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FILED *J.H.*
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STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES

STATE BAR COURT
HEARING DEPARTMENT - LOS ANGELES

In the Matter of:) Case No. SBC-23-O-30029-YDR
)
) **STATE BAR'S WITNESS LIST**
) **JUNE 20 AND JUNE 21, 2023**
JOHN CHARLES EASTMAN,)
) Trial: June 20-23, 27-30, 2023
State Bar No. 193726,)
) (OCTC Case No. 21-O-11801)
)
)
An Attorney of the State Bar)

Pursuant to the court's June 8, 2023 Order Re Trial Witness Testimony, the Office of Chief Trial Counsel of the State Bar of California (hereinafter "State Bar" or "OCTC") presents the following information regarding the anticipated witness schedule on June 20 and 21, 2023.

On June 20, 2023, OCTC will call respondent as its first witness. Respondent's testimony may take all day, but if time allows on June 20, OCTC will call Dr. Justin Grimmer.

1 Respondent will testify about all counts alleged in the NDC. Dr. Grimmer will testify
2 about Counts One (paragraphs 11, 13, 22, 23, and 28), Two, Four, Five, Six, Seven, Eight, Nine,
3 and Eleven.

4 OCTC anticipates it will use the following exhibits in connection with respondent: 001-
5 062, 066-069, 075-082, 084-135, 137-173, 179-206, 277, 292-300, 305, 307-313, 318-321, 323,
6 326-331, 340-342, 352, 359-360. OCTC received respondent's exhibits on June 12, 2023, and
7 has not completed a thorough review of his exhibits, and therefore reserves the right to use
8 additional exhibits on respondent's exhibit list.

9 OCTC anticipates it will use the following exhibits in connection with Dr. Grimmer: 004,
10 006, 008-009, 075-082, 084-099, 100-135, 137-148, 166-178, 181-183, 187, 195-206, 277, 311-
11 313, 318-321, 330-331, 353. As noted above, OCTC received respondent's exhibits on June 12,
12 2023, and reserves the right to use additional exhibits on respondent's exhibit list. Based on an
13 initial review, OCTC anticipates it will use the following exhibits from respondent's exhibit list
14 in connection with Dr. Grimmer: 1039, 1041-1047, 1050-1053, 1056-1079, 1081, 1092-1106,
15 1124-1136, 1138-1140, 1144-1152, 1156, 1165, 1170-1172.

16
17 On June 21, 2023, OCTC will continue with respondent or Dr. Grimmer as needed. The
18 following witnesses are also scheduled for June 21: Greg Jacob will testify at 11:00 a.m., and
19 Stephen Richer will testify at 2:00 p.m. OCTC will request court permission to interrupt other
20 testimony and take these witnesses out of order to accommodate their schedules.

21 Mr. Jacob will testify about Counts One (paragraphs 19, 20, 28, 29, 30), Eight, and Ten.

22 Mr. Richer will testify about Counts One, Six, Seven, and Eleven. In respondent's
23 Answer to the NDC regarding Count One, he makes multiple references to fraud and illegality in
24 Arizona. Furthermore, Mr. Richer discusses claims of fraud involving electronic voting
25 machines in State Bar Exhibit 323, which are relevant to respondent's claims of electronic voting
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1 machine fraud in Counts One, Six, Seven, and Eleven. Mr. Richer will also testify regarding the
2 harm he experienced due to claims of election fraud.¹

3 OCTC anticipates it will use the following exhibits in connection with Mr. Jacob: 010-
4 024, 063-073, 164.

5 OCTC anticipates it will use the following exhibits in connection with Mr. Richer: 074,
6 077-082, 323, 340.

7
8 **Zoom Appearances**

9 OCTC has informed Dr. Grimmer, Mr. Jacob, and Mr. Richer that they are not to join the
10 hearing via Zoom before the court has authorized the witnesses to be contacted to testify.

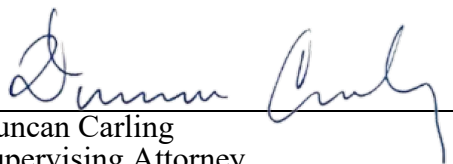
11 OCTC has confirmed that Dr. Grimmer, Mr. Jacob, and Mr. Richer are able to access the
12 hearing via Zoom.

13
14
15 Respectfully submitted,

16 THE STATE BAR OF CALIFORNIA
17 OFFICE OF CHIEF TRIAL COUNSEL

18
19
20 DATED: June 13, 2023

BY:


21 Duncan Carling
22 Supervising Attorney

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28 ¹ While this issue was discussed at the pretrial conference, OCTC will raise the issue again of whether state officials should be allowed to testify regarding the harm caused by claims of election fraud during their appearance in OCTC’s case in chief. The issue of harm is not limited to a factor in aggravation in this case. Respondent has asserted that the First Amendment protects his speech in part because the speech did not cause harm. (See Joint Pretrial Statement, p. 50 “Lawyers’ statements about government or political events are often, and perhaps ordinarily, no more harmful to public discourse and public understanding than other peoples’ political lies.”) Furthermore, some of the State Bar’s witnesses are high-ranking government officials—for example, Michigan Secretary of State Jocelyn Benson—who would be significantly inconvenienced by making two appearances in this matter and may be unavailable for a second appearance.