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4 SELECT COMMITTEE TO INVESTIGATE THE
5 JANUARY 6TH ATTACK ON THE U.S. CAPITOL,
6 U.S. HOUSE OF REPRESENTATIVES,
7 WASHINGTON, D.C.

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11 DEPOSITION OF: MICHAEL FLYNN

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Thursday, March 10, 2022

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Washington, D.C.

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20 The deposition in the above matter was held via Webex, commencing at 10:08

21 a.m.

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Present: Representatives Lofgren and Cheney.

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Appearances:

For the SELECT COMMITTEE TO INVESTIGATE
THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL:

- [REDACTED], INVESTIGATIVE COUNSEL
- [REDACTED] STAFF DIRECTOR
- [REDACTED] STAFF ASSOCIATE
- [REDACTED], SENIOR INVESTIGATIVE COUNSEL
- [REDACTED], INVESTIGATIVE COUNSEL
- [REDACTED], SENIOR COUNSELOR TO THE VICE CHAIR
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- [REDACTED], PARLIAMENTARIAN
- [REDACTED], SENIOR TECHNICAL ADVISOR
- [REDACTED] INVESTIGATIVE COUNSEL
- [REDACTED] PROFESSIONAL STAFF MEMBER
- [REDACTED] CHIEF DATA SCIENTIST

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2 For the WITNESS:

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It's 10:08 a.m. on March 10, 2022. And this is a deposition of

General Michael Flynn, conducted by the House Select Committee to Investigate the January 6th Attack on the United States Capitol pursuant to House Resolution 503.

At this time, I'd like to ask the witness to please state your full name and spell your last name for the record.

The Witness. Michael Thomas Flynn, F-l-y-n-n.



Thank you, General Flynn.

And, Counsel, could you please introduce yourself and the others who are joining this Webex deposition.

Mr. Warrington. Yes. David Warrington, counsel for General Flynn. That's W-a-r-r-i-n-g-t-o-n. With me by video are my colleagues Michael Columbo, C-o-l-u-m-b-o; Gary Lawkowski, L-a-w-k-o-w-s-k-i; and our legal assistant, Erin Potter, P-o-t-t-e-r.




At this time, I'm going to ask that the official reporter swear you in, General Flynn. Can you please stand and raise your right hand?

The Reporter. Do you solemnly declare and affirm, under the penalty of perjury, that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth?

The Witness. I do.



Thank you, 

Thank you, General Flynn.

So this will be a staff-led deposition. And if any members decide to join or ask questions, they may do so and will probably do so by turning on their camera, and I'll defer to them at that time.

1 My name is [REDACTED]. I am a senior investigative counsel for the select
2 committee. Also in the room today from the committee are [REDACTED].
3 She's sitting to my left. She's investigative counsel to the committee. To her left is
4 [REDACTED], committee parliamentarian. To my right is [REDACTED] who's a
5 professional staff member for the committee.

6 And as I mentioned before we went on the record, there are a number of folks
7 joining from the committee, and you can see them listed on the right-hand side of the
8 screen in the Webex platform.

9 Also joining us at this time are members of the select committee Zoe Lofgren and
10 Liz Cheney. And if other members join, I will try to announce their presence as soon as I
11 can note it.

12 It's possible that other staff join as well. I do not plan to note their presence, but
13 if there's a reason to, I'll do so for you, General Flynn.

14 Under the House deposition rules, neither committee members nor staff may
15 discuss the substance of your testimony that you provide today unless the committee
16 approves its release.

17 You and your attorneys will have an opportunity to review the transcript, and I will
18 be in touch with Mr. Warrington about that.

19 Before we begin, there are a few ground rules I want to make sure you
20 understand.

21 We do plan to follow the House deposition rules that we provided to your counsel
22 previously. Under those rules, counsel for other persons or government agencies may
23 not attend, and you are permitted to have your attorneys present. And we've noted
24 their presence on the record.

25 I will ask that you confirm that no other persons besides your attorneys are

1 attending or plan to attend this deposition today. Is that correct?

2 Mr. Warrington. Yes, but General Flynn's wife is in the room we're in.

3 [REDACTED] Okay. Bear with me for one moment, please, Mr. Warrington.

4 Mr. Warrington. Okay.

5 [Discussion off the record.]

6 [REDACTED] Mr. Warrington and General Flynn, unfortunately, under the House
7 deposition rules, these are private proceedings and we cannot have your wife join as part
8 of the proceeding.

9 So I'd ask that you be the only people in the room for the entirety of the
10 proceeding. Do you understand that? Is that okay?

11 Mr. Warrington. Yes. Give us about 2 minutes, okay?

12 [REDACTED] Yep. Take your time.

13 [Recess.]

14 [REDACTED] All right. Are we prepared to proceed?

15 Mr. Warrington. We are prepared to proceed.

16 [REDACTED] All right. Very well.

17 And I just ask that you also confirm, as we discussed before we went on the
18 record, that you or nobody else is recording this proceeding or otherwise transmitting it
19 as we proceed.

20 Mr. Warrington. We are not.

21 [REDACTED] Thank you, Mr. Warrington.

22 There is an official court reporter who's transcribing the record of this deposition.
23 So, along those lines, please wait until each question is completed before you begin your
24 response, General Flynn. And I, likewise, will do my very best to wait for you to finish
25 your response until I start my next question.

1 I'd also note that the court reporter cannot record nonverbal responses, such as
2 shaking your head, so it is important that you answer each question with an audible and
3 verbal response.

4 We do ask that you provide complete answers based on your best recollection.
5 If the question that I ask is not clear, please ask for clarification. If you do not know the
6 answer, that's perfectly fine. Please say so. But you can only refuse to answer a
7 question to preserve a privilege recognized by the select committee.

8 If you refuse to answer a question based on a privilege, staff may either proceed
9 with the deposition or seek a ruling from the chairman on the objection. And if the
10 chairman overrules such an objection, then you will be required to answer the question.

11 I also want to remind you that it is unlawful to deliberately provide false
12 information to Congress. Since this deposition is under oath and you've now been
13 sworn, providing false information could result in criminal penalties for perjury or
14 providing false statements.

15 Do you understand all the rules that we've just gone over?

16 The Witness. I do.

17 [REDACTED] Thank you, General.

18 And, logistically, just please let us know if you at any point need a break, either a
19 comfort break or to discuss anything with your attorneys.

20 And I'd just note that, in this type of scenario, it's best, if you need to consult with
21 your attorney, to shut off your camera, as you just did, and shut off your microphone.
22 That way, we won't be able to hear anything that you talk about with Mr. Warrington.

23 With that, are you prepared to proceed?

24 Mr. Warrington. [REDACTED] let me -- I do want to interject with an objection on the
25 grounds that, to the extent these rules conflict with constitutional rights of my client, we

1 would note our objections to that on an ongoing basis, and also to the extent that the
2 committee's activities or manner of conduct of this deposition does not comport with this
3 House resolution.

4 [REDACTED] Thank you, Mr. Warrington.

5 And it was cutting out just a little bit. I just want to confirm at this point that the
6 court reporter was able to understand what Mr. Warrington said.

7 [Reporter responds off-mike.]

8 Mr. Warrington. All right. Let me try to increase the microphone. Give me a
9 second here.

10 [REDACTED]. Thank you. I appreciate that.

11 Mr. Warrington. I adjusted the volume on the microphone level to the max.
12 How is that?

13 [REDACTED] We'll proceed. And if the reporter has any issues, I'd just ask that
14 they speak up. And we may need to have you repeat any answers that we can't
15 understand.

16 EXAMINATION

17 BY [REDACTED]:

18 Q We're going to show you some documents, General Flynn. We'll pull them
19 up. Make sure you can see them on the screen.

20 So let's go ahead and pull up exhibit No. 1, please.

21 Are you able to see what we've just pulled up as exhibit No. 1, which should be a
22 subpoena?

23 A Yes.

24 Q All right. Do you understand, General Flynn, that you're appearing
25 pursuant to the subpoena dated November 8, 2021, with the "To Michael Flynn" that's

1 shown as exhibit No. 1 on your screen?

2 A Yes.

3 Q And is that you, Michael Flynn, the person who's named in the subpoena?

4 A Yes.

5 Q Okay.

6 General Flynn, can you please -- I'm going to go through your background, and I'll
7 do so in order to not have it go too long, but I understand that you graduated from the
8 University of Rhode Island in 1981. Is that correct?

9 A Yes.

10 Q And you were in the Army from approximately 1981 to 2014. Is that right?

11 A Yes.

12 Q You did multiple tours at Fort Bragg with the 82nd Airborne Division, the
13 Joint Special Operations Command, and others. Is that right?

14 A Yes.

15 Q You also served with the 25th Infantry Division at the Schofield Barracks in
16 Hawaii. Is that correct?

17 A Yes.

18 Q You then served as the assistant chief of staff for the, I believe it's the XVIII
19 Airborne Corps at Fort Bragg, North Carolina, starting in approximately June 2001?

20 A Yes.

21 Q And then you commanded the 111th Military Intelligence Brigade from June
22 2002, roughly, to June 2004, and you were director of intelligence for the Joint Special
23 Operations Command from July 2004 to June 2007. Is that correct?

24 A Yes.

25 Q I understand that in June 2007 through July 2008 you served as the director

1 of intelligence at the United States Central Command and as the director of intelligence of
2 the Joint Staff from July 2008 to June 2009. Is that correct?

3 A Yes.

4 Q In September 2011, you were promoted, I believe, to lieutenant general and
5 assigned as assistant director of national intelligence at ODNI. Is that correct?

6 A Yes.

7 Q And then in April 2012 President Obama nominated you to be the 18th
8 Director of the Defense Intelligence Agency, and you took command in approximately July
9 2012. Is that also correct?

10 A Yes, I believe so.

11 Q My understanding is you retired from DIA and the Army in August of 2014,
12 correct?

13 A I retired in September.

14 Q September, okay. Thank you, General. And, around that time, you
15 started or joined the Flynn Intel Group, which is a company that provided intelligence
16 services for businesses and governments. Is that right?

17 A Yes.

18 Q I believe in or around February of 2016 you became an advisor to the 2016
19 Presidential campaign of Donald Trump. Is that right?

20 A Yes.

21 Q And then in November of 2016 you became a member of the transition team
22 for then-President-elect Trump. Is that correct?

23 A Yes.

24 Q And from January 2017 through February 2017 you served as the National
25 Security Advisor to President Trump. Is that right?

1 A Yes.

2 Q After you left that, I believe you became chairman of America's Future, Inc.,
3 which is a 501(c)(3) nonprofit organization. Is that right?

4 A Yeah, but that's just recent -- just recently.

5 Q Okay. But you ultimately did become chairman of America's Future, Inc.?

6 A Yes.

7 Q Roughly when was that?

8 A April -- roughly April of 2021.

9 Q And are you also associated with something called The America Project,
10 which I believe Mr. Patrick Byrne has a role in?

11 A Yes. Yep.

12 Q Okay. And did both of those, the America's Future, Inc., and The America
13 Project, help to fund the Arizona Cyber Ninjas audit in Arizona?

14 A If it's okay with the committee, I'm going to claim -- at this point, on the
15 advice of counsel, I'm going to assert my constitutional privilege under the Fifth
16 Amendment and respectfully decline to answer the question.

17 Q General Flynn, you have not produced any documents in response to the
18 November 8th subpoena that we showed at exhibit No. 1. Why haven't you produced
19 any documents to the select committee?

20 A On the advice of counsel, I assert my constitutional privilege under the Fifth
21 Amendment and respectfully decline to answer the question.

22 And if it's okay with the committee, going forward, when I invoke my privilege
23 under the Fifth, I can just say "the Fifth," if that's okay.

24 Q That's perfectly fine, General Flynn. There may be certain questions where
25 I ask you to clarify and announce the full reason, but, yes, that's perfectly fine moving

1 forward, generally.

2 Just so I understand, going back to the question I just asked you, is it your
3 position --

4 Ms. Cheney. [REDACTED]

5 [REDACTED] -- that the act -- yes, ma'am?

6 Ms. Cheney. I'm sorry. We need to take a quick break. Can we take a break,
7 please, and we'll be right back, and then I'll reach out to you.

8 [REDACTED] Certainly.

9 If we could go off the record very briefly.

10 [Recess.]

11 [REDACTED] Let's go back on the record. It's 10:38 a.m. on March 10th, and
12 we're resuming the deposition of General Michael Flynn.

13 I understand you'd like to make a point on the record, Mr. Warrington?

14 Mr. Warrington. Yes, [REDACTED]. Thank you.

15 Just so the committee is aware, we are in court, having filed the challenge, a
16 motion to quash the subpoena. We are appearing at this deposition even though the
17 case is still pending and that issue has not been decided on. We noticed that this
18 hearing was going to go forward anyway, and that's why we're here.

19 [REDACTED] Thank you for that. So let's go ahead and proceed.

20 BY [REDACTED]

21 Q General Flynn, did you use a Gmail account or a ProtonMail account for any
22 communications related to the 2020 election?

23 A The Fifth.

24 Q I'm sorry, could you repeat that?

25 A On the advice of counsel, I assert my constitutional privilege under the Fifth

1 Amendment and respectfully decline to answer the question.

2 Q Okay. And that was relatively hard to hear. I did catch it, though. And,
3 at this point, I do want to be very clear about the basis for your assertion.

4 So, General Flynn, are you invoking your Fifth Amendment rights because a
5 truthful answer may tend to incriminate you in a later criminal proceeding?

6 Mr. Warrington. Counsel, we are not going to explain the basis for the privilege,
7 because the basis for the privilege -- explaining the basis of the privilege would defeat the
8 purpose of the privilege.

9 [REDACTED]. My understanding of the law, Mr. Warrington, is that a valid Fifth
10 Amendment assertion is based on a truthful answer that may tend to incriminate a
11 witness in a later criminal proceeding. I don't view that as necessarily admission or
12 looking behind the privilege, just ensuring that, in fact, General Flynn is asserting it for the
13 valid reason that providing such an answer would tend to incriminate him in a later
14 criminal proceeding.

15 Mr. Warrington. That's actually a misstatement of the law, Counsel. The Fifth
16 Amendment in many court cases has been demonstrated by the court as held that it's
17 there to protect the innocent from being ensnared in ambiguous circumstances for many
18 reasons.

19 But if you want to rely on the fact that General Flynn has read the Fifth
20 Amendment and understands the text of the Fifth Amendment and is invoking his
21 privilege consistent with that, with the Fifth Amendment, I think that he can answer that
22 question.

23 [REDACTED] I'll just read for you the precise language of the Fifth Amendment.
24 It's: "Nor shall any person be compelled in any criminal case to be a witness against
25 himself."

1 Is that the basis for which General Flynn is invoking his Fifth Amendment rights?

2 The Witness. Yeah. Yes.

3

BY [REDACTED]

4 Q Okay. And I may ask you at various points, General Flynn, to acknowledge
5 that. But I understand that there are certain questions here to which you are going to
6 invoke the Fifth Amendment.

7 General Flynn, did you use any other email accounts for any communications
8 related to the 2020 election other than Gmail accounts or ProtonMail accounts?

9 A The Fifth.

10 Q Did you send or receive any text messages related to the 2020 election using
11 your personal cell phone device?

12 A The Fifth.

13 Q Did you send or receive any messages related to the 2020 election using any
14 encrypted messaging applications, such as Signal, WhatsApp, Wickr, or Telegram?

15 A The Fifth.

16 Q Did you maintain any active social media accounts between November 3,
17 2020, and January 20, 2021, including on Twitter, Facebook, Parler, Instagram, or
18 LinkedIn?

19 A The Fifth.

20 Q Did you send or receive any messages related to the 2020 election through
21 social media, such as Twitter, Facebook, Parler, Instagram, or LinkedIn?

22 A The Fifth.

23 Q Do you have any documents related to the 2020 election on a personal
24 computer?

25 A The Fifth.

1 Q Do you have any hard-copy documents related to the 2020 election in your
2 custody, possession, or control?

3 A The Fifth.

4 Q Do you have any documents related to the 2020 election on any computer
5 server other than the places we've already asked you about?

6 A The Fifth.

7 Q And just so I understand, I'll ask this again: Is it your position that the act of
8 producing documents to the committee in response to the subpoena, as opposed to the
9 content of the documents themselves, could tend to incriminate you?

10 Mr. Warrington. Counsel, I will also note for the record that we have responded
11 to the committee's request for documents --

12 [REDACTED] I'm sorry, Mr. Warrington, you're cutting out. I can't hear you.

13 Mr. Warrington. Okay. I'll try to get closer.

14 I will also note for the record that we have responded to the committee's request
15 for documents with correspondence with our objections to those. I'll offer to work with
16 the committee to narrow the scope of the subpoena. And that we have also filed a
17 motion to quash that subpoena, which is still pending in the Middle District of Florida.

18 BY [REDACTED]

19 Q And, to be clear, General Flynn, are you also asserting your Fifth Amendment
20 rights to not produce documents to the committee pursuant to the subpoena?

21 A Yes.

22 Q And is that because the act of producing documents would be incriminating
23 in and of itself?

24 Mr. Warrington. Counsel, I think, again, that goes back to a misstatement of the
25 case law around the Fifth Amendment, and I don't think you want to ask him for a legal

1 conclusion. And what he's doing is on the advice of counsel.

2

BY [REDACTED]

3

Q So let me ask it this way: General Flynn, are you invoking your Fifth

4

Amendment because producing -- Amendment rights because producing documents

5

would implicate your Fifth Amendment privileges, as opposed to the contents of those

6

documents themselves?

7

A Yes.

8

Q Did you have a role with the Trump reelection campaign prior to November

9

3, 2020?

10

A The Fifth.

11

Q Before election day, did you ever discuss with any elected officials, whether

12

at a State, local, or Federal level, regarding anticipated or actual election fraud or foreign

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interference in the 2020 election?

14

A The Fifth.

15

Q General Flynn, did you have a role, whether formal or informal, with the

16

Trump reelection campaign after November 3, 2020?

17

A The Fifth.

18

Q Between November 3, 2020, and January 20, 2021, did you ever go to the

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Trump campaign headquarters?

20

A The Fifth.

21

Q Between November 3, 2020, and January 20, 2021, did you ever participate

22

in any discussions involving Rudy Giuliani, Sidney Powell, or Jenna Ellis relating to

23

potential election fraud or other irregularities in the 2020 election?

24

A The Fifth.

25

Q Between November 3, 2020, and January 20, 2021, did you have any

1 conversations with any White House personnel, including President Trump, relating to
2 potential election fraud or other irregularities in the 2020 election?

3 A The Fifth.

4 Q Between November 3, 2020, and January 20, 2021, did you investigate any
5 allegations relating to election fraud or other irregularities in the 2020 election?

6 A The Fifth.

7 Q Between November 3, 2020, and January 20, 2021, did you ever see any
8 evidence of election fraud or other irregularities relating to the 2020 election?

9 A The Fifth.

10 Q Between November 3, 2020, and January 20, 2021, did you have any
11 conversations with any local, State, or Federal elected officials regarding election fraud or
12 other irregularities in the 2020 Presidential election?

13 A The Fifth.

14 Q Between November 3, 2020, and January 20, 2021, did you have any
15 conversations with any officials at the Department of Defense regarding election fraud or
16 other irregularities in the 2020 election?

17 A The Fifth.

18 Q Between November 3, 2020, and January 20, 2021, did you have any
19 conversations with any officials at the Department of Homeland Security regarding
20 election fraud or other irregularities in the 2020 Presidential election?

21 A The Fifth.

22 Q Between November 3, 2020, and January 20, 2021, did you have any
23 conversations with any current or former officials at the Department of Justice regarding
24 election fraud or other irregularities in the 2020 Presidential election?

25 A The Fifth.

1 Q Between November 3, 2020, and January 20, 2021, did you have any
2 conversations with any current or former officials at the Office of the Director of National
3 Intelligence regarding election fraud or other irregularities in the 2020 Presidential
4 election?

5 A The Fifth.

6 Q At this point, I'd ask to pull up exhibit No. 2, please.

7 Can you see what we've pulled up there as exhibit No. 2? It's a tweet from the
8 account General Flynn, @GenFlynn. Can you see that?

9 A Yes.

10 Q So this is a tweet from November 5, 2020, from an account handle
11 @GenFlynn that says, quote, "Calling ALL Republican leaders, MUSTER your courage!
12 Time is NOW to speak up & join w/ Patriots across America and back @realDonaldTrump
13 our @POTUS, #DefendElectionIntegrity of the most important election in U.S. history.
14 #StopTheFraud," end quote.

15 Are you the @GenFlynn who sent this tweet on November 5th?

16 A Fifth.

17 Q Is this a Twitter account that you used between November 3, 2020, and
18 January 6, 2021?

19 A The Fifth.

20 Q General Flynn, why did you use the hashtag "StopTheFraud" in this tweet?

21 A The Fifth.

22 Q What fraud were you aware of when you sent this tweet on November 5th?

23 A The Fifth.

24 Q What did you mean, General Flynn, when you wrote that Republican leaders
25 need to muster their courage? Muster their courage to do what, General Flynn?

1 A The Fifth.

2 Q In this tweet, you tagged President Trump's personal and official White
3 House Twitter accounts. Did you ever discuss this tweet with President Trump or
4 anybody else in the White House?

5 A The Fifth.

6 Q Between November 3, 2020, and January 20, 2021, did President Trump or
7 anyone else in the White House ever ask you to post a message on any of your social
8 media accounts?

9 A The Fifth.

10 Q Between November 3, 2020, and January 20, 2021, did you ever discuss with
11 President Trump, anyone else in the White House, or any members of the Trump
12 campaign messaging strategies about the 2020 Presidential election?

13 A The Fifth.

14 Q At this point, I'd ask you to pull up exhibit No. 3, please.

15 General Flynn, can you see what we've pulled up as exhibit No. 3?

16 A Yes.

17 Q All right. This is also on November 5th, and you posted a tweet concerning
18 mail-in ballots and used the hashtag "StopTheSteal." Why did you use the hashtag
19 "StopTheSteal" on November 5th?

20 A The Fifth.

21 Q What message were you trying to convey when you tweeted that?

22 A The Fifth.

23 Q As of November 5, 2020, did you think that the election was being stolen
24 from Donald Trump, General Flynn?

25 A The Fifth.

1 Q In this tweet, you include the Twitter handles for Sidney Powell, Rudy
2 Giuliani, and Pam Bondi, among others.

3 Who is Sidney Powell?

4 A The Fifth.

5 Q We understand that you worked with Ms. Powell in connection with her
6 work related to the 2020 election. Is that true?

7 A The Fifth.

8 Q When did you begin working with Ms. Powell in connection with her work
9 relating to the 2020 election?

10 A The Fifth.

11 Q What did you help Ms. Powell with in connection with her work relating to
12 the 2020 election?

13 A The Fifth.

14 Q Were you ever paid by Ms. Powell or any entities or people associated with
15 her in connection with your work related to the 2020 election?

16 A The Fifth.

17 Q How much were you paid for that work, General Flynn?

18 A The Fifth.

19 Q Do you have any written agreements with Ms. Powell or any entities or
20 people associated with Ms. Powell related to the 2020 election?

21 A The Fifth.

22 Q Are you still working with Ms. Powell or any entities associated with her in
23 connection with any work related to the 2020 Presidential election?

24 A The Fifth.

25 Q Who is Rudy Giuliani?

1 A The Fifth.

2 Q Did you ever work with Mr. Giuliani in connection with his work related to
3 the 2020 election?

4 A The Fifth.

5 Q Did you have a written agreement to do any work with Mr. Giuliani in
6 relation to the 2020 Presidential election?

7 A The Fifth.

8 Q Why did you direct this message that's shown here using the hashtag
9 "StopTheSteal" to Ms. Powell, Mr. Giuliani, and Ms. Bondi?

10 A The Fifth.

11 Q You also directed this at the then-DOJ-spokesperson Kerri Kupec, whose
12 Twitter handle at the time was @KerriKupecDOJ. Why did you include Ms. Kupec in this
13 tweet?

14 A The Fifth.

15 Q Did you ever have any discussions with Mr. Barr, Attorney General -- former
16 Attorney General, excuse me -- or try to contact him in connection with the 2020
17 Presidential election?

18 A The Fifth.

19 Q Okay.

20 If we could pull up exhibit No. 4, please.

21 General Flynn, can you see what's just been brought up as exhibit No. 4?

22 A I can.

23 Q This is a tweet from you on November 9, 2020, where you quote a tweet
24 from Ms. Powell where she claims that, quote, "There are EXTRAORDINARY voting
25 irregularities. At a minimum, #Pennsylvania, #Michigan, #GEORGIA, #Wisconsin must be

1 called for #Trump."

2 I'll represent to you that later on in Ms. Powell's tweet she says that, quote,
3 "There's widespread fraud. The votes cannot be certified. Trump won in a landslide,"
4 end quote.

5 At least as of November 9, 2020, had you seen evidence that there were
6 extraordinary voting irregularities in the 2020 election?

7 A The Fifth.

8 Q Did you agree with Ms. Powell that at least as of November 9, 2020, there
9 were, quote, "extraordinary voting irregularities" in the 2020 Presidential election?

10 A The Fifth.

11 Q What extraordinary voting irregularities did you have evidence of as of
12 November 9, 2020, when you sent this tweet?

13 A The Fifth.

14 Q Had you seen evidence, General Flynn, that suggested to you that
15 Pennsylvania, Michigan, Georgia, and Wisconsin must be called for President Trump when
16 you sent this tweet?

17 A The Fifth.

18 Q What evidence had you seen in those cases -- or States? Excuse me.

19 A The Fifth.

20 Q Had you seen evidence that President Trump won the 2020 Presidential
21 election in a landslide when you sent this tweet?

22 A The Fifth.

23 Q Why did you direct your November 9th tweet at Ms. Sidney Powell?

24 A The Fifth.

25 Q Did you ever discuss this tweet with Ms. Powell, either before you sent it or

1 after?

2 A The Fifth.

3 Q Did Ms. Powell ever share with you any of the information that she was
4 relying on when she tweeted about alleged extraordinary voting irregularities in the 2020
5 election?

6 A The Fifth.

7 Q General Flynn, why did you include Mr. Giuliani, Mr. Lin Wood, Senator Cruz,
8 Mr. Kerik, and Mr. Binnall in the tweet that you sent and that's shown here?

9 A The Fifth.

10 Q In this tweet, you used the hashtag "FightBack." What did you mean by
11 "fight back"? Fight back how, General Flynn?

12 A The Fifth.

13 Q Mr. Lin Wood has said that shortly after election day you went with
14 Ms. Powell to his South Carolina estate, although she may have stayed at one of his
15 friend's houses. Is that true, General Flynn?

16 A The Fifth.

17 Q When did you go to his estate in November?

18 A The Fifth.

19 Q Mr. Wood has said that Ms. Powell asked him if she could use his property,
20 quote, "to do work on the election cases." Is that true?

21 A The Fifth.

22 Q It's been reported that you and others were creating something akin to a
23 clearinghouse for election fraud cases at Mr. Wood's estate. Is that true?

24 A The Fifth.

25 Q Who else was at Mr. Wood's estate when you were there besides

1 Ms. Powell?

2 A The Fifth.

3 Q Did you do any work with Mr. Wood in connection with the 2020
4 Presidential election?

5 A The Fifth.

6 Q What was the nature of your relationship with Mr. Wood in connection with
7 the 2020 election?

8 A The Fifth.

9 Q Did you have any sort of written agreement with Mr. Wood relating to your
10 work for the 2020 Presidential election?

11 A The Fifth.

12 Q How long did you stay at Mr. Wood's estate in November?

13 A The Fifth.

14 Q Were you with Mr. Wood or Ms. Powell in South Carolina when you tweeted
15 on November 9th about Dominion voting machines?

16 A The Fifth.

17 Q When did you first meet Mr. Lin Wood?

18 A The Fifth.

19 Q Were you at Mr. Wood's estate at any other time between November 3,
20 2020, and January 6, 2021?

21 A The Fifth.

22 Q It's been reported, General Flynn, that you were at Mr. Wood's estate in
23 South Carolina around Thanksgiving. Is that correct?

24 A The Fifth.

25 Q And I ask because I'm wondering whether that's the same trip that we had

1 just been talking about or a different trip to Mr. Wood's estate. Is that a different trip?

2 A The Fifth.

3 Q Why were you at Mr. Wood's estate around Thanksgiving?

4 A The Fifth.

5 Q Did you work on anything related to the 2020 election when you were at his
6 estate around Thanksgiving?

7 A The Fifth.

8 Q Who else was at Mr. Wood's estate when you were there around
9 Thanksgiving?

10 A The Fifth.

11 Q Mr. Wood has said that Ms. Powell and others set up in his living room and
12 one of his son's rooms and had computers and whiteboards. He described it as an
13 "election central." Does that sound like an accurate characterization of what you saw
14 when you were there?

15 A The Fifth.

16 Q Do you have any photos of the whiteboards or anywhere else where folks
17 were doing election work at Mr. Wood's estate?

18 A The Fifth.

19 Q Mr. Wood has claimed that Ms. Powell asked him to assist with her election
20 investigations, including by making phone calls to individuals she was trying to talk into
21 being plaintiffs potentially in Georgia. Do you know whether that is true?

22 A The Fifth.

23 Q General Flynn, did you ever talk anyone into becoming a plaintiff in a lawsuit
24 relating to the 2020 election?

25 A The Fifth.

1 Q Did you ever offer any type of assistance, including security protection or
2 funding, to any plaintiffs in a lawsuit relating to the 2020 election?

3 A The Fifth.

4 Q Mr. Wood has claimed that Ms. Powell also talked to him about information
5 she had related to Venezuela. Do you know whether that is true?

6 A The Fifth.

7 Q What information did Ms. Powell have related to Venezuela and the
8 November 2020 Presidential election?

9 A The Fifth.

10 Q General Flynn, did you ever talk to Ms. Powell regarding whether Dominion
11 was created in Venezuela to rig elections for that nation's former President, Hugo Chavez,
12 who died in 2013?

13 A The Fifth.

14 Q Did you, General Flynn, ever see evidence that Dominion was created in
15 Venezuela to rig elections for Mr. Chavez?

16 A The Fifth.

17 Q Did you ever talk to Ms. Powell regarding whether Smartmatic was a
18 Venezuela company under the control of corrupt dictators from socialist countries?

19 A The Fifth.

20 Q Did you ever see any evidence that Smartmatic was a Venezuela company
21 under the control of dictators from socialist countries?

22 A The Fifth.

23 Q It's been reported that Seth Keshel was at Mr. Wood's estate, as well,
24 around Thanksgiving. Do you know why Mr. Keshel was there?

25 A The Fifth.

1 Q Do you know who invited Mr. Keshel to Mr. Wood's estate around
2 Thanksgiving?

3 A The Fifth.

4 Q I believe Mr. Keshel has claimed that he reached out to you through LinkedIn
5 after the election regarding his concerns about the 2020 Presidential election. Is that
6 accurate?

7 A The Fifth.

8 Q What were Mr. Keshel's concerns that he raised with you, General Flynn?

9 A The Fifth.

10 Q Mr. Keshel has claimed that, after he reached out to you on LinkedIn, you
11 and he started collaborating on work related to the 2020 election results. Is that true?

12 A The Fifth.

13 Q What work did you collaborate on with Mr. Keshel relating to the 2020
14 election?

15 A The Fifth.

16 Q When did you begin working with Mr. Keshel?

17 A The Fifth.

18 Q General Flynn, it's been reported that Mr. Patrick Byrne was also at
19 Mr. Wood's estate around this time in November and that he arrived with you. Is that
20 true?

21 A The Fifth.

22 Q Why was Mr. Byrne there?

23 A The Fifth.

24 Q Why did you go with Mr. Byrne to Mr. Wood's estate?

25 A The Fifth.

1 Q Did you fly on Mr. Byrne's private plane to get to Mr. Wood's estate?

2 A The Fifth.

3 Q Did anyone else travel with you or Mr. Byrne to Mr. Wood's estate?

4 A The Fifth.

5 Q Who invited Mr. Byrne to Mr. Wood's estate at that time?

6 A The Fifth.

7 Q Did you work with Mr. Byrne in connection with the 2020 Presidential
8 election?

9 A The Fifth.

10 Q What's your understanding of Mr. Byrne's involvement in work related to
11 the 2020 Presidential election?

12 A The Fifth.

13 Q Do you know whether Mr. Byrne helped fund any of Ms. Powell's lawsuits
14 concerning the 2020 Presidential election?

15 A The Fifth.

16 Q Do you know who Ms. Powell's lawsuits concerning the 2020 election -- or,
17 excuse me, how -- let me rephrase that, General Flynn.

18 Do you know how Ms. Powell's lawsuits concerning the 2020 election were
19 funded?

20 A The Fifth.

21 Q Did you fund any of Ms. Powell's lawsuits concerning the 2020 election,
22 either personally or through any entity?

23 A The Fifth.

24 Q Mr. Jim Penrose, who has portrayed himself as someone who worked at the
25 National Security Agency, was also reportedly at Mr. Wood's estate around this time in

1 November. Is that true?

2 A The Fifth.

3 Q Did you see Mr. Penrose there?

4 A The Fifth.

5 Q Who invited Mr. Penrose?

6 A The Fifth.

7 Q What's your understanding of why Mr. Penrose was there?

8 A The Fifth.

9 Q And what's your understanding of Mr. Penrose's involvement in work related
10 to the 2020 Presidential election?

11 A The Fifth.

12 Q Mr. Doug Logan, who is the CEO of the company Cyber Ninjas, was also
13 reportedly at Mr. Wood's estate in November 2020. Is that true?

14 A The Fifth.

15 Q Did you see Mr. Logan there in November 2020?

16 A The Fifth.

17 Q Who invited Mr. Logan to Mr. Wood's estate in November 2020?

18 A The Fifth.

19 Q Did you ever work with Mr. Logan in connection with the 2020 Presidential
20 election?

21 A The Fifth.

22 Q And what's your understanding of Mr. Logan's involvement in work related
23 to the 2020 election?

24 A The Fifth.

25 Q If we could pull up exhibit No. 5, please.

1 General Flynn, can you see what we've pulled up as exhibit No. 5?

2 A I can.

3 Q This is a tweet from you on November 11, 2020. You quote-tweet a tweet
4 from a user called AOECOIN, who writes:

5 "#Breaking #BreakingNews

6 "#Dominion instruction manual shows how to:

7 "-Hack it's software

8 "-Feed it 'test stacks' with only Biden marked

9 "-Can those be counted as legitimate results? YES.

10 "-Were they? YES.

11 "-Can Purge ENTIRE BATCHES of #Trump votes.

12 "AND THEY DID ALL OF IT"

13 Who is AOECOIN, General Flynn?

14 A The Fifth.

15 Q Did you know that, at least at the time, AOECOIN purported to be a power
16 distribution company based in Cambodia?

17 A The Fifth.

18 Q Did you, General Flynn, ever see any evidence that the Dominion instruction
19 manual shows how to hack its software?

20 A The Fifth.

21 Q Did you, General Flynn, ever see any evidence that the Dominion instruction
22 manual shows how to feed Dominion machines test stacks with only Biden-marked
23 ballots?

24 A The Fifth.

25 Q Did you ever see any evidence that the Dominion voting machines counted

1 only Biden-marked ballots as showing as legitimate?

2 A The Fifth.

3 Q Did you ever see any evidence that the Dominion instruction manual shows
4 how entire batches of Trump votes can be purged?

5 A The Fifth.

6 Q Did you ever see any evidence that the Dominion voting machines purged
7 entire batches of Trump votes?

8 A The Fifth.

9 Q Did you ever see any evidence that Dominion voting machines were
10 manipulated in any way to affect the outcome of the 2020 election such that President
11 Trump should have won?

12 A The Fifth.

13 Q So, going back to this tweet at exhibit No. 5, you write, quote, "There has
14 been a toll of blood & treasure that cost America to maintain our constitutional republic
15 for almost 250 years. On this Veterans Day, we cannot allow this sacrifice to go in vain,"
16 unquote.

17 In this tweet, you're invoking conflicts as far back as 1776 in the context of
18 commentary related to the 2020 Presidential election. Is that right?

19 A The Fifth.

20 Q What message, General Flynn, were you trying to communicate by invoking
21 these conflicts and the related, quote, "toll of blood & treasure," unquote?

22 A The Fifth.

23 Q What did you mean when you wrote that, quote, "we cannot allow this
24 sacrifice to go in vain," unquote?

25 A The Fifth.

1 Q General Flynn, what action were you recommending that people take in
2 relation to the 2020 Presidential election with this tweet at exhibit 5?

3 A The Fifth.

4 Q And are you invoking the Fifth Amendment to that question because a
5 truthful answer would be compelling you to be a witness against yourself in a future
6 criminal case, General Flynn?

7 Mr. Warrington. Counsel, I would also note that none of the invocation of or the
8 assertion of Fifth Amendment here does anything to constitute a waiver of any other
9 applicable constitutional privileges that we assert in our pleadings, which in this case
10 would also include the First Amendment.

11 BY [REDACTED]:

12 Q So I'll ask you again -- and I'm just going to read for you the language of the
13 Fifth Amendment: "Nor shall any person be compelled in any criminal case to be a
14 witness against himself."

15 Is your answer to that question that I just asked you, about actions that you were
16 recommending that people take in exhibit No. 5, is that the basis for claiming the Fifth?

17 A You'll have to repeat the question, because I missed part of it at the end.

18 Q Of course. So the question to you, General Flynn, was: What actions
19 were you recommending that people take with this tweet that you sent as shown in
20 exhibit No. 5?

21 A The Fifth. And I was exerting my First Amendment privilege.

22 Q And are you asserting the Fifth because providing a truthful answer would
23 be compelling you to be a witness against yourself in any future criminal case, as that
24 language shows up in the Fifth Amendment?

25 Mr. Warrington. Counsel, I understand what you're trying to do here, but the

1 text of the Constitution does not exist in a vacuum. The Fifth Amendment has a much
2 broader application, has been well-developed with over 200-plus years of case law.

3 He is not a lawyer. He is not a constitutional law professor. So he's asserted
4 his Fifth Amendment privilege. I think that's as far as we need to go.

5 [REDACTED] And I'm just asking if he's doing so based on language in the Fifth
6 Amendment of the United States Constitution.

7 BY [REDACTED]

8 Q Is that right, General Flynn? Is that the reason you are invoking your Fifth
9 Amendment?

10 A Yes, on the advice of counsel.

11 Q So yes, General Flynn?

12 A On the advice of counsel.

13 Q On the advice of counsel what, General Flynn?

14 A I assert my constitutional privilege under the Fifth Amendment and
15 respectfully decline to answer the question.

16 Q All right.

17 If we can pull up exhibit No. 7, please.

18 Can you see exhibit 7 on your screen, General Flynn?

19 A Yes.

20 Q This is a tweet from you on November 12, 2020. You write to follow
21 @Raiklin, who is "working to make sense out of this disastrous fraud of an election."

22 @Raiklin refers to Ivan Raiklin. Is that right, General Flynn?

23 A The Fifth.

24 Q How do you know Mr. Raiklin?

25 A The Fifth.

1 Q There have been various photos published of you and Mr. Raiklin. Is that
2 correct?

3 A The Fifth.

4 Q Do you know how Mr. Raiklin was, using your words, quote, "working to
5 make sense out of this disastrous fraud of an election," end quote?

6 A The Fifth.

7 Q Did you work with Mr. Raiklin at all in connection with the 2020 election?

8 A The Fifth.

9 Q Did you have any involvement in a memorandum prepared by Mr. Raiklin
10 which claimed that Vice President Pence was, quote, "prohibited from receiving electoral
11 votes from six fraudulently certified States," end quote?

12 A The Fifth.

13 Q Did you, General Flynn, ever advise the President of the United States that
14 the Vice President was, quote, prohibited from receiving electoral votes from any States?

15 A The Fifth.

16 Q If we could pull up exhibit No. 8, please.

17 This is a tweet from you on November 15, 2020, where you write, quote, "Thank
18 you @tracybeanz for all you do & @RobertPLewis for your team of professionals. 1st
19 Praetorian helps us; they now need our help. Consider donating to support these
20 American Patriots," end quote.

21 Who is Robert P. Lewis, General Flynn?

22 A The Fifth.

23 Q How do you know Robert P. Lewis?

24 A The Fifth.

25 Q What is 1st American -- excuse me, 1st Amendment Praetorian, or 1AP?

1 I'm sorry, let me rephrase that. Who is 1st American Praetorian?

2 A The Fifth.

3 Q When did you first learn about this organization?

4 A The Fifth.

5 Q Are you a member of 1AP, General Flynn?

6 A The Fifth.

7 Q What is the nature of your relationship with Mr. Lewis and 1AP?

8 A The Fifth.

9 Q Between November 3, 2020, and January 6, 2021, did members of 1AP ever
10 provide you with security?

11 A The Fifth.

12 Q How many times between November 3, 2020, and January 6, 2021, did
13 members of 1AP provide you with security?

14 A The --

15 Q I'm sorry. You broke up there, General Flynn.

16 A The Fifth.

17 Q In this tweet, you write to, quote, "consider donating to support these
18 American Patriots," end quote.

19 How much money have you helped raise for 1AP?

20 A The Fifth.

21 Q Why did you ask others to consider donating to support 1AP?

22 A The Fifth.

23 Q And why was it important for you to support this organization?

24 A The Fifth.

25 Q On November 25, 2020, you received a pardon from President Trump. Is

1 that correct, General Flynn?

2 A Say the question again.

3 Q Sure. On November 25, 2020, you received a pardon from President
4 Trump. Is that correct?

5 A That's correct.

6 Q Why were you granted a pardon by President Trump?

7 A You'd have to ask him.

8 Q You don't know why you were granted a pardon from him?

9 Mr. Warrington. Counsel, can you clarify the question? Are you asking why
10 President Trump gave General Flynn a pardon or why --

11 [REDACTED] Yes.

12 BY [REDACTED]:

13 Q General Flynn, do you know the reason that President Trump pardoned you?

14 A Because I think he saw my whole case as a travesty of justice.

15 Q Did you ever talk to the President about your pardon?

16 A Clarify that.

17 Q Did you ever talk to President Trump about him deciding to pardon you,
18 either before or after the pardon?

19 Mr. Warrington. [Inaudible.]

20 [REDACTED] I'm sorry?

21 The Witness. Yeah. I mean, I thanked him afterwards.

22 BY [REDACTED]:

23 Q Could you repeat that? I'm sorry, General Flynn. It was breaking up.

24 A I thanked him afterwards.

25 Q Okay. And when you thanked him, did he tell you why he had pardoned

1 you?

2 A Like I said, it was a travesty of justice.

3 Q That's what he said to you?

4 A I don't recall exactly what he said.

5 Q Did he say anything about your work or anticipated work related to the 2020
6 election as having anything to do with his decision to pardon you?

7 A The Fifth.

8 [REDACTED] I'm going to stop there a moment to see if anybody, any members
9 or anybody else who's joining, has any questions for General Flynn at this time.

10 Ms. Cheney. Thank you, [REDACTED] I have a couple of questions.

11 General Flynn, are you aware that Article II and the 12th Amendment to the
12 Constitution govern how our Nation selects its President?

13 The Witness. The Fifth.

14 Ms. Cheney. And are you aware, General Flynn, that Congress doesn't select the
15 President, the States do, and every State in our Nation now selects the President through
16 a popular vote?

17 The Witness. The Fifth.

18 Ms. Cheney. And are you aware, General Flynn, that every State in our Nation
19 identifies the manner in which disputes regarding the election are addressed under State
20 law?

21 The Witness. The Fifth.

22 Ms. Cheney. And, in each State, those laws set forth a process for challenging an
23 election when concerns arise. And that process includes potential recounts or audits; it
24 includes an opportunity to litigate disputed issues in court.

25 Are you aware that that's our process under the Constitution, General Flynn?

1 The Witness. The Fifth.

2 Ms. Cheney. And are you aware, General Flynn, that when courts have resolved
3 any election challenges and when the election result has been certified by the Governor
4 of a State, the election's over?

5 The Witness. The Fifth.

6 Ms. Cheney. Are you aware, General Flynn, that we are a Nation of laws?

7 The Witness. The Fifth.

8 Ms. Cheney. And, General Flynn, are you aware that that process that I just
9 described, where States select the President and States set forth the manner in which any
10 disputes regarding the election are resolved and that, when those disputes have been
11 litigated and resolved and the election is over, that process is the rule of law? Are you
12 aware of that, General Flynn?

13 The Witness. The Fifth.

14 Ms. Cheney. General Flynn, are you aware that, in the 2020 election, the Trump
15 campaign and associated entities filed over 60 lawsuits in State and Federal court?

16 The Witness. The Fifth.

17 Ms. Cheney. And are you aware, General Flynn, that in at least 60 of 61 of those
18 lawsuits the judges ruled against the Trump campaign?

19 The Witness. The Fifth.

20 Ms. Cheney. And, General Flynn, some have said that the States -- that the
21 courts did not hear evidence. But are you aware, General Flynn, that in Nevada, for
22 example, the judge said, "The Contestants failed to meet their burden to provide credible
23 and relevant evidence to substantiate any of the grounds set forth" in which they're
24 attempting to contest the November 3, 2020, general election?

25 The Witness. The Fifth.

1 Ms. Cheney. So, General Flynn, are you aware that in multiple of these cases
2 judges, including judges appointed by President Trump himself, rejected the Trump
3 campaign's claims that there had been fraud in the election?

4 The Witness. The Fifth.

5 Ms. Cheney. General Flynn -- and I ask this with great respect, because I'm very
6 aware of the tremendous service that you provided to this Nation, of the service that you
7 provided in Iraq, in Afghanistan, around the world, helping identify and hunt down some
8 of the most dangerous terrorists who've ever threatened the United States.

9 So I wonder, General Flynn, how it could be that you went from that kind of
10 service to the Nation to rejecting the rulings of the courts and to urging people to fight
11 the rule of law, urging people to take action that was completely unjustified under our
12 Constitution.

13 Mr. Warrington. I'm going to note an objection for the record to this line of
14 questioning as argumentative, but General Flynn can respond.

15 The Witness. I take the Fifth.

16 Ms. Cheney. Thank you.

17 ██████████. Thank you, Ms. Cheney.

18 Does anybody else have any questions for the General at this point?

19 Okay.

20 BY ██████████:

21 Q If you pull up exhibit No. 9, please.

22 General Flynn, can you see what's on the screen as exhibit number 9?

23 A I can.

24 Q On December 4, 2020, you quote-tweeted a tweet from Mark Levin
25 regarding a letter from members of the Pennsylvania State legislature that asked

1 Congress to reject Pennsylvania's electors. In your tweet, you wrote, "This is big and
2 how other state legislators across the country should act!", unquote.

3 Between November 3, 2020, and January 20, 2021, did you, General Flynn, ever
4 contact any State legislators regarding the 2020 Presidential election?

5 A The Fifth.

1

2 [11:22 p.m.]

3

BY [REDACTED]

4

Q Do you know whether Ms. Sidney Powell ever contacted State legislators

5

about the 2020 Presidential election?

6

A The Fifth.

7

Q Do you know if Mr. Giuliani ever contacted any State legislators regarding

8

the 2020 election?

9

A The Fifth.

10

Q Between November 3, 2020, and January 20, 2021, did you ever ask any

11

State legislators to take any legislative action to change the certified results of the 2020

12

Presidential election?

13

A The Fifth.

14

Q In Arizona, Pennsylvania, Georgia, Wisconsin, Michigan, New Mexico, or

15

Nevada, did you ever ask any State legislators to certify President Trump as the winner of

16

the Presidential election in that State?

17

A The Fifth.

18

Q Do you know if Ms. Powell ever did?

19

A The Fifth.

20

Q Do you know if Mr. Giuliani ever did?

21

A The Fifth.

22

Q Did you ever ask any Governors or secretaries of State to not certify the

23

results of their State's election or delay or rescind the certification of their State's

24

election?

25

A The Fifth.

1 Q Do you know if Ms. Powell ever did any of that?

2 A The Fifth.

3 Q Do you know if Mr. Giuliani did any of that?

4 A The Fifth.

5 Q If we could pull up exhibit No. 10, please.

6 General Flynn, can you see what's shown there as exhibit No. 10 on your screen?

7 A I can.

8 Q In this December 4, 2020, tweet, you say that Mr. Giuliani was, quote, "over
9 the target in GA, PA, MI, AZ, NV & elsewhere. Evidence is overwhelming," end quote.

10 At the time of this tweet, General Flynn, December 4, 2020, what evidence were
11 you aware of in Georgia that showed that President Trump had won that State?

12 A The Fifth.

13 Q What evidence were you aware of in Pennsylvania that showed that
14 President Trump had won Pennsylvania?

15 A The Fifth.

16 Q What evidence were you aware of in Michigan that showed that President
17 Trump had won Michigan?

18 A The Fifth.

19 Q What evidence were you aware of in Arizona that President Trump had won
20 Arizona?

21 A The Fifth.

22 Q What evidence were you aware of in Nevada that showed President Trump
23 had won Nevada?

24 A The Fifth.

25 Q And were you aware of evidence in any other State that showed that

1 President Trump had won that State and not Joe Biden?

2 A The Fifth.

3 Q In his tweets, which you can partially see on exhibit No. 10, Mr. Giuliani
4 references a, quote, "Bank Heist" tape in Georgia. Do you know what this is a reference
5 to?

6 A The Fifth.

7 Q Are you aware that the allegation regarding the tape in Georgia was later
8 debunked by election officials?

9 A The Fifth.

10 Q Pull up exhibit No. 11, please.

11 General Flynn, can you see what I'm showing there as exhibit No. 11?

12 A I can see, yeah, the bottom, I guess, the bottom part of it.

13 Q Yeah. So we're focused on the bottom, which is an email dated Friday,
14 December 11, 2020, at 3:56 p.m.

15 A I can see the email.

16 Q Okay.

17 And in that email, it says, "Ric, per our call. This needs to be kept in very tight
18 channels. I'd like to determine if this letter is authentic. If it is, we have bigger
19 problems than even I can imagine. Thank you. Mike," with the signature box "Michael
20 T. Flynn, Lt. Gen., USA (RET)."

21 General Flynn, are you the person who sent that email dated December 11, 2020,
22 at 3:56 p.m., as shown there in exhibit No. 11?

23 A The Fifth.

24 Q General Flynn, why did you send this email to Mr. Richard Grenell, formerly
25 the Acting Director of National Intelligence?

1 A The Fifth.

2 Q In this email, you reference a phone call with him and say you'd like to
3 determine whether the letter that you attached was authentic. Why did you say that,
4 General Flynn?

5 A The Fifth.

6 Q Could you please show exhibit No. 12?

7 Can you see what we're showing up on the screen as exhibit No. 12, which is a
8 letter with the date November 10, 2020, on it? And it's addressed to Mr. Matt Gorham,
9 Assistant Director of Cyber Division, Federal Bureau of Investigation. And if you scroll
10 down, it says -- there's a signature space for "Christopher C. Krebs, Director,
11 Cybersecurity and Infrastructure Security Agency (CISA)."

12 Can you see the letter that we've shown as exhibit No. 12?

13 A I can see it.

14 Q Do you know who drafted this letter that's shown as exhibit No. 12, General
15 Flynn?

16 A The Fifth.

17 Q Did you write this letter, General Flynn?

18 A The Fifth.

19 Q Where did you get this letter in exhibit No. 12 that you later sent to Mr. Rick
20 Grenell in the email we just looked at in exhibit No. 11?

21 A The Fifth.

22 Q Is this letter that we're showing here authentic, meaning that Christopher C.
23 Krebs from CISA drafted it and intended to send it to the FBI?

24 A The Fifth.

25 Q Did anyone ever represent to you that this letter was authentic?

1 A The Fifth.

2 Q Did you ever share this letter with anyone else other than Mr. Grenell?

3 A The Fifth.

4 Q Who did you share it with?

5 A The Fifth.

6 Q In the email, you referenced a phone call with Mr. Grenell. What did you
7 talk to him about?

8 A The Fifth.

9 Q All right, if we could please pull up exhibit No. 13.

10 Can you see what we're showing as exhibit No. 13, General Flynn?

11 A I can see it.

12 Q All right. This is a picture of a video of your speech at the December 12,
13 2020, Jericho March in Washington, D.C. Do you recall speaking at that event?

14 A The Fifth.

15 Q In that speech, you talked about the state of the 2020 election and how the
16 courts do not decide who the next President of the United States will be.

17 You then said, quote, "Now, I will say that there is a -- there are paths. There are
18 paths that are still in play. Trust me. I mean, there's a lot of activity that are
19 still -- that's still playing out," end quote.

20 As of December 12, 2020, what paths were you aware of that were still in play
21 with respect to the November 2020 Presidential election?

22 A The Fifth.

23 Q And what did you mean when you said there was activity that was, quote,
24 "still playing out"?

25 A The Fifth.

1 Q General Flynn, was entering the United States Capitol to interrupt the joint
2 session of Congress on January the 6th a path that was in play to decide the next
3 President of the United States when you gave this speech on December 12th?

4 A The Fifth.

5 Q Later in this speech on December 12th, you repeated that, quote, "the
6 courts aren't going to decide who the next President of the United States is going to be.
7 We, the people, decide."

8 General Flynn, if election day had already passed, what did you mean that, quote,
9 "we, the people, decide"?

10 A The Fifth.

11 Q Mr. Robert Patrick Lewis has claimed that 1AP provided you with security
12 during the Jericho March event in Washington, D.C., on December 1st. Is that true?

13 A The Fifth.

14 Q For the record, I'm sorry, I should've said December 12th for the Jericho
15 March.

16 Is your answer still the same?

17 A The Fifth. Yes.

18 Q Why did 1AP provide you with security on December 12th during the Jericho
19 March event?

20 A The Fifth.

21 Q What did you hire them to do?

22 A The Fifth.

23 Q And were the people who were hired to protect you on December 12th,
24 were they armed?

25 A The Fifth.

1 Q Was one of the people who provided you with security services on
2 December 12th named Geoffrey Flohr, or Flohr, who was sometimes referred to as
3 "Yoda"?

4 A The Fifth.

5 Q Did you or anyone else pay 1AP for their services to you on December 12th
6 during the Jericho March?

7 A The Fifth.

8 Q Did you ever discuss with any members of 1AP expectations or plans for
9 January 6, 2021?

10 A The Fifth.

11 Q We also understand that members of the Oath Keepers, including Stewart
12 Rhodes, joined your protective detail that day on December 12th. Is that true?

13 A The Fifth.

14 Q Did Robert Minuta join your protective detail as well on December 12th?

15 A The Fifth.

16 Q Did you know either Mr. Rhodes or Mr. Minuta at the time, December 12th?

17 A The Fifth.

18 Q That day, Mr. Rhodes urged President Trump to, quote, "wage war" against,
19 quote, "traitors at home" by imposing martial law. Specifically, Mr. Rhodes called on
20 President Trump to invoke the Insurrection Act to remain in power.

21 Were you aware of that, General Flynn?

22 A The Fifth.

23 Q Did you, General Flynn, ever discuss invoking the need to impose martial law
24 with Mr. Rhodes?

25 A The Fifth.

1 Q Did you ever discuss with any members of the Oath Keepers your
2 expectations or plans for January the 6th, 2021?

3 A The Fifth.

4 Q We also understand that members of the group Vets for Trump may have
5 provided you with security during the December 12th event. Is that true?

6 A The Fifth.

7 Q Did you ever discuss with any members of Vets for Trumps expectations or
8 plans for January 6, 2021?

9 A The Fifth.

10 Q If we could please pull up exhibit No. 14.

11 Can you see exhibit No. 14, General Flynn?

12 A Yes, I can see it.

13 Q And I'll just note, we've been going for about an hour and a half. So if at
14 any point, General Flynn or Mr. Warrington, if you need a break, please just let us know.

15 Okay. So, in exhibit No. 14, on December 18th, you quote-tweeted a tweet from
16 Newt Gingrich where he writes, quote, "Leftwing media wont tell you but "Pennsylvania,
17 Georgia, Michigan, Wisconsin, Arizona, Nevada, and New Mexico all selected two slates of
18 electors: one slate accepts a Democrat victory, but the other slate anticipates a
19 turnaround."

20 Did you, General Flynn, have any involvement in the meeting and casting of
21 purported electoral votes by Republican Party electors in Pennsylvania, Georgia,
22 Michigan, Wisconsin, Arizona, or New Mexico on December 14, 2020?

23 A The Fifth.

24 Q Was the first time that you heard of this on December 18th when you posted
25 this tweet, or had you heard about it before?

1 A The Fifth.

2 Q Did you know that the Trump campaign helped organize the meeting and
3 casting of purported electoral votes by Republican Party electors in those seven States
4 that President Trump had actually lost?

5 A The Fifth.

6 Q Do you know why the Trump campaign wanted Republican Party electors to
7 meet and cast purported electoral votes by Republican Party electors in those seven
8 States that Mr. Trump had lost?

9 A The Fifth.

10 Q Do you know that Joe Biden, Joseph Biden, had been certified as the winner
11 of the election in those seven States where Republican Party electors met and cast
12 purported electoral votes?

13 A The Fifth.

14 Q Were you aware of a theory that, on January 6th, Vice President Pence had
15 the authority to choose which slate of electoral votes to count during the joint session if
16 he was presented with more than one slate of electoral college votes from a single State?

17 A The Fifth.

18 Q Did you, General Flynn, ever advise the President of the United States that
19 the Vice President should choose to count or not count certain electoral college votes
20 during the joint session of Congress on January 6, 2021?

21 A The Fifth.

22 Q Did you, General Flynn, ever advise the President of the United States that
23 the Vice President should declare Mr. Trump to be the winner of the 2020 Presidential
24 election?

25 A The Fifth.

1 Q Were you aware of a theory on January 6th that the Vice President had the
2 authority to delay the counting of electoral votes from certain States and instead ask the
3 relevant State legislatures to look into election results?

4 A The Fifth.

5 Q Did you ever discuss that theory about delaying the count of electoral votes
6 during the joint session with President Trump?

7 A The Fifth.

8 Q On December 17, 2020, you had an interview with Newsmax host Greg Kelly
9 where you claimed that President Trump could, quote, "immediately on his order seize
10 every single one of those machines around the country on his order. He could also
11 order, within the swing States, if he wanted to, he could take military capabilities and he
12 could place them in those States and basically rerun an election in each of those States.
13 It's not unprecedented," end quote.

14 What were you relying on when you said that President Trump could seize all
15 voting machines during that December 17, 2020, interview with Newsmax?

16 A The Fifth.

17 Q Did you, General Flynn, ever tell President Trump or anyone who worked in
18 the White House that the President could seize voting machines in connection with the
19 2020 Presidential election?

20 A The Fifth?

21 Q What was the basis for your belief that President Trump could take military
22 capabilities and rerun the election in swing States?

23 A The Fifth.

24 Q Did you, General Flynn, ever tell President Trump or anyone who worked in
25 the White House that President Trump could take military capabilities and rerun the

1 election in swing States?

2 A The Fifth.

3 Q During this interview, you also stated that, quote, "these people out there
4 talking about martial law like it's something we've never done. Martial law has been
5 instituted 64 times. I'm not calling for that. We have a constitutional process" -- and
6 go on, "that has to be followed. But I will tell you, I'm a little concerned about Chief
7 Justice John Roberts at the Supreme Court. We can't fool around with the fabric of the
8 Constitution of the United States," end quote.

9 Why did you bring up martial law in the context of the 2020 election during that
10 December 17th interview with Newsmax?

11 A The Fifth.

12 Q Between November 3, 2020, and January 20, 2021, was martial law ever
13 brought up in any conversation that you had with President Trump or anybody else who
14 worked in the White House?

15 A The Fifth.

16 Q Did you ever tell President Trump or anyone else who worked in the White
17 House that the President could invoke martial law in connection with the 2020
18 Presidential election?

19 A The Fifth.

20 Q Did you, General Flynn, ever hear anyone else take the position in a
21 conversation with President Trump or anyone else in the White House that martial law
22 could be used in connection with the 2020 Presidential election?

23 A The Fifth.

24 Q So, during this same December 17th interview, you also claimed that
25 President Trump needed to appoint a special counsel. Did you ever recommend to

1 President Trump that he appoint a special counsel in connection with the 2020
2 Presidential election?

3 A The Fifth.

4 Q Did you ever advise President Trump that he should appoint Sidney Powell
5 as special counsel for issues related to the November 2020 Presidential election?

6 A The Fifth.

7 Q During this interview, you claimed that there had been foreign interference
8 in the 2020 election, including from China, likely Russia, likely Iran, and Venezuela, whom
9 you claimed participated in the development of voting machines.

10 What evidence, General Flynn, did you see that showed that China had interfered
11 with the 2020 Presidential election?

12 A The Fifth.

13 Q Did you ever show any purported evidence to President Trump or anyone
14 else in the White House that China had interfered in the 2020 Presidential election?

15 A The Fifth.

16 Q And what evidence did you, General Flynn, see that showed that Russia likely
17 interfered in the 2020 Presidential election?

18 A The Fifth.

19 Q Did you ever show that evidence to President Trump or anybody else in the
20 White House?

21 A The Fifth.

22 Q What evidence, General Flynn, did you see that showed that Iran had likely
23 interfered in the 2020 Presidential election?

24 A The Fifth.

25 Q And did you ever show any of that purported evidence about Iran to

1 President Trump or anyone else in the White House?

2 A The Fifth.

3 Q What evidence, General Flynn, did you see that showed that Venezuela had
4 interfered in the 2020 Presidential election?

5 A The Fifth.

6 Q And did you ever show any purported evidence related to Venezuela to
7 President Trump or anybody else who worked in the White House?

8 A The Fifth.

9 Q If we could please pull up exhibit No. 15.

10 Do you see exhibit No. 15 there? And we could zoom in a little bit to make that a
11 little easier to read.

12 A Okay, I see it.

13 Q Okay.

14 This is an email from December 16, 2020, from whom I'll represent to you is
15 Mr. Philip Waldron to Mr. Bernie Kerik, Katherine Friess, and you.

16 Mr. Waldron writes, quote, "Per conversation. This is the final draft document.
17 For discussion and coordination. PRE-DECISIONAL," end quote.

18 He attaches a document dated December 16th called, quote, "Presidential
19 Findings to Preserve, Collect, and Analyze National Security Information Regarding the
20 2020 Election."

21 If we go down to the next page of this exhibit, I'll show you the top portion of that.
22 And that is dated December 16, 2020. And in all capital letters it says, "PRESIDENTIAL
23 FINDINGS TO PRESERVE, COLLECT, AND ANALYZE NATIONAL SECURITY INFORMATION
24 REGARDING THE 2020 GENERAL ELECTION."

25 Did you receive this email and attached document from Mr. Waldron, General

1 Flynn?

2 A The Fifth.

3 Q And was this email that you received in fact a followup to a conversation
4 that you had had with Mr. Waldron, Mr. Kerik, and Ms. Katherine Friess?

5 A The Fifth.

6 Q Did you have any involvement in the preparation, drafting, or review of this
7 document that's attached and shown here dated December 16, 2020?

8 A The Fifth.

9 Q Mr. Waldron in his email to you and others says, quote, "Per conversation."
10 What was the conversation that you had with Mr. Waldron and others about this
11 document that's shown here in the exhibit?

12 A The Fifth.

13 Q Who is Mr. Waldron, General Flynn?

14 A The Fifth.

15 Q What was the nature of your relationship with Mr. Waldron at this time, in
16 December 2020?

17 A The Fifth.

18 Q Did you work with Mr. Waldron in connection with the 2020 election?

19 A The Fifth.

20 Q And why was this document that we're looking at in exhibit 15 that was
21 attached to the email we just looked at, why was it prepared?

22 A The Fifth.

23 Q Who prepared this document?

24 A The Fifth.

25 Q Whose idea was it to draft this document?

1 A The Fifth.

2 Q In the email that this document's attached to, Mr. Waldron said, quote, "For
3 discussion and coordination," end quote. Who was it that needed to be part of the
4 coordination as it related to this document?

5 A The Fifth.

6 Q So this document here that's on page 2 of exhibit No. 15 has been referred
7 to as a draft executive order. Is that your understanding of what this document was
8 meant to be?

9 A The Fifth.

10 Q This document refers to National Security Presidential Memorandum 21,
11 which is, as I understand it, a classified document that is not public. Do you know who
12 included the reference to that Presidential Memorandum 21?

13 A The Fifth.

14 Q Who decided which authorities to cite in this draft executive order dated
15 December 16, 2020?

16 A The Fifth.

17 Q And did you, General Flynn, contribute to any portion of this document
18 dated December 16, 2020?

19 A The Fifth.

20 Q If we scroll down to page 3 of exhibit No. 15, which is page 2 of this draft
21 executive order, at the bottom, it says, "Effective immediately, the Secretary of Defense
22 shall seize, collect, retain and analyze all machines, equipment," and so forth.

23 So this document, if enacted, would give the Secretary of Defense the ability to
24 seize all voting machines. Did you think that the Secretary of Defense had the ability to
25 seize all voting machines by virtue of the authorities referenced in this document?

1 A The Fifth.

2 Q Why, in particular, was the Secretary of Defense the person or the position
3 cited in this document?

4 A The Fifth.

5 Q General Flynn, why did all voting machines need to be seized?

6 A The Fifth.

7 Q What information did you and others included in the email transmitting in
8 this document think that seizing voting machines would yield?

9 A The Fifth.

10 Q If we go to page 4 of this exhibit No. 15, which is page 3 of this draft
11 executive order, in particular we're going to look at number 7. It discusses the
12 "appointment of a Special Prosecutor to oversee this operation and institute all criminal
13 and civil proceedings as appropriate based on the evidence collected and provided all
14 resources necessary to carry out her duties consistent with federal laws and the
15 Constitution."

16 Was the special prosecutor contemplated in this document Ms. Sidney Powell?

17 A The Fifth.

18 Q Did you ever ask the President of the United States to sign this draft
19 executive order dated December 16, 2020, and attached to the email in exhibit 15?

20 A The Fifth.

21 Q Are you aware of anyone who asked the President of the United States to
22 sign this draft executive order?

23 A The Fifth.

24 Q If we go to page 5 of this exhibit, which follows the draft executive order,
25 there's another email dated December 16, 2020, at 5:50 p.m.

1 Can you see that on the screen, General Flynn?

2 A I can. Yeah, I can.

3 Q And that says it's from [REDACTED] Is that you, General Flynn?

4 A The Fifth.

5 Q The subject of this is "Re: Findings_Draft. PRE-DECISIONAL," and it's
6 dated December 16, 2020, at 5:50 p.m., and it's to redacted addresses but "bernardkerik"
7 and "kfriess."

8 In the email, you write, "I reviewed. Fix the spelling error in the title. Ensure it
9 gets a legal review, but this is ready to go from my standpoint. Thanks for getting the
10 key points in. FLYNN." And then, "Sent from [REDACTED]"

11 What were the key points in this draft document attached to the email that you
12 sent, General Flynn?

13 A The Fifth.

14 Q You write, "Ensure it gets a legal review." Who was going to be providing
15 the legal review that you wanted to ensure?

16 A The Fifth.

17 Q Did anyone ever provide a legal review of this document?

18 A The Fifth.

19 Q You write, "It's ready to go from my standpoint." Ready to go where?

20 A The Fifth.

21 Q Was this document intended to go to President Trump?

22 A The Fifth.

23 Q And what was Ms. Friess's contribution to this document? Did she help
24 draft or revise it?

25 A The Fifth.

1 Q Did she help review it?

2 A The Fifth.

3 Q Did she provide a legal opinion about the draft document?

4 A The Fifth.

5 Q If we go to page 6 of this exhibit, exhibit No. 15, this is another email. And
6 can you see what we're showing as page 6, General Flynn?

7 A Looks like the same thing.

8 Q Okay. Well, I'll show you, this one is from "p," and initials in the bottom of
9 the email are "PW."

10 A I see that.

11 Q You can see that?

12 A It starts with "Final draft finding"; is that right?

13 Q That's correct, General.

14 A Okay. Okay.

15 Mr. Warrington. [REDACTED], I'm sorry. I just want to get the number straight.

16 [REDACTED] I'm sorry?

17 Mr. Warrington. Is this a different exhibit or number? I just want to get the
18 number straight.

19 [REDACTED] It is not, Mr. Warrington. It's the same exhibit, different page.

20 We're now on page 6 of exhibit No. 15.

21 Mr. Warrington. Thank you.

22 BY [REDACTED]:

23 Q Okay. So this is from "p," who I'll represent to you we understand to be
24 Phil Waldron. The subject is "Fw: Finding Docs," date, December 17, 2020, at 8:46
25 a.m., and to a series of redacted email addresses but "bernardkerik" and "kfriess."

1 The body reads, "Final draft finding -- includes DHS switch language as well as
2 Foreign interference expansion and warrant issuance language. PW. Sent from
3 [REDACTED] mobile."

4 And that was a response -- or a forward, rather, of an original message that's
5 shown just below it from December 17, 2020, at 8:44 a.m. from Russell Ramsland, which
6 had an empty message but several documents attached.

7 And if you could scroll down just a bit, we can show you those attached
8 documents. One is called "publickey." One is "Findings FINAL." One is "Foreign
9 Election Interfer...v1.pdf."

10 General Flynn, who is Russell Ramsland?

11 A The Fifth.

12 Q What's the nature of your relationship with Russell Ramsland?

13 A The Fifth.

14 Q I'm sorry. I couldn't hear you on that one, General Flynn.

15 A The Fifth, [REDACTED]

16 Q Thank you.

17 Did you work with Mr. Ramsland in connection with the 2020 Presidential
18 election?

19 A The Fifth.

20 Q In his email, Mr. Waldron writes, "Final draft finding -- including DHS switch
21 language as well as Foreign interference expansion and warrant issuance language."

22 Do you know why the December 16th "Presidential Findings" document that we
23 just discussed was revised so that the authority to seize voting machines would be
24 granted to the Secretary of the Department of Homeland Security rather than the
25 Department of Defense?

1 A The Fifth.

2 Q And if we go to page 7, same exhibit, No. 15, this is another document that
3 says "PRESIDENTIAL FINDINGS TO SEIZE, COLLECT, PRESERVE AND ANALYZE NATIONAL
4 SECURITY INFORMATION REGARDING THE 2020 GENERAL ELECTION," but this is dated
5 December the 17th, 2020, not December the 16th, as we looked at just a moment ago.

6 Have you reviewed this document that's shown on page 7 of exhibit 15?

7 A The Fifth.

8 Q Did you contribute to any portion of this document?

9 A The Fifth.

10 Q If we go to page 9 of this exhibit, which is the third page of this draft
11 document dated December 17th, and we look at specifically number 8, the paragraph
12 that's numbered 8, this, again, references a special prosecutor who would be given "all
13 resources necessary to carry out her duties consistent with federal laws and the
14 Constitution."

15 Was the special prosecutor contemplated in this document Ms. Sidney Powell?

16 A The Fifth.

17 Q Do you know whether either of these draft documents, the one that's dated
18 December 16th or December 17th that we just looked at and that are included in exhibit
19 No. 15, were ever signed by President Trump?

20 A The Fifth.

21 Q If we can go to exhibit No. 16, please.

22 Can you see the document that we've just pulled up, General Flynn, as exhibit No.
23 16?

24 A "TALKING POINTS & OUTLINE"?

25 Q That's correct.

1 A Yes.

2 Q Okay. So this is an outline and talking points relating to Executive Order
3 13848 in connection with the 2020 Presidential election.

4 Have you seen this document before?

5 A The Fifth.

6 Q Do you know who drafted this document?

7 A The Fifth.

8 Q Do you know if Emily Newman had any role in drafting this document?

9 A The Fifth.

10 Q How about Katherine Friess? Do you know if she had a role in drafting this
11 document?

12 A The Fifth.

13 Q Did you, General Flynn, contribute to any portion of this document?

14 A The Fifth.

15 Q Did you ever discuss Executive Order 13848 with President Trump related to
16 the November 2020 Presidential election?

17 A The Fifth.

18 Q Okay.

19 You can take that down. Thank you.

20 I want to draw your attention to a December 18th meeting at the White House.
21 Were you at the White House on December 18, 2020?

22 A The Fifth.

23 Q What time did you get to the White House on December 18th?

24 A The Fifth.

25 Q Did you arrive at the White House with anyone?

1 A The Fifth.

2 Q We understand that you arrived with Mr. Byrne and Ms. Powell. Is that
3 accurate?

4 A The Fifth.

5 Q Why were you with Mr. Byrne and Ms. Powell on December 18th at the
6 White House?

7 A The Fifth.

8 Q Robert Patrick Lewis has claimed that he provided security and drove you
9 and Ms. Powell to the White House that day. Is that true?

10 A The Fifth.

11 Q Why did Mr. Robert Patrick Lewis provide security to you and Ms. Powell, if
12 at all?

13 A The Fifth.

14 Q And did Mr. Lewis go inside the White House with you and Ms. Powell?

15 A The Fifth.

16 Q Was Mr. Lewis paid in connection with services that he provided to you or
17 anybody else on December 18, 2020, that you're aware of?

18 A The Fifth.

19 Q We understand that Mr. Byrne, through someone named Patrick Weaver
20 and someone else named Garrett Ziegler, helped get you, Ms. Powell, and himself into
21 the White House for this meeting. Is that true?

22 A The Fifth.

23 Q Mr. Garrett Ziegler worked at the White House as Peter Navarro's aide. Is
24 that right? Is that your understanding as well?

25 A The Fifth.

1 Q At the time of this meeting, did you know Mr. Ziegler?

2 A The Fifth.

3 Q How about Patrick Weaver? Did you know him?

4 A The Fifth.

5 Q Do you know how Mr. Byrne knew either Mr. Weaver or Mr. Ziegler?

6 A The Fifth.

7 Q Who did you meet with when you were at the White House on December
8 18, 2020?

9 A The Fifth.

10 Q In a meeting that you participated in at the White House on December 18,
11 2020, did President Trump, representatives from the White House Counsel's Office, Mark
12 Meadows, and Robert O'Brien also participate?

13 A The Fifth.

14 Q During the meeting on December 18th, did non-White-House personnel also
15 attend, including Mr. Byrne, Ms. Powell, Mr. Giuliani, Emily Newman, and Matt Morgan?

16 A The Fifth.

17 Q What was discussed during this meeting, General Flynn, on December 18,
18 2020?

19 A The Fifth.

20 Q So it's been reported that, during this meeting, Ms. Powell talked about
21 Dominion voting machines and made various election fraud claims that involved foreign
22 countries such as Venezuela, Iran, and China. Is that accurate?

23 A The Fifth.

24 Q What was President Trump's response to Ms. Powell's claims?

25 A The Fifth.

1 Q Did White House Counsel say anything in response to the claims that Ms.
2 Powell made about voting machines and election interference from foreign countries?

3 A The Fifth.

4 Q It's been reported that Ms. Powell proposed declaring a national security
5 emergency during this meeting. Is that accurate?

6 A The Fifth.

7 Q What was President Trump's response to Ms. Powell's proposal about
8 declaring a national security emergency?

9 A The Fifth.

10 Q Did the White House Counsel say anything about the proposal to declare a
11 national security emergency?

12 A The Fifth.

13 Q Did anyone other than Ms. Powell propose declaring a national security
14 emergency during this meeting on December 18th?

15 A The Fifth.

16 Q It's also been reported that Ms. Powell proposed invoking martial law during
17 this meeting related to the November 2020 Presidential election. Is that accurate?

18 A The Fifth.

19 Q What was President Trump's response to Ms. Powell's proposal about
20 invoking martial law?

21 A The Fifth.

22 Q Did White House Counsel say anything in response to these suggestions?

23 A The Fifth.

24 Q Did anybody else who participated in that meeting propose invoking martial
25 law?

1 A The Fifth.

2 Q We understand that, during this meeting, President Trump may have told
3 White House lawyers Eric Herschmann and Pat Cipollone that they weren't offering him
4 any solutions but that Ms. Powell and others were, so why not try what Ms. Powell and
5 others were proposing. Is that accurate?

6 A The Fifth.

7 Q We understand that Sidney Powell wanted to be appointed as a special
8 counsel to investigate election fraud claims and that President Trump told Mr. Meadows
9 to prepare, quote, "the forms," unquote, relating to that appointment. Is that accurate?

10 A The Fifth.

11 Q And during that meeting, did you, General Flynn, recommend that Ms.
12 Powell be appointed as special counsel?

13 A The Fifth.

14 Q Why wasn't Sidney Powell ever appointed as special counsel, so far as you
15 know?

16 A The Fifth.

17 Q Were either of the "Presidential Findings" documents dated December 16th
18 or dated December 17th that we just discussed and that are shown in exhibit 15, were
19 those discussed with the President during this meeting on December 18th at the White
20 House?

21 A The Fifth.

22 Q Aside from those two documents, were any other documents shown or
23 discussed with President Trump during the December 18th meeting at the White House?

24 A The Fifth.

25 Q Were you or anybody else given any instructions with respect to the

1 November 2020 Presidential election during this meeting on December 18th at the White
2 House?

3 A The Fifth.

4 Q And, during this meeting, did you make any additional plans for
5 conversations with President Trump as followup to what had been discussed during the
6 meeting on December 18th?

7 A The Fifth.

8 Q If we could pull up exhibit No. 18, please.

9 And before we get to that, aside from the meeting on December 18, 2020, that
10 we've just been discussing, did you have any other meetings at the White House with
11 President Trump or anybody who worked at the White House?

12 A The Fifth.

13 Q Okay.

14 So exhibit No. 18, we'll show you that. It's titled "Counter-Election Fraud
15 NSPM-13 Request, December 18, 2020," "Page 1 of 3." The "TO:" line is blank. The
16 "FROM:" line is also blank. And the date is December 18, 2020.

17 Was this document ever discussed during the December 18th meeting at the
18 White House?

19 A The Fifth.

20 Q Have you ever seen this document before, General Flynn?

21 A The Fifth.

22 Q Do you know who drafted this document?

23 A The Fifth.

24 Q In the first line there, it said, "A group of former DoD and IC analysts
25 collected, analyzed, and organized into a work product substantial evidence suggesting

1 foreign involvement in both the violent 'Color Revolution' the U.S. is presently undergoing
2 and specifically the 2020 Election fraud *and their involvement in altering the vote counts*
3 *in the 2020 Election.*" And it goes on.

4 Do you know who the DOD and IC analysts are that are referenced in exhibit No.
5 18?

6 A The Fifth.

7 Q This document mentions running targeted inquiries of NSA raw signals to
8 pursue "suspected foreign interference of the 2020 election vote count manipulation."

9 Did you ever discuss with President Trump running targeted inquiries of NSA raw
10 signals data?

11 A The Fifth.

12 Q Do you know whether anybody discussed with President Trump running
13 targeted inquiries of NSA raw signals data related to the November 2020 Presidential
14 election?

15 A The Fifth.

16 Q If you scroll down to the bottom of the first page of this exhibit, exhibit No.
17 18, it shows a point of contact for legal and execution logistics, "Frank Colon, Senior Legal
18 Counsel, Cyber Operations, U.S. Army, INSCOM." And then it has a redacted @mail.mil
19 email address.

20 Do you know who Frank Colon is?

21 A The Fifth.

22 Q Did you ever do any work with Frank Colon in connection with the 2020
23 Presidential election?

24 A The Fifth.

25 Q If we can go to exhibit No. 19, please.

1 Can you see what we've pulled up as exhibit No. 19, General Flynn?

2 A I see an email and the "From:" line is "OmniTen." Is that right?

3 Q Yep, that's the one, General Flynn.

4 So this is an email from Mr. Waldron to Mr. Mark Meadows, President Trump's
5 chief of staff at the time. And he attached what he called a "National Asset Tasking
6 request" to support Executive Order 13848.

7 If we can go to page 2 of this same document, exhibit No. 19, there's a document
8 dated December 21, 2020, and it says, "Priority Intelligence Requirements And Requests
9 for Information."

10 Have you ever seen or viewed this document?

11 A The Fifth.

12 Q Do you know who drafted this document?

13 A The Fifth.

14 Q Did you contribute to any portion of this document?

15 A The Fifth.

16 Q Do you know whether this document in exhibit No. 19 was ever discussed
17 with President Trump?

18 A The Fifth.

19 Q Do you know why this document was prepared?

20 A The Fifth.

21 Q Do you know anything about the meeting that Mr. Waldron references in his
22 cover email to Mr. Meadows, where he said, "Reference our conversation in your office
23 yesterday afternoon"?

24 A Did you just jump back to another exhibit or what?

25 Q This is the transmittal email for that document. And so the question is:

1 Do you know anything about the meeting that Mr. Waldron references in this cover email
2 to Mr. Meadows?

3 A The Fifth.

4 Q You can take that down. Thank you.

5 Do you know Ezra Cohen or Ezra Cohen-Watnick, as he's sometimes called?

6 A The Fifth.

7 Q How do you know Mr. Cohen?

8 A The Fifth.

9 Q After you left the Trump administration, did you continue to interact with
10 Mr. Cohen?

11 A The Fifth.

12 Q We understand that you contacted Mr. Cohen in early December 2020.
13 Why did you contact him in early December 2020?

14 A The Fifth.

15 Q In your phone call with Mr. Cohen, did you tell him that he needed to return
16 to the United States from his trip abroad because, quote, "something's about to happen,"
17 unquote?

18 A The Fifth.

19 Q What was about to happen when you said "something's about to happen" to
20 Mr. Cohen?

21 A The Fifth.

22 Q Was something going to happen about the 2020 Presidential election?

23 A The Fifth.

24 Q Why did you want Mr. Cohen to come back from his trip?

25 A The Fifth.

1 Q How did you think that Mr. Cohen could assist?

2 A The Fifth.

3 Q In your phone call with Mr. Cohen in early December of 2020, did you say
4 anything else?

5 A The Fifth.

6 Q Besides coming back from his trip, did you ask Mr. Cohen to do anything
7 else?

8 A The Fifth.

9 Q And what was Mr. Cohen's response or reaction to what you asked of him?

10 A The Fifth.

11 Q Did you contact someone else at ODNI to get a hold of Mr. Cohen for that
12 phone call?

13 A The Fifth.

14 Q Who at ODNI did you contact to get a hold of Mr. Cohen?

15 A The Fifth.

16 Q Did you feel comfortable calling Mr. Cohen directly?

17 A The Fifth.

18 Q And how long did this call in early December of 2020 with Mr. Cohen last?

19 A The Fifth.

20 Q Did anyone ask you to make this call to Mr. Cohen?

21 A The Fifth.

22 Q Did you call Mr. Cohen a second time in December 2020, after the call we've
23 just been discussing?

24 A The Fifth.

25 Q When exactly did you call him the second time?

1 A The Fifth.

2 Q And why did you call Mr. Cohen a second time in December?

3 A The Fifth.

4 Q Was this second call with Mr. Cohen after the December 18th meeting at the
5 White House with President Trump that we discussed earlier?

6 A The Fifth.

7 Q And during this second phone call with Mr. Cohen, did you tell him that,
8 quote, "we need to have the military take over the election and redo the election,"
9 unquote, or something like that?

10 A The Fifth.

11 Q Did you say anything to the effect of getting the military involved in the 2020
12 Presidential election?

13 A The Fifth.

14 Q How did you think Mr. Cohen could assist with that?

15 A The Fifth.

16 Q Did you call Mr. Cohen a quitter during this second phone call in December
17 of 2020?

18 A The Fifth.

19 Q Did you say anything else to Mr. Cohen during that second phone call in
20 December?

21 A The Fifth.

22 Q What was his response, meaning Mr. Cohen's response, or reaction, to what
23 you said to him during this call?

24 A The Fifth.

25 Q How long did this second call last with Mr. Cohen?

1 A The Fifth.

2 Q Did anyone ask you to make the call to Mr. Cohen a second time?

3 A The Fifth.

4 Q Do you know anything about Ms. Sidney Powell's phone call to Mr. Cohen
5 about Gina Haspel in December of 2020?

6 A The Fifth.

7 Q Do you know why Ms. Powell apparently believed that Ms. Haspel had been
8 injured in Germany while trying to protect a voting server?

9 A The Fifth.

10 Q Do you know why Ms. Powell asked Mr. Cohen to send a special operations
11 team to get Ms. Haspel in Germany?

12 A The Fifth.

13 Q Do you know how Mr. Cohen responded to Ms. Powell's claims regarding
14 Ms. Haspel?

15 A The Fifth.

16 Q We understand that around December 2020 you contacted Mr. Anthony
17 Tata from the Department of Defense regarding the 2020 election. Is that true?

18 A The Fifth.

19 Q Why did you contact Mr. Tata?

20 A The Fifth.

21 Q How many times did you contact him?

22 A The Fifth.

23 Q What did you discuss with Mr. Tata?

24 A The Fifth.

25 Q Did you ever talk to Mr. Tata about military involvement in the 2020

1 Presidential election?

2 A The Fifth.

3 Q Did you ever talk to Mr. Tata about rerunning the 2020 election?

4 A The Fifth.

5 Q And did you ever talk to Mr. Tata about potential executive orders that could
6 be enacted regarding the 2020 Presidential election?

7 A The Fifth.

8 [REDACTED] I'm going to stop there and see if anybody has any questions about
9 anything we've covered with General Flynn so far.

10 Okay.

11 BY [REDACTED]:

12 Q General Flynn, we understand that you were at the Trump International
13 Hotel in Washington, D.C., on January 5, 2021.

14 When you were at the Trump Hotel on January 5th, did you talk to any State
15 legislators or Members of Congress regarding the 2020 election or the joint session of
16 Congress on January 6, 2021?

17 A Repeat that question.

18 Q Yep. When you were at the Trump Hotel on January 5th, did you talk to
19 any State legislators or Members of Congress regarding the 2020 election or the joint
20 session of Congress on January the 6th?

21 A The Fifth.

22 Q On January 5th, before you spoke at a rally in Washington, D.C., you had an
23 in-person interview with Alex Jones. Do you recall that interview?

24 A The Fifth.

25 Q During that interview, you said that your message to the American people

1 was that, quote, "the truth is going to come out. Donald Trump will continue to be the
2 President of the United States for the next 4 years. There's no doubt in my mind," end
3 quote.

4 General Flynn, why there was no doubt in your mind as of January 5, 2021, that
5 Donald Trump would continue to be President of the United States?

6 A The Fifth.

7 Q You also claimed during this interview that between November 4th and
8 November 7th or 8th, quote, "they started to stuff the ballot boxes," end quote. Who
9 started to stuff the ballot boxes around that time?

10 A The Fifth.

11 Q And what evidence were you relying on to claim that ballot boxes were
12 stuffed between November 3rd and November 8th?

13 A The Fifth.

14 Q You also claimed that the, quote, "Democratic machine," unquote,
15 manipulated the algorithm in the voting machines used in the 2020 election. What
16 evidence do you have to back up that claim that you made on January 5th?

17 A The Fifth.

18 Q During this interview, you claimed that China, Serbia, Italy, Spain, and
19 Germany interfered in the 2020 election. What evidence did you have to support the
20 claim that any of those countries had interfered in the 2020 Presidential election?

21 A The Fifth.

22 Q Do you have any evidence at all that any of those countries changed the
23 election result in favor of Joe Biden instead of Donald Trump?

24 A The Fifth.

25 Q During that interview, you also promoted Ms. Powell's organization,

1 Defending the Republic. What was your involvement in Defending the Republic at that
2 time?

3 A The Fifth.

4 Q What was your understanding of what Defending the Republic raised money
5 for?

6 A The Fifth.

7 Q Did you have any say in how money was spent?

8 A The Fifth.

9 Q This January 5th interview with Mr. Jones was filmed at the Willard Hotel in
10 Washington, D.C. Is that right?

11 A The Fifth.

12 Q We understand that Mr. Jones was staying at the Willard Hotel on January
13 5th. Where did you stay that night in Washington, D.C.?

14 A The Fifth.

15 Q Did you stay at the Willard Hotel between November 3, 2020, and January
16 20, 2021?

17 A The Fifth.

18 Q If we can go to exhibit No. 20, please.

19 Can you see what we're pulling up now as exhibit No. 20, General Flynn?

20 A I see it.

21 Q Okay. And that shows a picture of you, I believe it's a Parler post as well,
22 with someone named Roger Stone.

23 So, on January 5th, Mr. Roger Stone posted a picture of you and him on Parler.

24 Our understanding was that this photo was taken around the time that you were
25 interviewing with Mr. Jones at the Willard Hotel.

1 What did you talk to Mr. Stone about on January 5, 2021?

2 A The Fifth.

3 Q Did you talk about January 6, 2021, with Mr. Stone when you saw him on
4 January the 5th?

5 A The Fifth.

6 Q You can take that down. Thank you.

7 During the evening of January 5, 2021, you spoke at a rally in Washington, D.C.,
8 where you had a message for Members of Congress to, quote, "get some," unquote,
9 moral fiber that night if they were feeling weak, because the next day, on January 6th,
10 quote, "we, the people," end quote, would be here and would "not stand for a lie."

11 What did you mean that "we, the people," would be here and would "not stand
12 for a lie," when you said that on January 5, 2021?

13 A The Fifth.

14 Q As you gave that speech during the evening of January the 5th, were you
15 planning to go to the Capitol the next day, on January 6, 2021?

16 A The Fifth.

17 Q And as you stood there that day, on January the 5th, 2021, were you aware
18 of any plans for anyone to go into the Capitol on January 6th to disrupt the joint session
19 of Congress?

20 A The Fifth.

21 ██████████ If we could take just a 5-minute break and then resume, is that okay
22 with you, General Flynn and Mr. Warrington?

23 Mr. Warrington. Yes.

24 The Witness. Yes.

25 ██████████ Okay. Thank you. Then we'll go off the record for about 5

- 1 minutes.
- 2 [Recess.]

1 [12:28 p.m.]

2 [REDACTED]: Let's go back on the record. It's 12:28 p.m. on March 10th, and
3 we are resuming the deposition of General Michael Flynn.

4 BY [REDACTED]:

5 Q General Flynn, what were your expectations for January 6, 2021?

6 A The Fifth.

7 Q Did you say the Fifth? I'm sorry, General Flynn.

8 A Yes. Yes, [REDACTED] the Fifth.

9 Q Thank you.

10 Were you aware of any plans of violence on January 6th in Washington, D.C.?

11 A The Fifth.

12 Q Where were you on January 6, 2021?

13 A The Fifth.

14 Q Did you go to the rally on the Ellipse on January 6, 2021?

15 A The Fifth.

16 Q Did you hear the President's speech at the rally on the Ellipse on January 6,
17 2021?

18 A The Fifth.

19 Q Did you go to the Capitol on January 6, 2021?

20 A The Fifth.

21 Q When did you learn that the Capitol had been breached on January 6, 2021?

22 A The Fifth.

23 Q And how did you learn that the Capitol had been breached?

24 A The Fifth.

25 Q Do you know anyone who went to the Capitol on January 6, 2021?

1 A The Fifth.

2 Q General Flynn, did you talk to any members of the Oath Keepers, Proud
3 Boys, or 1AP on January 6, 2021?

4 A The Fifth.

5 Q Did you help in any way any Oath Keepers, Proud Boys, or 1AP'ers enter the
6 Capitol on January 6, 2021?

7 A The Fifth.

8 Q I'm going to show you exhibit 21. And this is three pages of photos.
9 Can you see the photo that we've pulled up on page 1 of exhibit 21?

10 A I can.

11 Q General Flynn, I understand that's you who's speaking in the foreground of
12 that picture. And to your immediate right, there's an individual with a beard and a tan
13 hat. Can you see that person?

14 A I can see people in that --

15 Q Can you see the person -- and we'll zoom in just a little bit for you. Can you
16 see the person in the tan hat with a beard who's looking down, in the center of that
17 picture, to your right?

18 A I can see that person.

19 Q Okay. Do you recognize the person that's shown there with the beard and
20 the tan hat who's looking down?

21 A The Fifth.

22 Q Do you recognize that person as Geoffrey Flohr, or Flohr, with call sign
23 "Yoda"?

24 A The Fifth.

25 Q Did he or anybody else provide security to you on January 5th or January 6th

1 in Washington, D.C.?

2 A The Fifth.

3 Q And did anyone who provided security to you on January 5th or January 6th
4 in Washington, D.C., including Mr. Flohr or other 1AP'ers, enter the Capitol Building
5 during the attack on January 6, 2021?

6 A The Fifth.

7 Q General Flynn, did anyone who provided security to you, including Mr. Flohr
8 or other 1AP'ers, communicate with other people who breached the Capitol Building
9 during the January 6th attack on the Capitol in order to assist them?

10 A The Fifth.

11 Q Did you speak with Mr. Flohr, call sign "Yoda," while he was near but outside
12 of the Capitol during the afternoon of January 6, 2021?

13 A The Fifth.

14 Q If we can go to page 3 of exhibit No. 21, please. We can zoom in on the
15 person at the end of the red arrow there, wearing a tan hat, who looks to have a beard.

16 Do you recognize the person there at the end of the red arrow with the hat who
17 appears to be on a phone as Mr. Geoffrey Flohr, call sign "Yoda"?

18 A The Fifth.

19 Q You can take that down. Thank you.

20 Before 1:00 p.m. on January 6, 2021, did you know that any person planned to
21 enter the Capitol on January 6th to disrupt the joint session of Congress?

22 A The Fifth.

23 Q General Flynn, did you ever encourage anyone to enter the Capitol on
24 January 6, 2021, in order to disrupt the joint session of Congress?

25 A The Fifth.

1 Q General Flynn, did you direct anyone to enter the Capitol Building to disrupt
2 the joint session of Congress on January 6, 2021?

3 A The Fifth.

4 Q General Flynn, did you ever encourage or direct anyone to enter the Capitol
5 on January 6, 2021, in order to ensure that Donald Trump won a second term in office?

6 A The Fifth.

7 Q On January 8, 2021, Alex Jones claimed that you talked to President Trump
8 every day. Is that true?

9 A The Fifth.

10 Q Did you, General Flynn, talk to President Trump at any point on January 6,
11 2021?

12 A The Fifth.

13 Q Have you ever talked to President Trump about the events of January 6,
14 2021?

15 A The Fifth.

16 [REDACTED] At this point, I'm going to pause and see if anybody else has any
17 questions for General Flynn on the topic we've just covered.

18 Ms. Cheney. I do, [REDACTED]
19 General Flynn, do you believe the violence on January 6th was justified?

20 Mr. Warrington. Can we have a minute?

21 Ms. Cheney. Yes.

22 [Discussion off the record.]

23 Mr. Warrington. All right. We're back.

24 Congresswoman Cheney, could you repeat the question, please?

25 Ms. Cheney. Yes.

1 General Flynn, do you believe the violence on January 6th was justified?

2 Mr. Warrington. Can I get clarification, is that a moral question or are you asking
3 a legal question?

4 Ms. Cheney. I'm asking both.

5 The Witness. The Fifth.

6 Ms. Cheney. Do you believe the violence on January 6th was justified morally?

7 The Witness. Take the Fifth.

8 Ms. Cheney. Do you believe the violence on January 6th was justified legally?

9 The Witness. Fifth.

10 Ms. Cheney. General Flynn, do you believe in the peaceful transition of power in
11 the United States of America?

12 The Witness. The Fifth.

13 Ms. Cheney. General Flynn, do you agree with President Trump when he says
14 that November 3rd was the insurrection?

15 The Witness. The Fifth.

16 Ms. Cheney. Thank you.

17 Mr. Warrington. I'll just note my objection for the record to this line of
18 questioning as argumentative.

19 Ms. Cheney. Sorry, I couldn't catch what you said, Counsel.

20 Mr. Warrington. I'll just note for the record that my objection to the line of
21 questioning is that it was argumentative.

22 Ms. Cheney. Thank you.

23 [REDACTED] I'll see if anybody else has any questions?

24 Okay.

25 BY [REDACTED]

1 Q General Flynn, do you know why general counsel and former interim
2 president of the Oath Keepers Kellye SoRelle has claimed with respect to January 6th,
3 quote, "Aall paths lead to Flynn. He's the one who is the puppet handler for everything.
4 He was moving all the pieces," end quote?

5 A The Fifth.

6 Q What other militia-type groups did you coordinate with for security or for
7 any other purpose in connection with the December 14, 2020, Jericho March in D.C. or
8 the events in D.C. on January 5 and 6, 2021?

9 A The Fifth.

10 Q Did you coordinate with any leaders or members of the Proud Boys, for
11 security or for any other purpose, in connection with the December 14, 2020, Jericho
12 March in D.C. or the events in D.C. on January 5th and 6th of 2021?

13 A The Fifth.

14 Q I'm sorry. And, to be clear, for the record, the Jericho March I just
15 referenced was December 12th of 2020.

16 Did that change any of your answers, General Flynn?

17 A Repeat the question.

18 Q Sure. The questions that I just asked were: What other militia-type
19 groups did you coordinate with for security or for any other purpose in connection with
20 the December 12, 2020, Jericho March in D.C. or the events in D.C. on January 5 and 6,
21 2021?

22 A The Fifth.

23 Q And to clarify the following question: Did you coordinate with any leaders
24 or members of the Proud Boys, for security or for any other purpose, in connection with
25 the December 12th Jericho March in D.C. or the events in D.C. on January 5 and 6, 2021?

1 A The Fifth.

2 Q In July 2020, you posted a clip to Twitter in which you recited an oath of
3 office, and, after finishing the oath, you said, quote, "Where we go one, we go all," end
4 quote.

5 What does the phrase "Where we go one, we go all" mean to you, General Flynn?

6 A The Fifth.

7 Q Were you aware at that time that the phrase is associated with the QAnon
8 movement, or a movement that's been loosely termed the "QAnon movement"?

9 A The Fifth.

10 Q And why did you say that phrase in the video that you posted?

11 A The Fifth.

12 Q Are you personally aware of any efforts in the QAnon community of efforts
13 to overturn the results of the 2020 Presidential election?

14 A The Fifth.

15 Q Are you personally aware, General Flynn, of any efforts in the QAnon
16 community to prevent or delay the joint session of Congress from certifying Joe Biden as
17 President on January 6, 2021?

18 A The Fifth.

19 Q In May 2021, you were asked by someone at a conference, "I want to know
20 why what happened in Myanmar can't happen here." You replied, quote, "No reason.
21 I mean, it should happen here. No reason. That's right," end quote.

22 Do you, General Flynn, support the violent overthrow of the United States
23 Government along the lines of what happened last year in Myanmar?

24 A The Fifth.

25 [REDACTED] I'll pause there and see if anybody in the room or on the Webex

1 have any additional questions for Mr. Flynn -- or, General Flynn. Excuse me.

2 Okay.

3 BY [REDACTED]

4 Q So, General Flynn, just a few wrap-up questions.

5 Have you talked to anybody about the November 8th subpoena from the select
6 committee other than your attorneys?

7 A The Fifth.

8 Q Has anybody affected or influenced your testimony today or the documents
9 that you could provide to the select committee other than discussions that you may have
10 had with your attorneys?

11 A The Fifth.

12 Q Have you talked to former President Trump about your appearance or
13 testimony here today?

14 A The Fifth.

15 Q Have you talked to anybody who we've referenced throughout today's
16 proceedings about your testimony here today, including but not limited to Sidney Powell,
17 Phil Waldron, Russ Ramsland, Ivan Raiklin, and others?

18 A The Fifth.

19 [REDACTED] Okay. And I'll stop there.

20 I see, Ms. Cheney, that you had briefly turned on your camera. I don't know if
21 you have anything else.

22 Ms. Cheney. Thanks, [REDACTED]

23 General Flynn, I just wanted to go through a list of individuals and ask if you have
24 spoken to any of these people since the election.

25 Elmer Stewart Rhodes?

1 The Witness. The Fifth.

2 Ms. Cheney. Edward Vallejo?

3 The Witness. The Fifth.

4 Ms. Cheney. Have you spoken with Thomas Caldwell?

5 The Witness. The Fifth.

6 Ms. Cheney. General Flynn, have you spoken to Joseph Hackett?

7 The Witness. The Fifth.

8 Ms. Cheney. General Flynn, between election day and January 6th, did you
9 speak with Kenneth Harrelson?

10 The Witness. The Fifth.

11 Ms. Cheney. Have you spoken to Joshua James?

12 The Witness. The Fifth.

13 Ms. Cheney. General Flynn, have you spoken to Kelly Meggs?

14 The Witness. The Fifth.

15 Ms. Cheney. Have you spoken to Roberto Minuta?

16 The Witness. The Fifth.

17 Ms. Cheney. General Flynn, have you spoken with David Moerschel?

18 The Witness. The Fifth.

19 Ms. Cheney. Have you spoken with Brian Ulrich?

20 The Witness. The Fifth.

21 Ms. Cheney. Have you spoken with Jessica Watkins?

22 The Witness. The Fifth.

23 Ms. Cheney. Those were Oath Keepers who recently have been charged with
24 seditious conspiracy.

25 I wonder -- the following individuals have been charged with conspiracy. They're

1 members of the Proud Boys.

2 Have you spoken with Enrique Tarrío?

3 The Witness. The Fifth.

4 Ms. Cheney. General Flynn, have you spoken with Ethan Nordean?

5 The Witness. The Fifth.

6 Ms. Cheney. Have you spoken with Joseph Biggs?

7 The Witness. The Fifth.

8 Ms. Cheney. Have you spoken with Charles Donohoe?

9 The Witness. The Fifth.

10 Ms. Cheney. Dominic Pezzola?

11 The Witness. The Fifth.

12 Ms. Cheney. Thank you.

13 [REDACTED] Thank you, Ms. Cheney.

14 I don't believe there are any other questions at this time, General Flynn. We
15 certainly appreciate your time today.

16 And, at this point, we are going to go off the record, but the deposition will remain
17 open, subject to the call of the chair -- excuse me. We're recessing subject to the call of
18 the chair, to be specific.

19 Mr. Warrington. And, for the record, let me note our objection to that, and we
20 consider the matter closed, but I understand your position.

21 [REDACTED] Okay. Do you mind repeating that? I'm sorry. It was kind of
22 cutting out, Mr. Warrington.

23 Mr. Warrington. Yeah. We object to the continuing nature of the deposition,
24 as we consider the matter closed. But we understand the committee's position.

25 [REDACTED] Thank you. All right.

1 And we'll go off the record.

2 [Whereupon, at 12:46 p.m., the deposition was recessed, subject to the call of the

3 chair.]

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Certificate of Deponent/Interviewee

I have read the foregoing ____ pages, which contain the correct transcript of the answers made by me to the questions therein recorded.

Witness Name

Date