



**Date:** November 9, 2022

**Case:** In Re: Rudolph W. Giuliani



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The Board on Professional Responsibility  
Status Conference

In re Rudolph W. Giuliani, Board DNo. 22-BD-027 /  
Disciplinary DNo. 2020-D253

Zoom

Wednesday, November 9, 2022 11:30 AM

PARTICIPANTS

Ad Hoc Hearing Committee

Robert C. Bernius, Esquire

Chair

Ms. Carolyn Haynesworth-Murrell

Public Member

Jay Brozost, Esquire

Attorney Member

Hamilton P. Fox, Esquire

Disciplinary Counsel

Jason Horrell, Esquire

Assistant Disciplinary Counsel

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1 John M. Leventhal, Esquire  
2 Barry Kamins, Esquire  
3 Respondent's Counsels  
4  
5  
6 Mr. Rudolph W. Giuliani  
7 Respondent  
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1 PROCEEDINGS  
2 11:32 a.m.  
3 CHAIR BERNIUS: This is a prehearing  
4 conference in the matter of Rudolph W. Giuliani.  
5 Docket Number 22-BD-027. Would the parties please  
6 identify themselves for the record beginning with  
7 Disciplinary Counsel.  
8 MR. FOX: Hamilton Fox and Jason Horrell  
9 for the Office of Disciplinary Counsel.  
10 MR. LEVENTHAL: Barry Kamins and John  
11 Leventhal for Respondent.  
12 CHAIR BERNIUS: Good morning everybody.  
13 There's been a flurry of filings in this case, and I  
14 thought it would be more expeditious for us to have a  
15 conference to talk through some of these issues, and  
16 resolve them to the extent that we can. And let me  
17 just lead off with the issues that I think have been  
18 proposed by, or posited by the parties.  
19 And the first one is the Respondent's  
20 motion to disqualify Matthew Sanderson. Mr. Kamins  
21 and Mr. Leventhal do you have anything to add to your  
22 motion?

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1 MR. LEVENTHAL: Mr. Kamins will speak to  
2 that Your Honor.  
3 MR. KAMINS: Yeah, thank you Mr. Chair.  
4 We just wanted in addition to what we have in our  
5 papers, I just wanted to respond very briefly to  
6 something that Disciplinary Counsel had put in their  
7 response to -- their latest response to our motion.  
8 And Disciplinary Counsel states in their last  
9 response that we are basically conflating Mr.  
10 Sanderson's strong language on behalf of his client  
11 with his own personal views.  
12 And we agree that you know representing a  
13 client does not necessarily constitute approval of  
14 the client's views or activities, but if all we had  
15 was Mr. Sanderson's letter that he wrote as counsel,  
16 it might be difficult -- might, to separate his  
17 views from the views of his client, although there  
18 are some statements in there that certainly appear to  
19 be personal.  
20 However, we have much more than that just  
21 the letter that was submitted on behalf of his  
22 client. We have these personal comments that he made

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1 in his Tweet account, some of which, or most of  
2 which, I'm going to attach to our exhibits. And just  
3 briefly, I just want to point out when he says -- and  
4 these are his tweets, "Rudy might have some liability  
5 for failing to tell the truth. Did the Venezuelans  
6 get to Rudy and John too?  
7 Team Trump again in Pennsylvania. "Is  
8 this the least successful litigation ever?" And then  
9 on January 7 of 2021, he states, "Is there anyone  
10 whose standing in society has fallen more over the  
11 last year than Rudy Giuliani? Bill Cosby maybe."  
12 And then finally in an article that I  
13 found recently that's not attached, there was an  
14 article by someone named Dareh Gregorian, and this  
15 was regarding the litigation to challenge the  
16 election. Mr. Sanderson says, "It's as dysfunctional  
17 a litigation strategy as I've ever seen." And this  
18 is a person who is being called ostensibly as an  
19 expert to give an unbiased opinion on the  
20 litigation.  
21 So we think that these comments reflect an  
22 animus that is personal. Mr. Sanderson is not just

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1 repeating his client's views. These are his own  
2 personal views, and this is one of those rare cases  
3 in which in advance of a proceeding, a party is  
4 proposing an expert who has demonstrated an actual  
5 bias, or animus towards the subject of the  
6 proceeding, and that's the reason we're moving to  
7 disqualify.  
8 CHAIR BERNIUS: Okay. Mr. Fox any  
9 response?  
10 MR. FOX: Just very briefly. As I said in  
11 my pleadings, we were aware that Mr. Sanderson in  
12 representing his client, had made the comments about  
13 Mr. Giuliani on behalf of the clients that he made,  
14 and for that reason our primary witness, and we  
15 engaged an additional witness, and the primary  
16 witness is Professor Ortiz.  
17 I think it is extraordinarily unlikely  
18 that we will call Mr. Sanderson. We exchanged  
19 witness lists simultaneously here, and so I did not  
20 know at the time I put my witness list in, who the  
21 Respondent's witnesses would be, and accordingly I  
22 thought out of an abundance of caution that I ought

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1 to name Mr. Sanderson since we had provided an expert  
2 report from Mr. Sanderson to the Respondent, in the  
3 event that we wish to call him as a rebuttal witness.  
4 There's no sense, he is not a witness that  
5 we intend to call in our case in chief. Having now  
6 seen the witness list from the Respondent, I think it  
7 is unlikely that we would call Mr. Sanderson, but I  
8 don't want to necessarily foreclose doing so should  
9 something arise that I don't anticipate.  
10 Now with respect to bias, I think one of  
11 the things -- I guess there are two things. Bias is  
12 not a disqualifying factor. It is personal, and I  
13 think the comments that Mr. Kamins just alluded to in  
14 the tweets were comments that were not personal.  
15 They were based on the witness's, or the Respondent's  
16 litigation strategy.  
17 But in any event, you know bias is not a  
18 disqualifying factor, and certainly all is relevant  
19 to credibility. We have included in our exhibits, I  
20 think it's Exhibit 41, Mr. Sanderson's report, which  
21 is 70-some pages long, and I think anybody, and you  
22 may wish to make that part of the record of this

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1 proceeding, not necessarily admitted into evidence in  
2 the hearing, but of this proceeding, and I think if  
3 anybody reads that you would see that that is a  
4 straightforward expert report based on the law, and  
5 facts of this case.  
6 In any event, I would suggest that the  
7 appropriate thing to do would be to defer this,  
8 unless and until we call Mr. Sanderson, which I say I  
9 think is extremely unlikely. But bias is not a  
10 disqualifying thing. I mean Plaintiffs testify  
11 against Defendants. They are biased.  
12 It is obviously something to assess in  
13 terms of credibility. So if you have any doubts  
14 about the straightforwardness of the report, I would  
15 suggest looking at Exhibit 41, and making it an  
16 exhibit to these proceedings. But I also say yes,  
17 the appropriate thing is to defer this because I  
18 think it may well not be an issue.  
19 MR. KAMINS: Mr. Chair if I could just  
20 respond?  
21 CHAIR BERNIUS: Okay.  
22 MR. KAMINS: I would disagree respectfully

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1 with what Mr. Fox said. I think that perhaps  
2 potential bias may not be disqualification, but  
3 actual bias I think has been held to be a  
4 disqualification, and it goes to the views of someone  
5 who was supposed to be, and should have to be  
6 impartial in giving his opinion. And so I do think  
7 that actual bias is a disqualification.  
8 CHAIR BERNIUS: Okay. First of all  
9 there's no jury here. We're talking about a panel of  
10 three people. And the issue and the balancing of  
11 interest is a little different in that context. As  
12 far as Mr. Sanderson's testimony, I took a quick skim  
13 through his opinion. I didn't read the whole thing,  
14 but I got the gist of it.  
15 And it seems to me that it's a legal  
16 analysis. It's a lawyer taking a look at legal  
17 filings, and rendering his own opinion. I'm not sure  
18 how probative that is frankly, and whether it you  
19 know, how much it advances the ball. That being said  
20 Mr. Kamins, there's an issue that I have to deal  
21 with, and that's Rule 11.3 that says that relevant  
22 evidence that's not privileged, not cumulative, must

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1 be admitted.  
2 And so I would suggest that Rule 11.3 is  
3 going to be determinative here, but I'm not going to  
4 reach a decision today. I'll punt until the hearing.  
5 I would though say to Respondent that you should be,  
6 if he's called, you should be prepared to  
7 cross-examine Mr. Sanderson, and I suspect there's a  
8 fair amount of material for you to use in that  
9 cross-examination.  
10 So I'll deny the motion without prejudice,  
11 but a strong signal that if he's put on I'll allow  
12 him to testify because of Rule 11.3. Okay. Now we  
13 have Disciplinary Counsel's objections to witnesses,  
14 and the request as I take it Mr. Fox, did you want us  
15 to -- do you want me to order Respondents to provide  
16 a written report for any --  
17 MR. FOX: I'm sorry, I interrupted  
18 somebody I apologize.  
19 CHAIR BERNIUS: The issue of your asking  
20 for a written report from Respondents for their  
21 expert testimony, I have to say that the language in  
22 that order said written report if any shall be

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1 disclosed. And my intention was not to require a  
2 Respondent to go out and pay an expert for a 72 page  
3 written expert opinion, or report.  
4 I don't think that's appropriate in a  
5 disciplinary hearing. So the order itself did not  
6 require preparation of a written report, and so I  
7 don't, you know, do you have any other basis to say  
8 that there should be a written report here provided  
9 to you?  
10 MR. FOX: Well, first of all I think some  
11 of this may be moot Mr. Bernius. My understanding is  
12 that from the Respondent's counsel that Colonel  
13 Waldron, Mr. Navarro and Mr. Ramslen are not going to  
14 testify.  
15 CHAIR BERNIUS: Right.  
16 MR. FOX: And so if they're not going to  
17 testify, you know, there's no reason to talk about  
18 that. The only other -- that leaves Mr. Drees, who  
19 has provided something of a report, and I have said  
20 that I would you know live with that. And if I had  
21 some indication of his qualifications and they have  
22 provided me with some indication of his

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1 qualifications, so I'm content with respect to that.  
2 And so that leaves, I think only, and I  
3 think this is a Ms., but if not I apologize, and I'm  
4 sure I'll butcher the name, Ayyadruai,  
5 A-Y-Y-A-N-D-R-U-A-I. And all I have about this  
6 person, I'm not even sure if it's a man or a woman,  
7 but will testify as to the statistical analysis as to  
8 voting results.  
9 You know it's going to be a complete  
10 surprise as to what this person testifies to when he  
11 or she gets on the stand because that's all I have.  
12 I don't even know if it's a summary witness who is  
13 providing -- is summarizing voluminous information.  
14 I'm entitled to the voluminous information in order  
15 to cross-examine them. If the person is an expert I  
16 need more than that. I mean it's just not fair.  
17 How am I going to deal with that you know  
18 cross-examine one -- prepare to cross-examine based  
19 on that one sentence? I had understood, and I  
20 probably didn't read it as carefully as I should  
21 have, your Order to require expert reports. You've  
22 now said that you didn't mean it that way, and I

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1 accept that, but I do think that I ought to be  
2 entitled to something more than that -- than a phrase  
3 before I prepare to cross-examine this witness.  
4 CHAIR BERNIUS: First of all Mr. Fox, it's  
5 music to my ears to hear you say the word "moot", and  
6 that you are happy with certain things. And my  
7 objective here is to keep everyone happy, or at least  
8 equally miserable. Mr. Kamins, let me ask you --  
9 MR. KAMINS: I think Mr. Leventhal is  
10 going to respond on this point.  
11 CHAIR BERNIUS: Okay. Mr. Leventhal,  
12 other than this Dr. Shiva Ayyadruai, are there any  
13 other experts that you intend to present at the  
14 hearing?  
15 MR. LEVENTHAL: So if I may, you know, we  
16 contacted these witnesses, or through their  
17 attorneys. And some of these witnesses as we've  
18 indicated, are reluctant to come forward, although  
19 they want to, but on the advice of counsel they're  
20 not coming forward.  
21 We haven't given up on Mr. -- Colonel  
22 Waldron, and that's why we wanted to keep this alive.

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1 And we haven't given up on Russell Ramslen, and  
2 that's why I didn't want to say definitively that  
3 they're not going to testify. Mr. Fox has been very  
4 fair, and we've been talking to one another, and it  
5 may very well be that they won't testify, but we're  
6 not giving up on that.

7 I doubt Mr. Shiva Ayyadruai, I think  
8 that's how you pronounce his name, Dr. Shiva  
9 Ayyadruai, will come forward. We spoke to him. He  
10 hasn't gotten back to us that he's going to testify,  
11 although he had indicated earlier through our team  
12 that he was going to, or someone that he was going to  
13 testify.

14 But if he does come in I will try to give  
15 Mr. Fox some more information.

16 MR. BROZOST: Mr. Chair, can I ask a quick  
17 question?

18 CHAIR BERNIUS: Sure.

19 MR. BROZOST: Mr. Navarro was at one time  
20 an expert, and he's not going to testify, but there  
21 is an exhibit, the amended deception, is that -- are  
22 you considering that an expert report?

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1 MR. LEVENTHAL: I'm considering, well it's  
2 up to what you consider it to be actually, but in my  
3 estimation the information contained in there, a lot  
4 of that was given, and our client responded, was  
5 aware of some of that information, and it goes to  
6 his state of mind, even though Mr. Navarro will not  
7 testify.

8 We've been told by his attorney on the  
9 advice of counsel he cannot testify.

10 MR. BROZOST: So, okay. And it's not  
11 necessarily an expert report.

12 MR. LEVENTHAL: I think well I can't just  
13 put something in without him testifying as an expert  
14 report.

15 MR. BROZOST: Right.

16 MR. LEVENTHAL: But I think the  
17 information that's contained therein, if our  
18 Respondent can say that he was aware of much of this  
19 information, it should go to his state of mind.

20 CHAIR BERNIUS: Okay. I think I have  
21 enough. First of all Mr. Fox in terms of a written  
22 report, I'm going to deny your application. But my

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1 Order also said that the parties should disclose the  
2 substance of witness testimony, and this is my bad.  
3 It should have been more -- I should have in this  
4 case been more fulsome in that Order.

5 I want Respondents to take a peek at Rule,  
6 D.C. Supra Rule 26-A2(b), which --

7 MR. LEVENTHAL: I'm sorry, 26-A2(b)?

8 CHAIR BERNIUS: A2(b), which is a list of  
9 the disclosures that need to be made in connection  
10 with expert reports or expert testimony. And we  
11 don't need to have the expert prepare a written  
12 report, but I need you to supplement with respect to  
13 everybody who is going to testify as an expert. I  
14 want you to supplement your disclosure to address the  
15 issues that are set out in Rule 26 A-2(b).

16 Now that doesn't mean -- use your  
17 judgement. Do a realistically efficient disclosure,  
18 sufficient to put Disciplinary Counsel on notice as  
19 to what these people are going to talk about, or  
20 testify about, and the basis for their opinion. I  
21 also, and there's another with respect to Dr. Shiva  
22 Ayyadruai, I'm not going to allow experts to testify

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1 to documents that aren't base opinions on  
2 documentation that isn't in evidence.

3 If it's not in evidence there not going to  
4 be able to offer their opinion based on something in  
5 the outside world, so keep that in mind. And also, I  
6 need you if there's any -- are there any open issues  
7 on contact information Mr. Fox?

8 MR. FOX: Well yes, I don't have any  
9 contact information. Now in fairness, we've been --  
10 Respondent's counsel has been very cooperative, and I  
11 haven't broached it with him, and it wouldn't  
12 surprise me if they would provide me with contact  
13 information. And if they're willing to do that I  
14 don't think we need to take that up here.

15 CHAIR BERNIUS: Okay.

16 MR. FOX: But I don't know how to contact  
17 any of these people, no.

18 CHAIR BERNIUS: Okay. I would like  
19 Respondents to do that, supply the contact  
20 information for the witnesses that you have, and we  
21 can move on. Hopefully that will be taken care of.

22 MR. LEVENTHAL: May I ask a question Mr.

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1 Chair?

2 CHAIR BERNIUS: Yes, sure.

3 MR. LEVENTHAL: Some of the witnesses who  
4 we're hopeful to come, we mentioned earlier, we're  
5 dealing through their lawyers, so I can't really you  
6 know give them contact information to the people  
7 because I'm not allowed to contact them.

8 CHAIR BERNIUS: Okay. Well that's why I  
9 said the contact information that you have for the  
10 witnesses, please give it to Disciplinary Counsel, so  
11 they can either have a successful contact, or at  
12 least the same data that you have.

13 MR. LEVENTHAL: And I know some of our  
14 witnesses may not be willing to talk to him, but  
15 that's neither here nor there.

16 CHAIR BERNIUS: Well that's you know,  
17 that's the general scheme of things.

18 MR. LEVENTHAL: Yeah.

19 CHAIR BERNIUS: Okay. Motion to File  
20 Additional Exhibits. That's okay. And I haven't  
21 seen the exhibits, but I guess it's 41, 42 and 43?  
22 MR. LEVENTHAL: 40, 41, 42, and 43.

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1 CHAIR BERNIUS: Okay. You can supplement  
2 your exhibit list with that, with those exhibits.  
3 But there's a caveat, and I understand from the Board  
4 office that your exhibits, including some of these  
5 newly proposed exhibits, contain information that  
6 needs to be redacted pursuant to Rule 19.8 GI. And  
7 that includes dates of birth, social security  
8 numbers, driver's license information and so on.  
9 I also understand there's passport  
10 information, and some other stuff that's quite  
11 sensitive. So before the exhibits are accepted for  
12 filing, you're going to have to go through those and  
13 delete the identifying -- redact the identifying  
14 information.

15 MR. LEVENTHAL: Okay.

16 CHAIR BERNIUS: With that being said the  
17 identifying information should be supplied to -- if  
18 the exhibits could be supplied to Disciplinary  
19 Counsel in unredacted form, so that Disciplinary  
20 Counsel can contact people, or I assume with again I  
21 haven't seen the exhibits, but I assume there's a  
22 question of multiple people voting in multiple

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1 locations, or fraud and so on.

2 And it seems to me that the identifying  
3 information that's deleted from the filed exhibits  
4 may be necessary for Disciplinary Counsel to use to  
5 investigate and respond to it. Any comments or  
6 questions on what I just said?

7 MR. LEVENTHAL: If I may, if I may. Let  
8 me just get my notes on this please, give me one  
9 second. So Exhibit 1, Members of the panel, deals  
10 with voters over 112 years old. So yes their dates  
11 of birth are there, but you think those should be  
12 redacted?

13 CHAIR BERNIUS: I'm just saying that you  
14 have to comply with the rule. That's what the rule  
15 says, so.

16 MR. LEVENTHAL: All right. And the -- if,  
17 you know I'm not arguing with you. I'm going to do  
18 whatever you say, but I just have a question. If  
19 people are dead, most of these people are all dead in  
20 these exhibits, except for the Exhibit 4. Are they  
21 really persons? Are they individuals?  
22 I looked up the definition in Blacks, and

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1 I'm not arguing with you. And I'm going to do  
2 whatever you order me to do. But I'm looking up the  
3 definition in Blacks Law Dictionary, and an  
4 individual is a person, a human being, a living  
5 human. Blacks Law Dictionary reads, "So far as legal  
6 theory is concerned, a person is any being whom the  
7 law regards is capable of rights or duties."  
8 So my question is yes, I will do that, but  
9 if we take away -- I mean definitely I'll take away  
10 their social security's because someone could start a  
11 new identity with the social security's. But I think  
12 the date of death, and their date of birth of people  
13 who are dead, I don't think the rule was meant for  
14 that, but if you tell me to do that, it's very  
15 onerous, but we will do that. If these people are  
16 dead.

17 CHAIR BERNIUS: Mr. Fox?

18 MR. FOX: I certainly think it's  
19 reasonable to include the birth dates of -- if  
20 they're trying to prove that it's unlikely that these  
21 people voted because of their birth dates, and death  
22 dates, I think it's reasonable to include that

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1 information. I certainly don't object to it.  
2 And I don't see how anybody could really  
3 be harmed by it. There's got to be an -- I mean  
4 there had to be some cases somewhere where social  
5 security numbers and birth dates, or they're actually  
6 evidence, and surely if that's the situation we have  
7 now, I would think they ought to be able to offer  
8 that into evidence.  
9 CHAIR BERNIUS: Well you know, I don't  
10 want to appear to be the quintessential bureaucrat,  
11 but this is the God's honest truth. Three months  
12 ago, you know I'm retired now, but I did a little  
13 project for a client, non-paying, pro-bono client who  
14 needed to get a death certificate to prove the death  
15 of somebody that was born 175 years ago.  
16 So, you know, if I tell you this. We'll  
17 take a look at the rule, and if there's a way to get  
18 around it I think that's -- I'll go in that  
19 direction. And I was thinking about you know just  
20 redacting everything but the year of birth, and the  
21 year of death. I'm not sure that's going to help. I  
22 don't know how many dead bodies are we talking about

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1 here gentlemen?  
2 MR. LEVENTHAL: We have in one of our  
3 exhibits, we have 1,082 people who cast ballots who  
4 were shown to be dead out of the I think it's 112  
5 years old. And there was a whole myriad of other  
6 people who were still registered, and I think  
7 Pennsylvania -- and correct me if I'm wrong Mr. Fox,  
8 but I think Pennsylvania may have after this  
9 election, taken tens and tens and tens of thousands  
10 of dead people off the voter rolls.  
11 One of the exhibits helps Mr. Fox actually  
12 because one of the exhibits shows that the people  
13 died shortly after -- some of the people, died  
14 shortly after they cast their early ballot. So I  
15 guess the team is investigating if these people were  
16 in extreme illness and someone filled out their  
17 ballots. But there are -- I really don't think  
18 that's going to harm anyone. I agree with Mr. Fox.  
19 I don't think anyone will be harmed by this.  
20 If you wanted me to -- and you're worried  
21 about someone stealing someone's identity, I could  
22 just strip those columns away on the social security.

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1 I think that might be a fair compromise.  
2 CHAIR BERNIUS: Well you're going to have  
3 to do that in any event, so.  
4 MR. LEVENTHAL: Okay.  
5 CHAIR BERNIUS: Let me reserve on that  
6 question, and we'll -- I'll issue an Order. But I  
7 may help with things, because as I understand it this  
8 -- the underlying lawsuit is against two counties in  
9 Pennsylvania.  
10 And I was going through the -- your  
11 witness list, and it talks about Catherine Freeze is  
12 going to talk about what she observed at Pittsburgh.  
13 Somebody else is going to talk about what  
14 he observed in Philadelphia, and you know you're  
15 going to have to convince me that things that  
16 happened in Pittsburgh and in Philadelphia, in  
17 Harrisburg, Atlanta, Chattanooga, had anything to do  
18 with the price of eggs in those states.  
19 I mean if these dead people supposedly  
20 voted in the two counties that they sued fine.  
21 That's relevant evidence, but dead people voting in  
22 the abstract in New York, or anywhere in

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1 Pennsylvania, is just not relevant to the issues in  
2 this case. So that may help you determine how I  
3 would approach these various redactions.  
4 MR. BROZOST: Mr. Bernius, can I just  
5 follow-up on that. I looked at those exhibits, and  
6 they're just lists of the individuals. I couldn't  
7 tell when it was prepared and who prepared it, and I  
8 think the letter is important. And I think that  
9 should be addressed, certainly for authenticity and  
10 admissibility. But there's no indication on the  
11 exhibit at all.  
12 MR. LEVENTHAL: I think Mr. Fox has  
13 reserved his right to object to authenticity and  
14 admissibility at the time of the hearing. I don't  
15 have you know Mr. Kerik on. I know this was being  
16 prepared as the litigation was going. I don't know  
17 when it was finalized, but I think -- and correct me  
18 if I'm wrong, Mr. Chair. I think seven counties were  
19 being sued, not just two.  
20 And I also, you know I also think you know  
21 -- well I don't want to go into our burden now, we're  
22 not having the hearing. But I think our burden is



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1 not to win the case that there's fraud, but to show  
2 that there's information that he had, and he had a  
3 reasonable belief and inference to bring this  
4 litigation in the timeframe that when he came on, and  
5 then what time was available in this election  
6 proceeding.  
7 MR. BROZOST: Well I agree with that. And  
8 that's why I think it's so important to find out when  
9 these lists were compiled.  
10 MR. LEVENTHAL: Right.  
11 MR. KAMINS: Well, we intend to have  
12 someone testify as to that.  
13 CHAIR BERNIUS: Okay. I just, all right,  
14 seven counties, I just gave that as a heads up, and  
15 it's something I've been thinking about as we  
16 approach the hearing because this is not going to be  
17 a worldwide, nationwide hearing on voting fraud.  
18 It's going to be a hearing addressed to a specific  
19 lawsuit, the basis for it, and the facts you want  
20 opinions for.  
21 MR. LEVENTHAL: We understand that Your  
22 Honor.

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1 CHAIR BERNIUS: Okay. Anything else from  
2 the Respondents?  
3 MR. LEVENTHAL: Yes. Just one last  
4 question. As to the fourth exhibit where we have the  
5 addresses both in Pennsylvania, and I'm looking at  
6 the -- give me one second. I want to look at the  
7 rule, which I have here. I'm sorry, I'm sitting at  
8 my dining room table because I have a medical  
9 appointment right after we get off this Zoom, so I  
10 have everything spread out.  
11 I'm looking at 18-G.  
12 CHAIR BERNIUS: 19.8G.  
13 MR. LEVENTHAL: Thank you, Your Honor.  
14 Yeah. It doesn't talk about address on here. Maybe  
15 I missed it. I see social security number,  
16 birthdate, so the ones in -- with the fourth exhibit  
17 on Georgia and Pennsylvania, I think they just have  
18 the names, and correct me if I'm wrong, they just  
19 have the names and the addresses -- the identical  
20 names and addresses.  
21 So I'm not sure anything has to be  
22 redacted from that one. I just wanted to make sure

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1 that's okay with you.  
2 CHAIR BERNIUS: Well I mean I just want to  
3 make sure that you comply with the rule. If the rule  
4 doesn't require it, then you don't have to do it.  
5 MR. LEVENTHAL: I just wanted some  
6 direction, that's it.  
7 CHAIR BERNIUS: Mr. Fox any other  
8 comments?  
9 MR. FOX: No. I have nothing further.  
10 MR. LEVENTHAL: Can I just make one  
11 comment?  
12 CHAIR BERNIUS: Yes.  
13 MR. LEVENTHAL: Mr. Fox and Judge Kamins  
14 and I -- Mr. Kamins and I are having good  
15 professional relationship in this case.  
16 CHAIR BERNIUS: Good. Glad to hear it.  
17 MR. LEVENTHAL: I don't know if Fox will  
18 agree with that, that's what I say.  
19 CHAIR BERNIUS: Mr. Fox doesn't agree with  
20 many things you know.  
21 MR. FOX: Extremely fair, yeah.  
22 CHAIR BERNIUS: You know apparently you've

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1 charmed the beast. I congratulate you.  
2 MR. FOX: It's a rare occasion when that  
3 happens.  
4 CHAIR BERNIUS: Anything else gentlemen?  
5 MR. LEVENTHAL: No, Mr. Chairman. So  
6 we'll hear from you about what we have to do with the  
7 redactions, et cetera?  
8 CHAIR BERNIUS: Yes.  
9 MR. LEVENTHAL: Okay. Thank you very  
10 much.  
11 CHAIR BERNIUS: Thank you very much.  
12 MR. LEVENTHAL: And thank you very much  
13 and everyone have a nice week.  
14 (Whereupon the prehearing conference  
15 adjourned at 12:06 p.m.)  
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CERTIFICATE OF COURT REPORTER

I, GAYNELL CATHERINE, Court Reporter, do hereby certify that that the testimony contained herein is a true record of the testimony given by said witness, and I further certify that I am neither attorney nor counsel for, related to, or employed by any of the parties to the action in which this statment is taken; and, further, that I am not a relative or an employee of any attorney or counsel employed by the parties hereto, or financially interested in the action.

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