to bring charges in the future. But again, I think they're worried about, this is a two-year diversionary period. In two years, we could have a Trump DOJ, and someone who says, "No, the deal is off. We're prosecuting him, and we're going to throw the book at him and charge him to the maximum extent of the law." I think they're trying to avoid that. But again, you shouldn't have to do that. Do they need to? Is it realistic? Are they being pragmatic? I suppose one solution is instead of a two-year diversion program, make it a one year, right? We change that anywhere from six months to two years all the time. There are ways to work around it, and I suspect ultimately they'll get there. But I think this is just the consequences of the specter of Trump looming out there in the future, which is causing them to go through all of these somersaults that they ordinarily wouldn't have to do.

Kim:

Well, you were talking, Barb, about the way the politics are affecting the criminal cases. But I want to flip that, and talk a little bit about how this criminal case is playing, as we run up to an election. I personally think that Republicans would've made Hunter Biden an issue, no matter what. Even if the government dropped the charges, it would be an issue. If he pleaded guilty to everything, it'd be an issue. No matter what the outcome is, they're going to make it an issue. But do you think that this plea deal hiccup creates in itself a bigger problem for Joe Biden, or just for Americans trying to understand what's going on, or do you think it makes it more likely? I mean, people have been saying, "Aha, this is proof that the DOJ was doing something underhanded, and putting the thumb on the scale for Hunter Biden, that this judge courageously stepped in and stopped the shenanigan." There's already the-

Barb:

Oh, yeah.

Kim:

... narrative that's come out of that. What do you guys think?

Joyce:

I don't think that this changes anything. Look, the overwhelming majority of Americans do not care about Hunter Biden. They are worried about kitchen table kind of issues. For those of us who are hyper-focused on legal issues like all of our beloved podcast listeners, we understand the score, and this was always going to be a rallying cry for the Republicans. It would not have mattered if they loaded Hunter Biden up, and put him in jail for the rest of his life. Republicans would've still made an issue about it in the upcoming campaign. They are going to, it is not going to go away, Joe Biden just has to ride it out.

Jill:

I agree with Joyce, and think that it's time for Democrats to start focusing on the son-in-law, and daughter of the former president who served in the White House. Hunter Biden was never in the White House. He was always a private citizen. There is not a shred of evidence linking anything he did to his father, whereas both Ivanka, and Jared used their positions of power in the White House, and since to have business deals that they would've never had, but for their relationship to the former president. It is something that it's not helpful that this fell apart for anybody. It's emotionally hard, I'm sure, on Hunter, and his family, and everybody else. But it would've always been an issue whether there was a deal or wasn't a deal, and there still will be, now that there has been a failure that we all think will be cured.

Barb:

Yeah. This is Swift Boat for John Kerry, this is Hillary Clinton's emails, and now for Joe Biden, it's Hunter Biden's laptop. I don't know that most Americans can even tell you what's on Hunter Biden's laptop or why it's an issue, they just know it's something, and it means they're crooked. It's like just say the election was corrupt and leave the rest to me, right? All you need is a little hook to hang your hat on, and they'll go crazy with it. But I don't think it's a good development, because as you said, Jill, or I think Kim, you said, "There are Republicans already who are saying, see, the judge threw it out, because it was so unfair, and it was such a sweetheart deal. She wouldn't approve it." That wasn't it at all. It was about this agreement about what they were actually agreeing to. But in the world we live in today, we don't always focus on the details, and so we rely on proxies to tell us what to think, and many of those proxies are no longer trustworthy.

Jill:

I agree with you, Barb, except for one thing. I think because of what Congress allowed to happen with Hunter's laptop, there are people, at least in Congress, who now have seen parts of what is purported to be his laptop, and that is disgusting to me.

Kim:

Jill, I know we think more and more about the waste that we create, and trying to cut down on paper waste, but that includes also cutting down on your waste paper, if you know what I mean. Have you heard of Real Paper?

Jill:

I have. It's an amazing product, and you are right. We have to save this planet, and all of us suffering under this heat wave know that we're doing damage to the planet. Sometimes, making the sustainable

choice can feel like a sacrifice, but we've dealt with a disintegrating paper straw and maybe wondered, is this worth it? Maybe we don't actually need baby sea turtles. Nope, I've never said that. I remember paper straws at the drugstore's sonar counter, and they didn't dissolve then. But the point is, it's important to find, and celebrate, and use the sustainable solutions that work better than the originals to help save our planet. For us, the best example is Reel toilet paper.

Barb:

If it means saving the baby sea turtles, I am all in. Using Reel paper doesn't feel like you're sacrificing something to help the earth. In fact, it feels like an upgrade. Reel is made from 100% bamboo, a faster growing, and completely regenerative alternative to deforestation, which means that we don't have to cut down any trees to make high-quality toilet paper.

Joyce:

Even better, Reel is also partnered with One Tree Planted. With every box of Reel that you buy, they're funding reforestation efforts across the country. Unlike other toilet papers that cut down trees, Reel is helping to actively plant them. Another thing we love is that if you prefer to shop for toilet paper in person, here's the good news. Reel is available in most Target stores, and also on [target.com](#). Target carries a convenient 12-pack box, the perfect size to try out your new favorite tree-free paper.

Kim:

If you're looking for Reel in a Target, it should be easy to spot. They'll be the only bamboo toilet paper, and the only option that you'll find in 100% recyclable, plastic-free packaging. Check the Target app today for an additional discount to save on your purchase. Make a better choice for your home by switching to Reel. Reel is the paper for the planet. You can also find a link in our show notes.

Jill:

For two years, Texas Governor Abbott, has bust migrants to blue states, told his state guards to refuse them water, and push them back into the Rio Grande river. All of this is part of the multi-billion dollar Operation Lone Star. Now, he has added razor wire on the banks of the river, and added a thousand-foot floating barrier in the middle of the Rio Grande river, and DOJ has now sued Texas. Kim, one headline described Operation Lone Star, and the buoy barrier as barbaric. Why did they call it barbaric is my first question to you. And then my second is... Well, answer my first, and then I'll ask you my second question.

Kim:

Well, because it's really horrific. I mean, if our listeners have not seen visuals of what this is, or diagrams really, when you look at it just looks like it's a floating buoy, and barrier. The problem is they're made up of these balls, these not even cylinders, these spheres. But they're covered with razor wire, and they have a net, netting below them. If somebody is in the water trying to cross the Rio Grande, and they come in contact with it, first of all, it can cause, and has caused severe injuries. You have adults and children who have been cut up by this razor wire. One young woman subsequently suffered a miscarriage. But these spheres also spin, so you can try to grab a hold of it, get pulled down underneath it, where there's netting, and drown if you cannot get out. There have been migrants who have been caught in between this netting and the river, so they can't survive either way. It's really a horrific, inhumane thing to do.



Jill:

The other question is, and before we get to the legal challenge that was filed by DOJ, can you talk about the constitutional issues that this raises about the role of states versus the federal government?

Kim:

Yeah. Generally speaking, the federal government has something called plenary power over immigration matters, which is by way of the fact that the federal government is responsible for who comes in, and who leaves the country, who has nationality within the country, who gets citizenship. That is all federal responsibility. If states impose laws or rules that go against, or somehow contradict, or without authority of the federal government, the federal government can step in and say, "Whoa, whoa. This is not your area. This is not your lane. Have a seat, have several seats. Leave this to us." This is an area that has been pretty strongly protected. I mean, recall even last term, at the US Supreme Court, when several states challenged a Biden administration immigration policy, the Supreme Court found that the states didn't even have standing to do it. I mean, they basically said, "Look, what are you doing here? This is not your business. Go home. This is not for you to try to enforce." Generally speaking, this is something that the federal government, not states, ought to be doing.

Jill:

Also, there's another constitutional issue, because the federal government is the one responsible for our foreign relations, and this barrier is between Mexico, and the US, and they have filed a protest. There's been diplomatic problems as a result of it and that is, like you said, that's within the federal government's power. Although there are questions of federal and state power over immigration, and foreign relations, as Kim mentioned, this suit focuses on Texas's obstruction of US's navigable waters under the Rivers and Harbors Act. What does that law prohibit?

Barb:

It's pretty straightforward. The law says that it is illegal to place structures in navigable waterways without federal approval, and so it's the feds who get to decide, this is waters that are, well, [inaudible 00:54:07] Waters of the United States. The state can't go out there and do what it wants. The federal government has to approve it. The relief that's available under that federal statute is an order to remove it, and an injunction, which is an order against future barriers in the river. The law seems really very straightforward. I think it seems that Governor Abbott likely knows that, and probably doesn't care, because even if he loses, he can flex for his constituents and say, "Look, I tried to take care of you and erect this border, and these leftist, liberal, well, feds are interfering and not allowing us to do it." But that that's the law. It's very much a federal matter.

Jill:

Yeah. Although they relied on this technical violation of US waters, it's about much more than that, isn't it?

Barb:

Yeah. At the time, DOJ filed this lawsuit on Monday, Vanita Gupta, who is the Associate Attorney General and a fantastic lawyer, issued a statement, and she pointed out that the barrier poses a threat to navigation in the water, and public safety, and humanitarian concerns, as Kim described, with the

netting, and the razor wire, and other kinds of things. I mean, who does that? It's like, let's fill the area with alligators. No, you can't do that. It's not safe. The feds get to decide.

Jill:

Okay. Joyce, what is Texas's response to this lawsuit?

Joyce:

It's such a shocker, right? Texas's response was, "We'll see you in court, Mr. President." That's what Governor Abbott tweeted. Texas just doesn't have a legal leg to stand on here. The Rivers Act is very clear. We know that this is about politics. It's not about legitimate governance. Texas won't see Mr. President in court. They'll see the Justice Department. I'm expecting a lot of political theater, and very little concern for humanity. It is worth noting that, if you've never seen razor wire before, it's sort of a barbed wire that's on steroids. It's this mesh of metal strips and sharp edges, and its only purpose is just to keep people out of an area. Imagine putting it on the banks of an already dangerous river, putting that and putting these boys, which are big two by three, and even larger spinning buoys, so you can't get past them.

Putting all of that in this river for people at the end of a long, dangerous journey, whether you think that they should be making it or not, it's just the reckless disregard for human life that I think borders on supporting homicide charges. It is so difficult for me to understand how anything like this could ever be done, so good luck, Texas. If this is the conduct you want to use your citizens' money on, and support in court, have at it, but they'll lose this case.

Jill:

I was going to ask you all to comment on who you think is going to win, and I love the fact that my experience as general counsel of the Army actually is relevant here, because permits are required from the Corps of Engineers through the Secretary of the Army. I used to supervise that group of lawyers, and so to me, it seems like a clear winner legally, but maybe I'll ask you what you all think politically. Do you think this is going to help anybody?

Joyce:

Well, it's just another salvo in the culture wars, right?

Kim:

Yeah, that's exactly right.

Joyce:

At the expense of the lives, and the wellbeing of human beings. They're not illegal aliens, they're human beings.

Kim:

Yeah. I think it could backfire. On the one hand, immigration is a perennial issue that Republicans do see leeway. When they focus on that, that tends to pay off politically. But then you always have the situations. I remember the picture of the man, and a little girl drowned at the southern border that really captured the imagination of people, or you have children being taken away from their families, and that really shocked the nation. In a way, that backfired. I think the more we see how awful this

tactic is, that that can backfire too, no matter what you think, as we say about whether people should be crossing the border, children being cut up with razor wire or drown because they can't escape the netting underneath it. I mean, these are basically like death traps and that could, ought to be a bridge too far.

Jill:

The pictures of the injuries are horrific, and I certainly hope that the courts very quickly order the removal, and that we don't see what's happening in other states where the court, the legislature goes, "Oh, we're just not going to pay attention to that," because then we're really in a crisis of our democracy.

Barb:

Hey, Kim, I don't want to talk about bras, do you?

Kim:

I will talk about bras all the time, because a good bra is important, you know? Support from today's episode comes from Honeylove. With the summer season here, Honeylove is the perfect shapewear for the season. No matter whether you're going to an event, or out socializing, or looking for an everyday fit, Honeylove is your go-to for all things shapewear. Honeylove has revolutionized compression technology, so you no longer have to feel like you're suffocating while looking great, and you'll immediately feel, and see the difference.

Joyce:

I've recommitted to exercising, and working out over the last couple of months, and Honeylove's bestselling superpower short has become my go-to. It has targeted compression technology that distinguishes between areas where you want more support, and areas where you need less compression. The signature X targets, and sculpts your midsection without squeezing your natural curves. It's designed to work with your body, not against it, and that's a good thing. The shorts have the perfect amount of compression, and you won't ever have to worry about them rolling down, thanks to their special side seams. Even better, the piece is also a back lifter. Honeylove also has amazing bodysuits with 360 degree bonded compression that smooth your tummy, and hips with built-in support, and it lifts without underwire.

Jill:

Although I personally love underwire, and love the T-shirt bra.

Joyce:

That's TMI for Barb. Don't go there.

Barb:

Covering my ears.

Jill:

Finally, comfortable shapewear that goes on easy, and makes you feel good. Honeylove also has incredibly comfortable bras, tanks, and leggings for everyday support. Shapewear shouldn't be

agonizing. You'll look good, and feel good, so whether it's for a wedding event, a live Sisters-in-law show, Honeylove is the perfect plus one.

Barb:

Treat yourself to the best shapewear on the market, and save 20% off at [honeylove.com/sisters](https://honeylove.com/sisters) with the code sisters. Use code sisters at [honeylove.com/sisters](https://honeylove.com/sisters). Everyone can find the link in our show notes.

Joyce:

We have lots of great questions from our listeners this week. It was hard to pick just three, but I think that we've done it. If you, by the way, have questions for us, please email them to us at [sisters-in-law@politicon.com](mailto:sisters-in-law@politicon.com), or thread, or tweet them using #sisters-in-law on Twitter. We look forward to a thread having hashtags in the near future.

Barb:

Is that how we say it, by the way, to thread us? I know you tweet, what's the verb of posting a thread?

Joyce:

I don't know, Barb. Do you think that's the right way to do it?

Barb:

I don't know. I'm curious to tweet has become part of the lexicon to thread, I just know. Why not even thread?

Joyce:

Well, listeners, please let us know this week, your views on what language we should use around threads.

Jill:

I just have to interject that someone sent me through Twitter, a picture of me sewing, wearing a spool of thread pin, because he was trying to help me tell people that I am now on threads. I thought it was-

Barb:

That's funny.

Jill:

... so adorable. I really love it.

Joyce:

I love that. That's great. Well, look, try us for now on both places, and if we don't get to your questions during the show, keep an eye on our threads, and our tweets throughout the week. We'll try to answer as many of your questions as we can. Our first question this week comes from Cindy in Rhode Island. Kim, why don't you take a stab at Cindy's question. She asks, "Can any of the present or future indictments of Donald Trump disqualify him from running for President of the United States?"

Kim:

The answer seems to be no, for a couple of reasons. All of the charges that he is facing currently, and what we expect will be coming from Jack Smith's office, none of which seem to include the charge of insurrection. The 14th Amendment does have a disqualification clause, which holds that anybody who has taken an oath as a member of Congress or as a member of the executive, and has engaged in insurrection, or rebellion shall not hold office again. That disability can be removed by a vote of Congress, but it would need to be, in my opinion, that charge. It's also unclear, constitutionally, whether that is self-enforcing, or whether that would require an additional statute, an executing statute to make that be able to take effect.

Again, we've never had the situation before, so nobody's ever tried it out. But long and short of it, I don't think that that is the case. Nobody's expecting him to be disqualified from holding office. What could happen is that he could face a prison sentence, and I don't know how one can be the leader of the free world from a prison cell. That might be a problem that would need to be solved in the future.

Joyce:

Yeah. I'm looking forward to that new reality TV show President from Prison. Right?

Jill:

Wouldn't that be a 25th Amendment issue where somebody says, you really can't fulfill your duties, and so-

Kim:

He's not, he's indisposed.

Jill:

... you need to be removed under the 25th Amendment.

Joyce:

But would he have cabinet secretaries who could? I mean, it's like all of this is so fraught with lots of litigation to determine the outcome. It's what Trump does, he screws stuff up by refusing to play by the rules of democracy.

Jill:

Yeah.

Joyce:

Next question comes from Gwen. If the ex-president gets convicted in Georgia, could the Republican governor pardon him? Barb, how about that one?

Barb:

Oh, yeah. This is one I've looked into, and the answer is no. That's why, I think the case out of Georgia might end up being the one that is the most important of all. In Georgia, there is an independent board of pardon and parole. Now, the governor does appoint the people who serve on there, but they're just staggered seven-year terms, and so over time, they get appointed by different governors. I suppose

their politics in Georgia might tend to be on the conservative side. But Georgia is going blue, so it's independent, so I don't think that you could expect reflexive pardons.

By the way, governor Kemp down there is no friend of Donald Trump. They've gone crosswires over this Georgia election theft situation. But the key thing in Georgia is this. A pardon can be granted in Georgia only after the expiration of five years after the sentence is completed. You'd have to serve your sentence, be done with all that, as many years as that is. Then wait five more years, and only then could you be pardoned. Even if Trump could be pardoned, it would not be for many years, and I think it would take him well past his viable political life.

Joyce:

Go funny. Our last question. This is a great one, Jill. This is from Beth in Pittsburgh, Pennsylvania. Beth asks, "Are the Trump prosecutors allowed to review the social media posts of potential jurors? Does anyone review these for jurors? What role does social media play in picking a jury?"

Jill:

This is such a great question, Beth. I love Pittsburgh, by the way. It raises the whole question of jury selection. We've gotten to a point in jury selection where people, defendants can hire people to do severe checks on what they can learn about the potential jury pool. Posts are public, and so there'd be no reason why they couldn't find out what their social posts are. They certainly can be asked about it, but I don't think there'd be anything wrong with an investigator looking at the posts, to see what it shows about a potential juror's mindset.

Joyce:

Thank you for listening to #Sisters-in-Law with Kimberly Atkins Stohr, Barb McQuade, Jill Wine-Banks, and me, Joyce Vance. Remember, you can send in your questions by email to sisters-in-law@politicon.com. Tweet them for us on Twitter using the hashtag Sisters-in-law, or engage with us on threads. Please support this week's sponsors, Moink, Thrive Causemetics, Reel Paper, and Honeylove. You can find their links in the show notes. Please support them, they really helped to make this show happen. Go to [politicon.com/merch](http://politicon.com/merch) to buy our shirts, totes, and other goodies. To keep up with us every week, follow #sisters-in-law on Apple Podcasts, or wherever you listen, and please give us a five-star review. It really helps others find the show. See you next week with a new episode #Sisters-in-Law.

Y'all, I think it's worth commenting before we leave today. We have a friend, a joint friend who's very sick with COVID, and we sent him chicken soup, because everybody who has COVID needs chicken soup, and some other things. But what I really loved was the huge, giant slab of chocolate cake. It seems to me that chocolate cake is the thing that cures all evils, right?

Kim:

I think there's a CDC study that bears that out. I think there's scientific [inaudible 01:09:18]

Joyce:

Makes me happy.

Jill:

Well, there's for sure a CDC study that says chicken soup will work.

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