

## **Najib opposes US govt's bid to prevent access to 1MDB documents**

**Malaysiakini**

**17 March 2021**

**Hidir Reduan Abdul Rashid**

Najib Abdul Razak is opposing the United States government's bid to stay a court order for Goldman Sachs and its former banker Tim Leissner to supply documents and testimony vital to his defence against 1MDB-linked criminal charges in Malaysia.

The former prime minister's legal team in New York is relying on the allegation that the US administration was in cahoots with the Wall Street investment bank to prevent him from accessing the much-needed material.

According to a letter from Najib's legal team to the court in Southern District of New York dated March 14, they contended that the allegation should be sufficient for the court to deny the US government's stay bid.

Najib's US legal team from firm Wiggin and Dana, made reference to the allegation contained in a letter dated March 12 by another former Goldman Sachs

banker, Roger Ng.

Ng's legal team, from firm Brafman & Associates PC, had written to a separate court in Eastern District of New York, alleging that the US government's stay bid "is clear evidence that Goldman Sachs is a member of the prosecution team, is being actively protected by the government, and is united in interest with the government."

"If there was any doubt about the nature of the government's relationship with Goldman Sachs before, even in the face of the remarkable issues raised by defendant's motions currently pending before Your Honour, that doubt is eliminated by the prosecutors in a criminal case in the Eastern District of New York intervening as Goldman Sachs' free lawyer in a civil case pending in the Southern District," Ng's lawyer contended.

Ng has a separate 1MDB-linked matter before the court in Eastern District of New York.

The March 12 letter also stated that "to be clear, counsel for Ng have had no discussions or communications of any kind with counsel for Razak," in reference to Najib's legal team in New York.

The court in Southern District of New York has already allowed Najib's application for the subpoena for Goldman Sachs and Leissner to hand over the material sought.

However, the US government is currently seeking to stay the court order and the application is yet to be heard.

In the March 14 letter sighted by Malaysiakini, Najib's legal team reiterated to the court in Southern District that the documentary and testimonial evidence sought by the ex-premier is vital to his defence of criminal charges in Malaysia.

"Finally, the revelations of Ng's counsel make even more clear that the government's motion for a stay should be denied, and the subpoenas to respondents should be promptly enforced," Najib's legal team asserted.

The respondents herein are Goldman Sachs and Leissner.

Previously, Leissner had pleaded guilty in a federal court in Brooklyn, New York, to bribing officials in Malaysia and the United Arab Emirates to secure bond deals for the bank.

On Nov 18 last year, it was reported that Najib was seeking permission from the

US court for documents and testimony from Goldman Sachs and Leissner to help in his defence against criminal charges in Malaysia over the 1MDB financial scandal.

The criminal charges in question refer to the four counts of abuse of power and 21 counts of money laundering involving RM2.28 billion of funds from troubled sovereign wealth fund 1MDB.

The criminal charges are currently being heard by the High Court in Kuala Lumpur.

Previously on Feb 16, Najib's lead defence counsel Muhammad Shafee Abdullah had tried to get a postponement on the former premier's 1MDB corruption trial on reason linked to the legal bid in New York.

However, High Court judge Collin Lawrence Sequerah has denied the postponement bid.

When contacted by Malaysiakini today, Najib's counsel, Tania Scivetti, confirmed that the former premier's US legal team sent the letter to the court in Southern District of New York.

She reiterated that Najib was opposing the US government's application to stay Goldman Sachs and Leissner from complying with the subpoena.

Scivetti is part of Najib's legal team in New York.

**Copyright © 1999-2012 Mkini Dotcom Sdn. Bhd**

Source: <https://www.malaysiakini.com/news/566979>