

Exhibit 3

Clark Smith Villazor LLP
250 West 55th Street, 30th Floor
New York, NY 10019
www.smithvillazor.com

CHRISTOPHER J. CLARK
T 212 582 4400
clark@clarksmithvillazor.com

CLARK SMITH VILLAZOR

VIA ELECTRONIC MAIL

August 7, 2023

Leo J. Wise
Derek E. Hines
Benjamin L. Wallace
Assistant United States Attorneys
United States Attorney's Office
District of Delaware
1313 N. Market Street, Suite 400
Wilmington, DE 19899

Re: United States v. Biden, No. 23-cr-00061-MN
United States v. Biden, No. 23-mj-00274-MN

Counsel:

We write on behalf of our client, Robert Hunter Biden, to address the modifications you proposed on Monday, July 31, 2023, with respect to the executed Diversion Agreement and Memorandum of Plea Agreement.

First, the Government has proposed amending Paragraph 14 of the Diversion Agreement

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Second, the Government has proposed, [REDACTED] the immunity provision in Paragraph 15 of the Diversion Agreement. [REDACTED]

Third, the Government has proposed [REDACTED] in Paragraph 5(b) of the Plea Agreement and the stipulation in Paragraph 17 of the Diversion Agreement. [REDACTED]

[REDACTED]

Sincerely,



Christopher J. Clark

Enclosure

cc: Brian C. McManus, Esq. (Latham & Watkins LLP)
Matthew S. Salerno, Esq. (Latham & Watkins LLP)
Timothy H. McCarten, Esq. (Latham & Watkins LLP)
Richard I.G. Jones, Jr. (Berger Harris, LLP)