

Winston Wins Complete Acquittal of Matthew Grimes in High-Profile Trial of “Espionage Lite” Claims

NOVEMBER 4, 2022

On November 4, 2022, following a seven-week trial in the Eastern District of New York, we succeeded in securing a full acquittal for our client, **Matthew Grimes**, who was accused of acting as an unregistered agent of a foreign government in violation of 18 U.S.C. § 951 and conspiracy to violate the same under 18 U.S.C. § 371. [The victory earned us, along with co-defendant’s counsel, an *Am Law* “Litigator of the Week” honor on November 11, 2022.](#)

Federal prosecutors had accused Grimes, along with his co-defendant and founder of Colony Capital, Thomas J. Barrack, Jr., of acting as unregistered foreign agents of the United Arab Emirates (U.A.E.) running a foreign-influence campaign in the United States and serving as a secret back channel for communications from U.A.E. officials. We strongly contested the charges against Mr. Grimes, challenging the government’s application of the statute, referred to as “espionage lite,” to a then-22-year-old assistant, and the government’s interpretation of the evidence, which included hundreds of text messages, emails, and business records. While the Justice Department has stepped up § 951 prosecutions in recent years, the charges against Mr. Grimes were novel because the federal government had never before charged someone in an assistant-like role for the conduct alleged here. Co-defendant Barrack was also acquitted of all charges against him, which included charges alleging obstruction of justice and six material false statements.

IMPACT

This win was extremely significant to our client, as he was able to renew his professional life without limit, restore his reputation, recover all monies that had been put up for bond, and be free of all related inquiries. Legal and other articles indicated that the trial defeat has caused the Justice Department to evaluate its use of the registration statute to prosecute individuals engaged in commercial activity.

(U.S.A. v. Al Malik Alshahhi (Case No. 1:21-cr-00371; U.S. District Court for the E.D.N.Y.))

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