

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 1:22-cv-01129-NYW-SKC

ERIC COOMER, PhD.,

Plaintiff

v.

MICHAEL J. LINDELL, FRANKSPEECH LLC,
AND MY PILLOW, INC.,

Defendants

EXHIBIT 7
PLAINTIFF'S MOTION TO COMPEL DEPOSITION TESTIMONY FROM
DEFENDANT MICHAEL J. LINDELL AND MOTION FOR SANCTIONS
PURSUANT TO F.R.C.P. 30 AND F.R.C.P. 37

Deposition Transcript of Michael J. Lindell
Designated Representative of My Pillow, Inc.
Dated 03-09-23

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UNITED STATES DISTRICT COURT.
FOR THE DISTRICT OF COLORADO

Civil Action No.: 1:22-cv-01129-WJM

Eric Coomer, Ph.D.,

Plaintiff,

vs.

Michael J. Lindell, Frankspeech LLC, and My
Pillow, Inc.,

Defendants.

VIDEOTAPED DEPOSITION OF

VOLUME II

MICHAEL J. LINDELL

Designated Representative of My Pillow, Inc.

Taken on MARCH 9, 2023

Commencing at 9:30 A.M.

REPORTED BY: Mari Skalicky, RMR, CRR

1 VIDEOTAPED DEPOSITION of
 2 MICHAEL J. LINDELL, taken on Thursday, March
 3 9th, 2023, commencing at 9:30 a.m. CDT, at 123
 4 North 3rd Street, Minneapolis, Minnesota,
 5 before Mari Skalicky, a Certified Realtime
 6 Reporter, and Notary Public of and for the
 7 State of Minnesota.
 8 *****
 9 APPEARANCES
 10
 11 ON BEHALF OF THE PLAINTIFF:
 12 CAIN & SKARNULIS PLLC
 13 BY: CHARLES J. CAIN, ESQUIRE
 14 BY: BRADLEY A. KLOEWER, ESQUIRE
 15 P.O. Box 1064/101 N. F Street
 16 Suite 207
 17 Salida, CA 81201
 18 ccain@cstrial.com
 19 bkloewer@cstrial.com
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 2 On BEHALF OF THE DEFENDANTS:
 3 PARKER DANIELS KIBORT
 4 BY: RYAN MALONE, ESQUIRE
 5 888 Colwell Building
 6 123 North Third Street
 7 Minneapolis, MN 55401
 8 malone@parkerdk.com
 9
 10 ALSO PRESENT:
 11 Adam Wallin, Videograpaher
 12
 13 NOTE: The original transcript will be
 14 provided to the taking party of the
 15 deposition.
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1 I N D E X
 2
 3 WITNESS: MICHAEL J. LINDELL PAGE
 4 Examination by MR. CAIN375
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 6
 7 E X H I B I T S
 8 EXHIBITS INTRODUCED: PAGE
 9 No. 76 [REDACTED] 377
 10 [REDACTED]
 11
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 13 (Original exhibits attached to original
 14 transcript; copies to counsel as requested.)
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1 P R O C E E D I N G S
 2 THE VIDEO OPERATOR: We are going on
 3 the record at 9:35 a.m. on March 9, 2023.
 4 This is the video-recorded deposition of
 5 designated representative of My Pillow
 6 Inc. Michael J. Lindell, Volume Two.
 7 My name is Adam Wallin from the firm
 8 Veritext, and I am the videographer. The
 9 court reporter is Mari Skalicky. We are
 10 both with the firm Veritext. Will counsel
 11 please identify themselves for the record?
 12 MS. CAIN: Charley Cain and Brad
 13 Kloewer for the plaintiff.
 14 MR. MALONE: Ryan Malone for My
 15 Pillow, Incorporated.
 16 THE VIDEO OPERATOR: Will the court
 17 reporter please swear in the witness.
 18 MR. CAIN: He's been sworn in already
 19 and still under oath but he should be
 20 sworn in again.
 21 THE WITNESS: Okay. When you just
 22 said Mike Lindell, My Pillow, isn't this
 23 Frankspeech today?
 24 MR. KLOEWER: We're just finishing
 25 up. We've got about 12 minutes left.

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1 A. That's what you do.
 2 Q. I had come prepared yesterday, and the
 3 record will just reflect what happened
 4 yesterday. I don't need to characterize
 5 it, but I had come prepared to show you a
 6 series of video clips, many of which you
 7 referenced interviews at CNN, during the
 8 symposium, discussions on Bannon's podcast
 9 referencing Eric Coomer.
 10 We didn't go through your discovery
 11 responses because of how yesterday went, a
 12 number of emails that I wasn't able to
 13 show you, and I am going to be asking and
 14 reserving the right to ask the court to
 15 order you to be redeposed on additional
 16 issues with additional time. And I will
 17 be seeking costs --
 18 A. I'm going to seek taking you to court
 19 because of what you've done to my
 20 employees. Everything you said comes
 21 after you sued me; everything I said.
 22 You're an evil, evil man. There, that's
 23 on the record, very evil. What you've
 24 done to my employees, everything that you
 25 were going to say comes after you sued me;

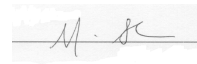
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1 everything I said. And I stand by what I
 2 said. You're an ambulance-chasing lawyer,
 3 evil person, you and your Eric Coomer
 4 buddy, so you will be sued. Don't worry.
 5 And you will be sued big because I won't
 6 back down.
 7 MR. CAIN: All right. Anything else?
 8 So with that, Ryan, unless you have a
 9 different take on this, I'd like to
 10 conclude this deposition, which means it
 11 will be put into a transcript and it will
 12 be sent to you for your review and
 13 signature. And then to the extent that we
 14 want to address any other issues with the
 15 court, we can do that later.
 16 A. I'll sue you later. Don't worry.
 17 MR. MALONE: We agree to conclude.
 18 We'll read and sign and reserve further
 19 questions and responses to any motions,
 20 and let's move on.
 21 THE VIDEO OPERATOR: We're going off
 22 the record at 9:53 a.m.
 23 (The right to read and sign the
 24 deposition was preserved.)
 25

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1 I, MICHAEL J. LINDELL, do hereby certify
 2 that I have read the foregoing transcript of
 3 my testimony and that same is true and correct
 4 to the best of my knowledge and belief, except
 5 as follows:
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 7 PAGE & LINE NO. CORRECTION REASON
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 20 MICHAEL J. LINDELL
 21 SWORN TO AND
 22 SUBSCRIBED BEFORE ME this
 23 day of , 2023
 24 NOTARY PUBLIC
 25

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1 STATE OF MINNESOTA)
 2 : CERTIFICATE
 3 COUNTY OF HENNEPIN)
 4 I hereby certify that I reported the
 5 deposition of MICHAEL J. LINDELL on
 6 MARCH 9, 2023 in Minneapolis, Minnesota, and
 7 that the witness was by me first duly sworn to
 8 tell the whole truth;
 9 That the testimony was transcribed under
 10 my direction and is a true record of witness
 11 testimony;
 12 That the cost of the original has been
 13 charged to the party who noticed the
 14 deposition, and that all parties who ordered
 15 copies have been charged at the same rate for
 16 such copies;
 17 That I am not a relative or employee or
 18 attorney or counsel of any of the parties or a
 19 relative or employee of such attorney or
 20 counsel;
 21 That I am not financially interested in
 22 the action and have no contract with the
 23 parties, attorneys, or persons with an
 24 interest in the action that affects or has a
 25 substantial tendency to affect my
 impartiality;
 That the right to read and sign the
 deposition was reserved.
 19 WITNESS MY HAND AND SEAL this
 20 23RD DAY OF MARCH 2023.
 21 
 22 _____
 23 Registered Merit Reporter
 24 Certified Realtime Reporter
 25

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I, MICHAEL J. LINDELL, do hereby certify that I have read the foregoing transcript of my testimony and that same is true and correct to the best of my knowledge and belief, except as follows:

PAGE & LINE NO. CORRECTION REASON



MICHAEL J. LINDELL

SWORN TO AND

SUBSCRIBED BEFORE ME this

day of , 2023

NOTARY PUBLIC