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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 INTERVIEW OF: ALEX CANNON

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Wednesday, April 13, 2022

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Washington, D.C.

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The interview in the above matter was held via Webex, commencing at 10:08 a.m.

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Present: Representatives Lofgren and Raskin.

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Appearances:

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

- ████████████████████ INVESTIGATIVE COUNSEL
- ████████████████████ STAFF ASSOCIATE
- ████████████████████ SENIOR INVESTIGATIVE COUNSEL
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For ALEX CANNON:

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2 [REDACTED] This is a transcribed interview of Alex Cannon conducted
3 by the House Select Committee to Investigate the January 6th Attack on the U.S. Capitol,
4 pursuant to House Resolution 503.

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

7 Mr. Cannon. Alexander W. Cannon, C-a-n-n-o-n.

8 [REDACTED] All right. Mr. Cannon, this will be a staff-led interview,
9 though members may appear and choose to ask questions. Currently, I see that no
10 members are present.

11 My name is [REDACTED], and I'm investigative counsel with the
12 select committee.

13 With me from the select committee staff, on my left is [REDACTED] senior
14 investigative counsel; to my right, [REDACTED], a financial investigator. We're
15 also joined remotely by senior investigative counsel [REDACTED] -- excuse me -- [REDACTED]
16 [REDACTED] another investigator, is joining us remotely. And [REDACTED]
17 another investigator, has also joined us remotely.

18 At this time, I'd ask your counsel to identify himself on this record and anyone
19 appearing with him.

20 And, Dan, I will note that anyone speaking as far as counsel, if they're going to
21 speak, they should be on camera.

22 Mr. Daniel Benson. Daniel Benson, Kasowitz Benson Torres, with the witness.
23 Joining me is Jacob Benson of our firm, and Jonathan Gonzalez.

24 [REDACTED] Thank you.

25 All right. I have some ground rules for the interview, Mr. Cannon. There is an

1 official reporter transcribing the record of this interview. The reporter's transcription is
2 the official record of the proceeding. This proceeding is also audio and video recorded,
3 and we ask that you not audio or video record this proceeding.

4 I'm going to ask that you please wait until each question is complete before you
5 begin to respond. We will do our best to wait until your response until we move to the
6 next question.

7 The reporter cannot note nonverbal responses, such as shaking or nodding your
8 head, so it's important that you respond to each question with an audible, verbal
9 response.

10 Please give complete answers to the best of your recollection. If an answer -- if a
11 question is unclear, please ask us to clarify. If you do not know the answer, please just
12 say so.

13 Logistically, if at any time you want to talk to your lawyers or take a break, please
14 just let us know. We're happy to accommodate.

15 Do you have any questions before we begin?

16 Mr. Cannon. No, I do not.

17

18 Q All right. Mr. Cannon, if you can provide us, please, with your date of birth.

19 A

20 Q And where do you reside?

21 A Atlanta, Georgia.

22 Q And what's your cell phone number?

23 A

24 Q And, now, for the period of December -- excuse me -- November of 2020 to
25 January 2021, can you please list all the email addresses that you used?

1 A I used acannon@donaldtrump.com. I used [REDACTED] I
2 used -- I believe it was [REDACTED]

3 Q Thank you.

4 A And what about social media accounts used in that same period?

5 A I have a -- during that period, I may have had a Facebook account. I'm not
6 certain. It's -- but, otherwise, I don't use social media. Oh, I have an Instagram
7 account. I'm sorry. I do have an Instagram account.

8 Q And what are the handles?

9 A I've got to check. I don't use it that much. Is it okay if I pick up my cell
10 phone and check?

11 Q Well, let's keep going, and then we could circle back on a break or
12 something, and you can check that.

13 A Can you tell us -- tell us a bit about your educational background?

14 A I went to Webster University in St. Louis, Missouri, for undergrad. I have a
15 bachelor of fine arts. I went to Seton Hall University School of Law, where I got a J.D.

16 Q And what year did you graduate from law school?

17 A 2009.

18 Q And can you tell us about your professional background since your
19 graduation from law school?

20 A After I graduated law school, I went to work at a law firm in New York,
21 Willkie Farr & Gallagher. I was at Willkie Farr for, I believe, 6 years.

22 And then I took a job with The Trump Organization as assistant general counsel.

23 Then, in April of 2020, I began working for the Trump campaign.

24 Q In what capacity?

25 A I believe my title at that time was counsel, data and technology.

1 Q And what was your next role?

2 A It pretty much stayed the same. I managed vendors. My title changed,
3 but my roles never really changed. I was managing vendor relationships with the
4 campaign.

5 Q And what happened after the 2016 election?

6 A The 2016 election?

7 Q Yes.

8 A I worked at The Trump Organization until April of 2020.

9 Q And what was your role at The Trump Organization?

10 A I was assistant general counsel. I managed the vendor relationships for golf
11 courses and hotels.

12 Q Okay. And, when you joined the 2020 campaign, can you tell us about your
13 role then?

14 A I managed the vendor relationships with anyone that touched campaign
15 data. I had --

16 Q Can you expand on what that means?

17 A So we would draft contracts. I would draft contracts and work with outside
18 counsel. I'd work with counsel to vendors that provided services to the campaign where
19 donor data was involved, or any first-party data.

20 Q I'm sorry. What was the term you said? Was it owner data?

21 A No, donor data.

22 Q Donor data. Ah. Thank you.

23 Okay. And what was your title?

24 A I believe it was counsel, data and technology.

25 Q Okay. Did there come a time where your roles or responsibilities changed

1 for the 2020 campaign?

2 A Following the election, I was asked to organize some of the incoming
3 information related to allegations of election fraud.

4 Q Now, before we get to that, was there a time when your title was deputy
5 general counsel?

6 A Yes, it was. It -- when -- I believe in June or July of 2020, when Matt
7 Morgan joined the campaign as general counsel, they set up a legal department, which
8 didn't really exist before. And I don't really know why I ended up with that title, but that
9 was my title.

10 Q Can you tell us a bit about the legal department within the campaign?
11 What's the reporting structure? What did it look like?

12 A So everyone reported up to Matt Morgan, who was the general counsel of
13 the campaign. Matt had a staff. I'm not sure how many attorneys were on his staff.
14 I would -- I'm not sure how many. Four or five maybe. He had a paralegal, an intern.
15 And they were predominantly working on pre-election litigation matters, as well as
16 election day litigation matters.

17 Q Okay. What --

18 A I -- I --

19 Q I'm sorry. Go ahead.

20 A I was saying I did not have a staff that reported to me. I didn't have an
21 administrative assistant, so --

22 Q Okay. Were there any other lawyers besides you and Mr. Morgan in the
23 pre-election 2020 legal department?

24 A Yes. Matt had a staff.

25 Q Okay. Oh, so you said a paralegal and an intern. Can you tell us a bit

1 about the other lawyers, then?

2 A Yeah. I mean, I don't remember all of their names, because I didn't really
3 work with them a whole lot, but there was a gentleman named Joseph Mazzara (ph).
4 There was an attorney named Elliot Gaiser. I don't remember the other attorneys'
5 names.

6 Q Now, you said their staff was four or five, so we have four people so far.
7 Are you saying there were -- were there more than those four?

8 A Oh, there -- yeah. There was an attorney named Stuart McCommas as
9 well.

10 Q Do you know how to spell McCommas?

11 A M-c-c-o-m-m-a-s, I believe.

12 Q All right. Anyone else you recall?

13 A There was an intern. Her name was Grace. I don't remember her last
14 name. And there was an assistant named Katie Purucker (ph). And that's all
15 I -- that's -- that's all I recall.

16 Q And, for Mr. Mazzara (ph), what was his responsibilities pre-election?

17 A He was on Matt's team. I'm not sure what his responsibilities were.

18 Q Okay. So you had no insight into what he did?

19 A No. My offices were on the other -- were -- so the offices for Matt Morgan
20 were on the 14th floor, or the 15th floor. I was on the floor above that.

21 Q And which building was that?

22 A It was on Wilson Boulevard. I don't remember the address.

23 Q Is that the building they called The Annex, or is that a whole new --

24 A Yes.

25 Q Okay.

1 A That would have been The Annex. Yeah, they called it The Annex.

2 Q Okay.

3 A That's correct.

4 Q All right. So you had no insight into Mr. Mazzara's (ph) role. Did you have
5 any insight into Elliot Gaiser's role pre-election?

6 A No, other than generally to say all of those folks were working on
7 pre-election litigation.

8 Q Okay. So you understood -- and you say those folks. Mr. Mazzara (ph),
9 Mr. Gaiser, and Mr. McCommas -- I'm sorry. How do you say his name?

10 A McCommas.

11 Q McCommas. You understood those three to all work on pre-election
12 litigation?

13 A Yes.

14 Q And did you work with them in any substantive capacity pre-election?

15 A Not to my recollection.

16 Q Okay. Now, pre-election, did your -- and just tell me again. You dealt
17 with the vendors and anything touching donor data. Is that right?

18 A That's correct.

19 Q Pre-election, did your work bring you into contact with members of the
20 Trump family?

21 A From time to time.

22 Q Okay. Can you explain which members, and in what capacity were you
23 involved with them?

24 A Well, I worked at The Trump Organization previously, so I had a professional
25 relationship with Eric Trump.

1 Q So tell us a bit about how Mr. Trump -- Eric Trump became involved with
2 your work.

3 A Well, he's -- I reported to him at The Trump Organization. And, you know,
4 when COVID happened in 2020 and operations slowed down at golf courses and hotels,
5 you know, he and Alan Garten, who was the general counsel of Trump Organization -- you
6 know, Eric essentially offered me a job at the campaign. Otherwise, I wouldn't have had
7 a job anymore.

8 Q And you joined the campaign in 2020 of what month?

9 A I believe it was -- I believe it was April of 2020.

10 Q So did you continue to have a professional contact with Mr. Eric Trump in
11 2020?

12 A Yes.

13 Q To what end?

14 A I mean, it could have been on any number of matters. You know, he could
15 have called and asked how I was doing. You know, we -- how are the vendors? Do you
16 have a handle on the data? Are you making sure people aren't stealing our data?
17 Those types of communications.

18 Q And would he routinely contact you?

19 A Depending on the -- what time period are we talking about? I mean, you
20 know, I knew him, so yeah. I mean, a few times a month maybe, but I don't recall the
21 number of contacts I had with him.

22 Q Okay. In 2020, did you have any other contact with Trump family
23 members?

24 A I probably would have spoken to Don Jr. from time to time, but I didn't really
25 know him very well.

1 Q And what would you speak to Don Jr. about?

2 A Well, you know, Kimberly Guilfoyle was running the Trump victory
3 large-dollar financing matters, and they had access to a lot of data. So, if there were
4 ever any issues that needed to be addressed, I might have called Don from time to time,
5 or he might have called me. But I believe our contacts during that time period were
6 pretty minimal.

7 Q Did you have any contact with President Trump in 2020?

8 A No. I had never met President Trump until after -- well after the election.

9 Q And when was that when you first met him?

10 A I think it probably would have been sometime in mid-November of 2020.

11 Q And what was the context?

12 A There was some meeting in the Oval Office where they needed a warm body
13 from the campaign, and I don't think anybody else wanted to attend, and I was asked to
14 attend.

15 Q And who was at that meeting?

16 A A number of people. I mean, it was -- if I recall, it was some guys from
17 Texas that had an idea about a website or something like that that they wanted to build.

18 Q And who were those guys?

19 A I don't know who they were.

20 Q Was it one guy, two guys?

21 A There were two or three people. I just don't -- I don't recall who they were.
22 I didn't really interact with them. Like I said, I was -- nobody else wanted to deal with it,
23 and they asked me to do it, and I had never been to the White House before, so I thought
24 that would be kind of cool.

25 Q And this was mid-November?

1 A That's correct.

2 Q And were these people associated with Brad Parscale in any way?

3 A No, I don't believe so.

4 Q And who else was in this meeting besides these individuals from Texas?

5 A I believe Jason Miller was in the meeting. There were White House people
6 there that I don't know.

7 Q When you say "White House people," what do you mean by that?

8 A Staff. White House staff. I don't know who the White House staff was. I
9 had no interaction with them.

10 Q And --

11 A There were other people -- there were other people coming in and out of
12 the Oval Office, but I don't know who they were.

13 Q I guess, when you say "White House staff," do you mean, you know, senior
14 White House staff or people who were coming in and dropping off documents?

15 A It's hard for me to -- I mean, at this point, I know some people who were
16 senior White House staff, so if you're asking me if, like, Mark Meadows was in the room,
17 no, I don't believe Mark Meadows was in the room. If you're asking me if Pat Cipollone
18 was in the room, no, I don't believe Pat Cipollone was in the room.

19 Q And who else was there? You have Jason Miller. You have the two guys
20 from Texas.

21 A It might have been -- it might have been three or four -- it might have been
22 three or four guys from Texas.

23 Q Okay. And White House staff. How many White House staff?

24 A I don't know. I mean, the -- people come in -- people were coming in and
25 out of the Oval Office on a regular basis, so I don't know -- I just don't know.

1 Q Okay. Is this your only Oval Office meeting you've ever had?

2 A No, sir.

3 Q Okay. How many have you had?

4 A I believe I've had three.

5 Q And when were the second and third ones?

6 A The second one would have been at some point in December. I don't know
7 the exact date. And the third one was pretty close to President Biden's inauguration.

8 Q How close?

9 A People were packing up their offices, so several days.

10 Q Okay. So let's go back to this first meeting. So you have Jason Miller, the
11 guys from Texas, White House staff. Who else?

12 A That's all I recall.

13 Q Okay. Now, is it fair to say that your first time in the White House and first
14 time meeting the President, that this meeting was memorable to you?

15 A Well, obviously it was interesting, but, I mean, obviously it's not as
16 memorable as you're implying through that question. I don't remember everyone that
17 was in the meeting, and I don't recall people's names. I'm not -- I'm not trying to --

18 Q What was said in the meeting?

19 A So these guys wanted to -- they wanted to build a website. That's what I
20 remember. And they needed money to do it.

21 Q A website for what purpose?

22 A It had something to do with vote counts in counties. I really don't recall the
23 exact specifics of the website.

24 Q Was it related to claims of voter fraud?

25 A Yeah. Yes.

1 Q Okay. So what was the aim of the website? Was it for voter fraud
2 reporting, to somehow get public input?

3 A I think it was intended to be educational, if that's the -- if that's the right
4 word. Like a database.

5 Q A database by which the public would get information from?

6 A I believe so.

7 Q Okay.

8 A To the best of my recollection, yes.

9 Q And do you recall what the website was called?

10 A No.

11

BY [REDACTED]

12 Q Mr. Cannon, do you remember, just in terms of like the theme, was the
13 theme of the website to be an information-gathering where people could report
14 instances of fraud, or was it meant to be something where it was -- a moment ago, you
15 said educational -- where they would display or convey "these are instances of fraud we
16 found"?

17 A The latter.

18 Q The latter. So it was more kind of a, "Hey, be aware of the fraud that's
19 happening"?

20 A That's correct.

21 Q Okay.

22

BY [REDACTED]

23 Q Was this website ever launched?

24 A Not to my knowledge.

25 Q Okay. And do you know why it was not launched?

1 A I don't think that former President Trump was interested in these guys
2 because he dismissed them pretty quickly.

3 Q He dismissed them during the meeting, or after the fact?

4 A During the meeting. He started conducting other business. This is what I
5 mean about people coming in and out. People started putting stuff on his -- on the
6 desk, and he started signing things and stopped paying attention to these guys and then,
7 at a certain point, looked up and said, you know, "Thank you." And that was the end of
8 the meeting.

9 Q Did you take notes during that meeting?

10 A No, sir.

11 Q So did you say anything during the meeting?

12 A No, sir.

13

BY [REDACTED]

14 Q Were they requesting money to set the website up?

15 A That's correct.

16 Q Okay. So it was a pitch, "Hey, we can set up this website that will display all
17 the fraud; we just need money from you or resources from you to do this"?

18 A That's correct.

19

BY [REDACTED]

20 Q And was it the idea --

21 A I --

22 Q -- that the campaign would pay -- I'm sorry. Go ahead.

23 A And I said, I believe where the President laughed was they asked him for a
24 nondisclosure agreement, and I think that that's when the meeting was adjourned.

25

BY [REDACTED]

1 Q The three men from Texas asked the President for a nondisclosure -- to sign
2 a nondisclosure agreement?

3 A That's correct.

4 Q Do you happen to remember if they were with a company or an
5 organization, or was it just three guys from Texas?

6 A It was three guys from Texas. If they were with a company or an
7 organization, it was one that I had never heard of before.

8 Q Okay. Just out of curiosity, do you remember -- well, actually, I think we're
9 going to cover that, so I'll hold that question.

10 BY [REDACTED]

11 Q Mr. Cannon, we're going to come back, and we'll discuss the December and
12 January meetings when we get to those months. But, very generally, can you tell us
13 what the December meeting was about?

14 A I believe the December meeting was about legacy campaign litigation
15 predominantly.

16 Q What about it?

17 A That it existed and what the potential exposure could be.

18 Q Okay. We'll come back to that. And what was the January meeting
19 about?

20 A The former President's post-Presidential entity structures.

21 Q Okay. Now, in 2020, did you have persistent contact with any other Trump
22 family members besides Don Jr. and Eric?

23 A No. And I wouldn't say Don Jr. was persistent contacts.

24 Q Okay.

25 A I wouldn't even say Eric was persistent, but I had communications more with

1 Eric than with Don.

2 Q Now, prior to the election, were you involved in retaining any outside
3 counsel for the campaign?

4 A Yes.

5 Q And --

6 A -- I had to think about that.

7 Q Pardon me.

8 A I had to think about that, but, yes, I was.

9 Q So -- and what was your role?

10 A If -- one instance that comes to mind is Eddy Grant, the gentleman who
11 wrote "Electric Avenue," sued the campaign for a copyright claim. So I worked to find
12 outside counsel to represent the campaign on that copyright matter.

13

BY [REDACTED]

14 Q That's musicians or artists who sued the campaign for using their works
15 without the proper permissions or licensing?

16 A That's what they allege, yes.

17 Q Were there multiples of those, or just that one?

18 A I believe Eddy Grant was -- well, there was Neil Young, too. So Neil Young
19 and Eddy Grant both sued the campaign. I think everything else was just, you know,
20 letters and discussions with attorneys.

21 Q Gotcha.

22

BY [REDACTED]

23 Q All right. So let's get a little closer to election day. Were you involved in
24 any preparation pre-election for election-related litigation or otherwise kind of
25 post-election expectations from a --

1 A No.

2 Q -- legal perspective?

3 All right. So going --

4 A No.

5 Q I'm sorry. Go ahead.

6 A I'm sorry. Could you repeat -- could you rephrase the question, be a little
7 bit more specific on what you mean?

8 Q Sure. So pre-election, in your role as deputy general counsel, were you
9 involved with any -- I'll start with election day operations, so getting lawyers out into the
10 field, kind of political field operations from a legal perspective? Were you involved in
11 preparing for that?

12 A No.

13 Q Do you know who was?

14 A I mean, Matt Morgan and I believe the EDO director's name was
15 Mike Roman.

16 Q Going into election day, were you otherwise briefed or involved in preparing
17 for fraud-related litigation or searching for fraud post-election?

18 A Prior to the election?

19 Q Yeah. Like preparations for those topics prior to election.

20 A No. And I don't recall anybody being involved in that. I mean, we had a
21 weekly staff meeting where they would go around the horn and talk about the various
22 pre-election challenges that they were talking -- that everyone was working on, the
23 pre-election litigation, and that was never a topic of discussion.

24 Q All right. So let's go to election day. Tell us a bit about when your role
25 starts to shift from election day forward.

1 A Is -- I mean, I'm sorry. I don't -- that's pretty open-ended. Is there a
2 specific question?

3 Q Yeah. Let's turn to the first document, exhibit 1.

4 Mr. Cannon. Before we do that -- I'm sorry.

5 [REDACTED] Go ahead.

6 Mr. Cannon. I've been drinking a lot of water here. Can I take 2 minutes and
7 run to the restroom before we go --

8 [REDACTED] No problem at all.

9 Mr. Cannon. -- into the documents?

10 [REDACTED] No. No problem at all --

11 Mr. Cannon. All right. Thanks a lot.

12 [REDACTED] -- Mr. Cannon.

13 [Recess.]

14 BY [REDACTED]

15 Q All right. Mr. Cannon, so let's go to election day. Where did you watch
16 election results?

17 A In the campaign headquarters.

18 Q Okay. So here -- I'm going to show you -- this is now 3 days after election
19 day. If we can scroll to the bottom. And here we have an email from you to
20 Tim Murtaugh.

21 And who is Mr. Murtaugh?

22 A I believe he was the communications director for the campaign.

23 Q All right. So it -- and I will just say the Bates numbers are AC 1826.

24 So, here, you say: Good morning, Tim. I'm running a post-election fraud
25 detection program as directed by Eric and Jared. Can we please sit down at some point

1 this morning to connect on the comms side?

2 I will note for the record that Ms. Lofgren has joined the interview.

3 Mr. Cannon, so here, what is the post-election fraud detection program that you
4 reference?

5 A So it's what I mentioned earlier, which was trying to organize and make
6 sense of all of the incoming information that the campaign was receiving about claims of
7 election fraud. And there was -- there was a lot.

8 Q What directives did you get from -- let's start with -- I assume that's Eric
9 Trump and Jared Kushner, correct?

10 A That's correct.

11 Q So can you tell us what directives you got from those two, and who told you
12 what?

13 A I don't recall the specifics, but it would have been to, you know, take a look
14 at all the stuff that is coming in and try to evaluate it to the best you can.

15 Q And you said the stuff was coming in. And through what medium was it
16 coming in?

17 A I mean, social media, email, phone calls.

18 Q And was part of this fraud detection program also to affirmatively look for
19 fraud?

20 A Well, if there was something that was credible that came in in an election
21 that had not yet been called, I think that's something that people would have -- that were
22 doing post-election litigation would have been interested in.

23 Q Now, these conversations you've had with Eric and Jared, they happened
24 post-election day? They happened that week between -- that Tuesday and this Friday?

25 A That's correct.

1 Q How many conversations would you say you had with them on this topic?

2 A Maybe two.

3 Q And those would have happened prior to this email?

4 A Yes.

5 Q So can you tell us a little more detail about what they said to you in those
6 conversations.

7 A I don't recall the details of the conversations.

8 Q When, here, you go to Mr. Murtaugh, what are you asking -- why are you
9 asking him to connect on the comms side?

10 A Because, if there was something that was -- came in that was verifiable, the
11 campaign would have had an interest in sharing that through the comms department.

12 Q Sharing with the American public?

13 A Correct.

14 Q Yeah. So your role here, were you also -- I want to just unpack a bit. Is it
15 fair to say that you were also affirmatively looking for fraud as well? It wasn't just being
16 responsive to tips you were getting. It was to go out and find whether there was fraud,
17 as in the name of the program says, you said a fraud detection program. Is that fair?

18 A No. I mean, I think my characterization here is unfair, and I think it was
19 intended to get people's attention. I had never worked with Tim Murtaugh before.
20 But, no, I wasn't affirmatively going out and looking for instances of fraud. People were
21 sending things to me.

22 Q Sorry. Can you expand? You said it was -- your characterization here was
23 inaccurate, but -- in order to get his attention?

24 A I -- yeah. Yes.

25 Q Well, why would you need to be inaccurate to get his attention?

1 A Well, because I had never met him before, and he was much more senior
2 than me. And I don't -- like I said, this was 2 days after the election, or 3 days after the
3 election. We were --

4 Q What's the relevance of that?

5 A The campaign -- the election hadn't been called yet, and the campaign was
6 potentially going to make some election challenges. So, if there was anything that was
7 verifiable, that's what I was interested in finding. But I didn't have the capacity to go out
8 and do anything on my own. I'm one guy.

9 Q [REDACTED] did you have something you wanted to ask?

10 [REDACTED] Yes. Thanks.

11 BY [REDACTED]

12 Q Mr. Cannon, were you also responsible or asked to set up some sort of
13 mechanism by which these complaints, tips, theories, could be sort of gathered? Was
14 that part of your --

15 A Yes.

16 Q Your mandate?

17 A Yes, it was.

18 Q What did you do in that regard?

19 A I asked the IT department to set up a phone bank and a back-end system
20 where people could record or take notes on phone calls that came in.

21 Q You said that, in response to one of the previous questions, that you felt that
22 post-election litigation -- folks involved in post-election litigation would have been
23 interested in the types of information that were sort of pouring into the campaign. Is
24 that a fair characterization of your prior response?

25 A Yes.

1 Q And was that -- in your mind, was that the goal of gathering these allegations
2 and trying to review and vet them, so that they might be used in post-election litigation?

3 A Yes, but you -- I need to clarify something for a moment. The attorneys
4 that I was reporting to were Matt Morgan and -- I mean, the deputy campaign manager,
5 Justin Clark, who were -- I had never worked on a campaign before, but, in my estimation,
6 they were really responsible, thoughtful people. And then, at a certain point, it
7 changed.

8 Q Okay. Well, we're going to talk about that, I'm sure. But in this
9 timeframe of the days following the election, you've talked to Eric and Jared about setting
10 up this program. Based on conversations with them or just in your own mind, was the
11 objective here to gather information that could be used in post-election litigation?

12 A That's correct.

13 Q Okay. And did you gather -- did you get that impression from -- I really just
14 asked you a compound question a moment ago. Did you get that impression from
15 Mr. Trump -- from Eric Trump?

16 A Yes.

17 Q How about from Mr. Kushner?

18 A Yes.

19 Q Did anyone else say words to that effect, that that was the reason that we're
20 gathering this information, is to assist in post-election litigation?

21 A Well, I don't recall if anyone else said that.

22 Q Okay. At some point -- and I said we're going to get to this, and I don't
23 want sort of get too far ahead here, but I take it from your prior answer that maybe a
24 suggestion that the data that was coming in -- the information that was coming in was
25 later used for purposes other than litigation challenges. Is that fair?

1 A None of the -- none of the data that I touched was used for any purposes
2 related to either post-election challenges or comms, with maybe one exception.

3 Q I'm sorry. What do you mean by that? You mean that it wasn't used?

4 A It was not used.

5 Q What do you mean? It was -- it was reviewed and then decided it wasn't
6 susceptible to being used, or what do you mean by the fact that it wasn't used?

7 A I wouldn't share something unless I believed it was verifiable.

8 Q So the vast majority of information that you got was sort of vetted,
9 screened, and ultimately -- I'll say discarded, but not used by anyone outside of anyone
10 connected with the campaign or the election? Is that accurate?

11 A That's accurate.

12 Q What was the one exception?

13 A There was an analysis done of people who had voted in Georgia that were
14 deceased when they voted, and I believe one instance of an individual who registered to
15 vote when they were deceased. And that was verifiable down to the obituary.

16 Q What happened to all the other information that came in that you deemed
17 not to be trustworthy or verifiable?

18 A I would not have passed it along to anyone else. I mean, I made a
19 production of the vast majority of the stuff that came in that was not subject to a claim of
20 privilege, so you all have that and can see it.

21 Q And information that you did not deem verifiable or trustworthy, you didn't
22 share with anyone else affiliated with the campaign?

23 A No. I mean, unless somebody asked me a direct question, no.

24 Q I'm sorry. There was a lot of double negatives in there, so is it true that you
25 did not share that information with anyone else within the campaign?

1 A In a formal manner, correct.

2 Q Okay.

3 [REDACTED] Thank you.

4 And I'm going to go off camera. I mean no disrespect, but for bandwidth
5 limitation purposes, Mr. Cannon, I'll just stay off camera until I have another question for
6 you.

7 [REDACTED] Thank you, [REDACTED]

8 [REDACTED] Can I ask --

9 [REDACTED] Yeah.

10 BY [REDACTED]

11 Q While we're on this email, Mr. Cannon, I know a moment ago, we were
12 talking about the conversations that you had with Eric Trump and Jared Kushner.

13 I was curious. To the extent that you do remember the -- if not the exact words
14 that -- the tone or tenor of the conversation, if you got the impression of whether those
15 two individuals played different roles in terms of their concerns regarding the
16 post-election fraud detection program?

17 And what I mean by that, if you'll let me just expound for a moment, is, to the
18 extent that Mr. Kushner's concern was different from Eric Trump's concern, to the extent
19 that we understand, Mr. Kushner's concerns tended to be about finances, where the
20 question was, how much are we spending? How much is it going to get back?

21 Did you see a difference in terms of what Eric Trump's concern was about the
22 post-election fraud detection program versus where Mr. Kushner was coming from?

23 A No.

24 Q And, to the extent that they conveyed anything to you, we've heard quite a
25 bit of testimony about -- regarding those two individuals. Sometimes they were used as

1 passthroughs, where either Eric Trump or Jared Kushner would have been basically told
2 by the President: Hey, go tell so and so, or go do this.

3 Do you remember Eric or Jared basically saying the President wants to do this, or
4 did you get the impression that they were being told to have this conversation to set up
5 the post-election fraud detection programs?

6 A I would have no way of knowing that.

7 Q No, no.

8 A The President --

9 Q Let me be more clear. In other circumstances, Eric or Jared came in and
10 said: DJT, or Trump, or whatever -- the President wants X. Can you do this?

11 Do you remember either Eric or Jared indicating in any way that the instruction to
12 create a post-election fraud detection program was coming from the President?

13 A No.

14 Q Okay.

15 A I was not -- I don't believe that was said.

16 Q Okay.

17 A I think I would have -- I think that would have stuck out in my mind.

18 Q I appreciate that.

19 

20 Q All right. Mr. Cannon, we're going to hop forward to exhibit No. 4, which is
21 a November 12th email, Bates ending in 13952.

22 If you could scroll down, please.

23 And, here, it's an email -- sorry. Up. There we go.

24 Here, it says -- it's an email from a Matt Mowers, and it says: Justin, connecting
25 you with Senator Ayotte -- which is I believe how you say her name -- and Kelly,

1 connecting you with Justin Clark, who is deputy campaign manager for the President.

2 And, further up, Mr. Clark adds you to the email and says that you are leading our
3 data efforts.

4 Are these data efforts he's referencing here, is that the same program you were
5 directed to engage in by Eric and Jared?

6 A I assume that's what he meant.

7 Q Was there any other -- did you conceive of yourself as doing something
8 different post-election with regard to election fraud claims than that election detection
9 program we've been discussing?

10 A No. That's why I assume that's what he's talking about.

11 Q All right. And, if we scroll to the top, Senator Ayotte says that she's
12 connecting you with the CEO of LexisNexis, Woody Talcove, and that he's a great leader,
13 and his company has some important information which could demonstrate that people
14 voted who should not have: Woody, Justin, and Alex are leaders in the Trump world. I
15 hope the three of you can connect on this critical issue to ensure the integrity of the
16 election.

17 Had you done anything with Senator Ayotte before this email exchange?

18 A No. I didn't even know until I was looking at my documents that she was
19 an elected official.

20 Q Okay. Do you recall this exchange?

21 A I would not have recalled it but for this production.

22 Q And, in this fraud program that you're running, did you say -- do I recall that
23 you were reporting to both Mr. Morgan and Justin Clark?

24 A They would have been my direct reports, but, as you can see here, I was just
25 being tasked with stuff that other people didn't want to do.

1 Q And, when you say that other people didn't want to do, give us a bit of
2 context about why you believe other people didn't want to do it?

3 A Because I believe that the only reason I was asked to do this is because
4 others didn't want to. I have no particular experience with election law or anything. I
5 do vendor contracts.

6 Q So is it fair to say that this was undesirable work in your perspective?

7 A I'm sitting here right now. Yes, it's undesirable.

8 [REDACTED] I'm sorry, Mr. Cannon. I appreciate your candor, and I didn't mean
9 to laugh at you. I just -- I was -- I appreciate your candor.

10 BY [REDACTED]

11 Q And, Mr. Cannon, it is helpful, you know, for us to have the context in this
12 kind of fact-gathering exercise, because, you know, obviously, we weren't there. So it is
13 helpful when you can help us read between the lines as to what's going on here.

14 So, if we go to exhibit 5, here, you respond, and you say: Thank you.

15 And the Bates stamp is 13967?

16 And you say: Thank you, Woody. I have passed the information along to our
17 expert, and if he needs anything, he will reach out.

18 Who is the expert you're referencing here?

19 A I believe it would have been, on this date, someone at Simpatico Systems.

20 Q And what was Simpatico Systems doing for the campaign?

21 A Trying to verify some of the information that came in about categories of
22 election fraud.

23 Q So is it fair to say that the results of Simpatico Systems' work would have
24 gone in that bucket of things that couldn't be verified in order to be used?

25 A It depends on -- I mean, it depends on the category of information. There

1 was clearly some stuff that was impossible, like I talked about in Georgia, that that was, I
2 believe, Simpatico's work. I'd --

3 [REDACTED] Mr. Cannon -- oh, please keep going. I didn't mean to interrupt you.
4 Apologies.

5 Mr. Cannon. It is very difficult -- what I learned in this is that it's very difficult
6 within the timeframes of an election to be able to confirm to a level that would withstand
7 judicial scrutiny whether or not someone voted twice or whether or not someone was
8 deceased when they voted. There are issues with the data, and it's hard to say with a
9 high degree of certainty that certain things are verifiable.

10 BY [REDACTED]

11 Q Mr. Cannon, did you ever share that conclusion with others on campaign
12 staff, that, while these allegations are coming in, they are very difficult to verify, or you
13 were having trouble verifying them?

14 A Yes.

15 Q Who did you share that information with?

16 A Matt Morgan, Justin Clark, Matt Oczkowski. That's it, I think. Maybe Bill
17 Stepien.

18 Q How about Eric Trump or Jared Kushner, the people who had asked you to
19 take on the project right after the election?

20 A Their role was a little different. I mean, Eric -- Jared, I didn't speak to very
21 much at all. Eric sometimes would send things to me that were one-offs, and I would
22 respond to those one-off requests.

23 I mean, one thing that sticks out in my mind is there was an affidavit filed by
24 Lin Wood in a litigation in Georgia -- and I'm from Georgia -- purporting to show voter
25 fraud in Georgia. And, just by looking at it, I could tell that those weren't Georgia

1 precincts. They were located somewhere else.

2 And then, with a quick google search, I was able to determine that they weren't
3 even the precincts in the State where Mr. Wood said they were.

4 So that's an example of, you know, something that I had gotten from Eric, and I
5 responded to him that it's reliable.

6 Q Did you give the reason to Mr. Trump why the information was not reliable
7 in sort of a -- in sort of what you just said in your answer?

8 A I don't recall.

9 Q Did you ever say words to the effect of, you know, "I'm trying -- I'm trying to
10 do what you told me or asked me to do, but we're getting flooded with unreliable,
11 unverifiable information"?

12 A I believe I had a conversation to that effect in -- sometime around
13 Thanksgiving.

14 Q With Eric Trump?

15 A Yes.

16 Q What was his reaction?

17 A I don't remember his exact reaction. I don't recall his exact reaction to it.

18 Q Do you remember how the topic came up?

19 A No. It was a phone call. I don't remember how the phone call started,
20 though.

21 Q Do you remember if he called you or you called him?

22 A No, I don't recall.

23 Q And you don't remember whether he expressed any dismay or concern
24 about the conclusion that you were sharing with him?

25 A I think he was dismayed. I think that's a fair characterization.

1 Q Why do you think that, or what made you think that?

2 A Because he told me that -- something along the lines of if -- I get it, you're
3 tired, you just had a baby. I had a -- my baby was born on [REDACTED]
4 We -- because of COVID, we did a home birth. So, during this whole period of time, I
5 was preparing for -- also preparing for a new baby and doing a home birth. And, you
6 know, I remember him, in that conversation, you know, mentioning that I had just had a
7 child and that he understood that I was tired.

8 Q But what about concerns about the -- and I don't mean to -- that that -- I
9 understand and appreciate the questioning or asking about you and your family was most
10 important in that conversation for sure, and your well-being, but it sounded like you
11 conclude that he was dismayed about the information you were giving him regarding the
12 election fraud information.

13 What did he say on that topic that caused you to think that he was dismayed?

14 A Well, that -- that's what I recall, is the "I understand you're tired."

15 Q Was that a suggestion to you that you -- that he thought perhaps you were
16 not working hard enough on this or that you were distracted, and that's why the results
17 were what they were?

18 A Yeah, that's -- that's why I mention it, yes.

19 Q Okay. Did anyone -- you mentioned the fact that you talked to Mr. Morgan
20 and Mr. Clark about this information. What was their reaction when you told them that
21 the information that you were getting was -- the vast majority of it was not reliable or
22 verifiable?

23 A Not surprised.

24 Q Did you have any discussions with anyone outside of the legal team that you
25 described earlier -- Mr. Morgan, Mr. Clark, Mr. Gaiser, the other names you

1 mentioned -- regarding what you were finding or your assessment of the information that
2 was coming in?

3 A I don't believe so. If there is --

4 Q What about -- I'm sorry.

5 A Yeah. I was going to say, if there is something that you guys are aware of,
6 I'm happy to confirm it or not. I just don't recall having conversations with any -- well,
7 like I said, Matt Oczkowski, who was the campaign's data scientist.

8 Q Okay.

9 A But that was all in connection with, you know, the work I was doing.

10 Q What about some of the outside lawyers? Cleta Mitchell was involved in a
11 lot of the messages and the emails that you shared with us. Did you talk with her about
12 what you were finding, or not, or finding not to be credible?

13 A My email exchanges with -- my contact and email exchanges with Cleta
14 Mitchell were not directly about any claims of election fraud. So, you know, I don't
15 believe that -- Cleta was -- Cleta -- it was my understanding Cleta was going in and
16 trashing a lot of my colleagues and people that I respected, and I wanted to keep my
17 distance from her.

18 Q Okay. I guess what I'm getting at, Mr. Cannon, was -- so you're tasked with
19 this project, unenviable as it may be. Information is pouring in, and folks know that
20 information is pouring in, right? That's not a secret?

21 In fact, I think there is something just in your production that number -- I think
22 with Twitter or some social media metric, that the fraud claim form was, like, the most
23 downloaded -- one of the most downloaded documents in that timeframe. Are you
24 familiar with what I'm talking about?

25 A No. I don't recall that.

1 Q Okay. But there was a lot of -- there was a lot of interest out there in the
2 world of supporters of former President Trump, and that was generating a fair amount
3 of -- an outpouring, frankly, of information and allegations. Is that fair to say?

4 A Yes.

5 Q Okay. And people outside of your small legal group were aware that you
6 were monitoring or assessing the information that was coming in, right?

7 A Yes.

8 Q I'm wondering whether you ever heard from any of those folks or complaints
9 from those folks who said: Hey, what's going on with all this information? It's sort of
10 going to Alex Cannon, then dying. It's not getting used or promoted or disseminated.

11 Did you ever get complaints along those lines?

12 Mr. Cannon. Could I have one second to consult with my counsel?

13 [REDACTED] Sure.

14 Mr. Cannon. Thank you.

15 [Recess.]

16 BY [REDACTED]

17 Q Okay. Are you comfortable answering that question?

18 A Yes, sir, I am.

19 Q So what can you tell me about conversations, complaints, or word getting
20 back to you about concerns about how you were handling the information that was
21 coming in?

22 A So I remember a call with Mr. Meadows where Mr. Meadows was asking me
23 what I was finding and if I was finding anything. And I remember sharing with him that
24 we weren't finding anything that would be sufficient to change the results in any of the
25 key States.

1 Q When was that conversation?

2 A Probably in November. Mid- to late November. I think it was before my
3 child was born.

4 Q And what was Mr. Meadows' reaction to that information?

5 A I believe the words he used were: So there is no there there?

6 Q And how did you respond to that?

7 A I don't recall the words I used.

8 Q Did you confirm that, in fact, there was no there there?

9 A Probably.

10 Q And did he say anything further on that?

11 A No.

12 Q Is that the only time you talked to Mr. Meadows about the information that
13 you were finding, or your assessment of the information that was coming in?

14 A To the best of my recollection, yes, sir.

15 Q Anyone else other than Mr. Meadows who asked you about the
16 status -- outside of your legal group, you know, Mr. Morgan and the others you
17 mentioned -- anyone else who asked you the status of what you were finding and your
18 assessment of it?

19 A Yes, sir.

1

2 [11:10 a.m.]

3

BY [REDACTED]

4

Q Who is that?

5

A Peter Navarro.

6

Q When did you talk to Mr. Navarro?

7

A Mid-November.

8

Q Around the same time as Mr. Meadows?

9

A Yes, sir.

10

Q And tell me about that conversation.

11

A I recall him asking me questions about Dominion, and maybe some other

12

categories of allegations of voter fraud. And I remember him telling him that I didn't

13

believe the Dominion allegations because I thought the hand recount in Georgia would

14

resolve any issue with a technology problem and with Dominion, or Dominion flipping

15

votes. And I had mentioned at that time that the CISA, Chris Krebs, had recently

16

released a report saying that the election was secure. And I believe Mr. Navarro

17

accused me of being an agent of the deep state working with Chris Krebs against the

18

President. And I never took another phone call from Mr. Navarro.

19

Q Okay. Anyone else besides Mr. Meadows and Mr. Navarro who

20

questioned, either challenged you on your findings or just inquired about what your

21

findings were with respect to the information that was coming in?

22

A Mr. Herschmann.

23

Q When did you talk to Eric Herschmann?

24

A I talked to Eric Herschmann somewhat frequently throughout this period.

25

Q Tell me about this conversation on this topic.

1 A He would call and -- you know, one example that comes to mind is actually in
2 my production. He would call me and say, You know, somebody just told the President
3 of the United States that -- you know, Jenna Ellis just told the President of the United
4 States that you have all the information on Dominion. And then I, of course, had to
5 immediately respond that, No, I don't have any information on Dominion, and I actually
6 don't believe in the allegations against Dominion for the reasons that I mentioned earlier,
7 the Georgia hand recount.

8 But Mr. Herschmann would ask questions, I presume, because he was having
9 conversations with people that were pitching certain ideas to the former President.

10 Q What was Mr. Herschmann's reaction when you told him that you didn't
11 believe the allegations with respect to Dominion?

12 A He was -- he agreed.

13 Q Do you remember what else he said on that?

14 A I mean, no, not specifically. Mr. Herschmann, you know -- I don't know if
15 you've had the opportunity to speak with him, but he is -- I don't recall exactly what he
16 was -- what his reaction would have been, but I'm sure he was not surprised.

17 Q When you were sort of asking whether or not had interactions with Mr.
18 Herschmann, were you referring to the fact that he tends to be colorful in his language or
19 blunt?

20 A Yes, sir. Yes, sir.

21 Q And you believe he was blunt or colorful in that -- in the conversation
22 regarding Dominion?

23 A Yes, sir.

24 Q But you don't remember the precise words that he used or any more
25 specifics about what he said?

1 A I mean, he was very appreciative and very thankful.

2 Q Do you remember the rough timeframe of the conversation regarding
3 Dominion with Mr. Herschmann? Was it the same sort of mid-November,
4 late-November timeframe?

5 A No, I don't remember the exact time. Like I said, I spoke with Mr.
6 Herschmann more than I spoke with Meadows and people like that.

7 Q There was a Michigan recount, or a hand recount in Antrim County,
8 Michigan. Are you generally familiar with that?

9 A I -- generally, yes.

10 Q And that that was around the same -- in the same mid-November timeframe
11 when allegations regarding -- actually, strike that. I may have my -- I may have my
12 timing wrong in voting in Amtrim County. Well let me come back to that later.

13 Around mid-November, Rudy Giuliani, Sidney Powell, and others were making
14 claims regarding Dominion voting machines and foreign influence on a regular
15 basis -- they were making those claims on a regular basis. Were you aware of that?

16 A I was.

17 Q And those claims were -- very specific and quite inflammatory, would you
18 agree?

19 A They were very outlandish.

20 Q Better word. When you were having conversation -- when you had this
21 conversation with Mr. Herschmann, do you know if those conversations were already out
22 there in the public sphere, those allegations by Mr. Giuliani and Ms. Powell and others?

23 A Yes.

24 Q And was that a topic of conversation between you and Mr. Herschmann,
25 something along the lines of, well, if Rudy and Sidney Powell are saying this, how can you

1 say it's just not true?

2 A The conversations weren't that direct. It was more, it's absurd to think that
3 if goes to Hugo Chavez hacked the election, or the ring machines are Italian satellites, like
4 what theory is it? It was conversations like that.

5 Q Did any of that come up with, Mr. Meadows, the fact that others on behalf
6 of the campaign were promoting these outlandish allegations where you were telling him
7 that they -- that they weren't credible?

8 A No, Mr. Meadows and I didn't have a relationship, and he would not have
9 been as -- he would not have spoken to me freely like that.

10 Q Did Mr. Navarro in that conversation bring up the factual that others, Mr.
11 Giuliani and others had determined that the Dominion machine -- the Dominion machines
12 were corrupted?

13 A I don't recall on that conversation. Being called an agent of the deep state
14 is really all I remember about that conversation.

15 Q Understood. Anyone else besides Mr. Meadows, Mr. Navarro, Mr.
16 Herschmann that you had discussions with inquiring about what you were finding in your
17 review of the allegations that were pouring in?

18 A I believe I had an -- about a 15-second conversation with the Vice President
19 about it as well.

20 Q When was that?

21 A During one of the visits to the White House. I don't know which one. I
22 think it was the first one in November. I was -- I had met him briefly at the campaign,
23 and he remembered me and saw me. And he asked what I was doing on the campaign.
24 And I told him that, you know, we were looking into some of the issues related to voter
25 fraud. And he asked me -- I don't remember his exact words, but he asked me if we

1 were finding anything. And I said that I didn't believe we were finding -- or I was not
2 personally finding anything sufficient to alter the results of the election. And he
3 thanked me. That was our interaction.

4 Q And this was -- if it was the first meeting, you just said it was mid-November.
5 Before your baby was born?

6 A I believe so, yes, sir.

7 Q Other than thanking you for the information, did, did Mr. -- did Vice
8 President Pence say anything, or express any concerns about the information you were
9 conveying to him?

10 A No, sir, it was just that 20-second conversation.

11 Q Anyone other than the four men that you've mentioned: Mr. Meadows,
12 Mr. Navarro, Mr. Herschmann, and Vice President Pence, who asked you -- again outside
13 your legal group -- what the -- what you were finding or what the results of your analysis
14 was regarding the election fraud allegation?

15 A No, sir, I believe any other communications would be privileged inside the
16 campaign.

17 Q Did you ever have conversations with any of the outside lawyers that I've
18 mentioned: Mr. Giuliani or Mr. -- or Ms. Powell, for example?

19 A During this time period?

20 Q Ever, about what your assessment was of the information that was coming
21 in through this fraud detection program that you would help set up?

22 A No, sir.

23 Q Yet during this time period -- was there some other time that you spoke to
24 Mr. Giuliani about these issues?

25 A No, I had never spoken to Mr. Giuliani about these issues.

1 Q Anyone else on his team, so Catherine Friess or Bernie Kerik? What about
2 those two?

3 A No, sir.

4 Q Joe DiGenova or Victoria Toensing?

5 A No, sir.

6 Q Anyone else affiliated with Mr. Giuliani's efforts?

7 A No, sir, I didn't have contacts with those folks.

8 Mr. [REDACTED] If I could ask Mr. Cannon, what about Jenna Ellis?

9 Mr. Cannon. No, I also did not have significant contacts with Ms. Ellis.

10 BY [REDACTED]

11 Q You did say that the one email where you told her that you had interaction
12 with Mr. Herschmann, and then she seemed to -- well, is that -- you did interact with her
13 on that topic by that -- by that email. Is that the only interaction that you had with her
14 on these topics?

15 A To my recollection, yes, sir, because I was concerned that someone was
16 giving the President of the United States wrong information about me personally.
17 Otherwise, I would not have communicated.

18 Q Did Ms. Ellis ever follow up with you to say, Well, what are you finding with
19 respect to Dominion?

20 A No. She wrote back the response that you guys have, which says, Thank
21 you, I was under a different impression, or something along those lines.

22 BY [REDACTED]

23 Q Really quickly, if I could follow up on one thing that you said earlier. Earlier
24 [REDACTED] asked you about conversations that you had with Mr. Meadows. I believe
25 that you identified the one where he asked you if there was a there there. And then he

1 asked you about several conversations that you had request with Mr. Herschmann.
2 When you followed up and asked you about the conversation with Mr. Meadows, you
3 started to say something along the lines of why you didn't have further conversations
4 with Mr. Meadows, and you paused. And I was just curious because I wanted to follow
5 up and ask if after the -- if after the moment where it sounded like you confirmed to Mr.
6 Meadows that there was no there there, did you get the impression that he no longer
7 wanted to hear from you the real data or your use to him at that point was done?

8 A No, that wasn't my impression. That wasn't my impression.

9 Q Okay. I was just trying to kind of like pick that apart in terms of why you
10 thought you -- Mr. Herschmann had multiple conversations with you. He seemed to
11 want to kind of dig into the real data that you were seeing. But Mr. Meadows, it
12 sounded like after that conversation, never had further questions for you?

13 A Yeah, I mean you would have to ask Mr. Meadows why he didn't follow up.
14 I mean --

15 Q Well, on some level, it would suggest that Mr. Herschmann did want to hear
16 the truth from somebody who was telling him the truth over and over. But it's possible
17 that if he told Mr. Meadows the truth, there were no more questions coming to
18 somebody who was telling the truth. Is that fair or unfair?

19 A I mean, that's your conclusion.

20 Q And that's a fair response, so I -- a fair response. Regarding a moment ago,
21 there was something that you said -- and I may have misheard. So if I didn't get this
22 right, please correct me. You said that there -- it sounded like you said you stopped
23 communicating with somebody because there was wrong information being spread about
24 you personally? Did I hear you say that correctly?

25 A That's correct. I was talking about the Jenna Ellis emails.

1 Q Could you expound on that or explain what you meant by that?

2 A The only reason I reached out to Jenna in this context is because Mr.
3 Herschmann had told me that Jenna had told the President that I had certain information
4 that I not only did not have and not believe in, and I wanted to clarify that with her.
5 Otherwise, I would not have had any communications with her.

6 Q Understood. Thank you.

7 A Can I take a quick break, please. Oh, no, you can ask your last question.

8 BY [REDACTED]

9 Q And I'll hand it back to my colleague.

10 What do you make -- after your baby was born in sort of late November and then
11 through December, were you still continuing to play this role of managing the information
12 that was coming in?

13 A You know we -- no, not so much. I mean, it was more trying to verify
14 potentially some of the stuff that was being said in court filings and public filings. And
15 I'll return to that, but I need to use the restroom again. I'm sorry.

16 [Recess.]

1

2 [11:28 a.m.]

3

BY [REDACTED]

4

5

6

7

Q So I just wanted to get your thoughts on one more aspect of this before we move on to another topic. What do you make of the fact that Mr. Giuliani and others, including the former President, continued to press many of the allegations that you found to not be trustworthy or verifiable right up until sort of early January?

8

9

10

11

12

Mr. Daniel Benson. Pardon me. You know, I'm not sure the witness is qualified to answer that question. I don't know how he would know what's in the minds of other people. I mean, I would let him answer a couple of those questions, but if we can just stick with what he was thinking, we might be better off. But if he can answer, he can go ahead.

13

BY [REDACTED]

14

15

Q Sure. And it's a good point. I'm not asking Mr. Cannon to speculate what was in their mind?

16

17

18

I'm just wondering what you thought as you saw during December and early January a campaign, or Mr. Giuliani, or others acting on behalf of the former President, continuing to push the allegations that you felt were not reliable or verifiable?

19

20

21

A Well, to some extent, I was just a guy with no particular experience in this. And Mr. Giuliani, former U.S. Attorney and mayor of New York, and he had a team, and I didn't. I didn't know what data they had.

22

23

Q Is that what you thought, in December, that they had information that was different or better than what you had?

24

A It's possible. I always thought it was possible.

25

BY [REDACTED]

1 Q Did that ever bear out? Did you ever see any evidence of that at any point
2 later on?

3 A I mean, look, I -- I've seen some things that I believe are indicative of ballot
4 harvesting in certain States where ballot harvesting is illegal. It sort of goes back to
5 what I said earlier, which is, during the timeframe presented by an election, it's very
6 difficult to -- to get to a point where you can validate information that would be
7 admissible in court. Do I think that there are some things that were different about this
8 election perhaps than other elections? Yeah, but that's my personal opinion. But I
9 don't -- you know, I don't -- Mr. Biden is President of the United States, and I didn't see
10 anything that would change that.

11

BY [REDACTED]

12 Q Did you think that perhaps part of the issue was you were thinking, or
13 looking through the lens of what would be admissible in court, or perhaps others were
14 employing a different standard?

15 A That had occurred to me.

16 Q You ever have that conversation with anyone that, you know, they might be
17 able to say this on TV, but could never say it in court, words to that effect?

18 A With, you know, Matt Morgan maybe.

19 Q Any of the other individuals that we talked about outside the legal
20 group -- did you have a conversation along those lines --

21 A Not to my recollection.

22 Q I'm sorry. I spoke over you.

23 A Not to my recollection, no.

24 Q Thank you, Mr. Cannon. I am going to step off video. I appreciate your
25 answers.

1 A Thank you, sir.

2

BY [REDACTED]

3 Q Mr. Cannon, and the individuals we spoke about, there are some of your
4 documents indicate you had at least one meeting with Mr. Kushner regarding this, this
5 so-called data project. Do you recall meeting with Mr. Kushner in person to discuss your
6 findings?

7 A You had -- if you can show me a document, I would appreciate it.

8 Q Sure. I want to show you --

9 A I don't know what document you're talking about.

10 Q Yeah, I'm going to show you a document -- give me one
11 second -- document -- exhibit -- marked as exhibit 6, Bates No. 11822. And you're
12 forwarding an email -- a memo from an individual named Matt Braynard?

13 A Oh. Yeah, ask away.

14 Q Well, I mean --

15 [REDACTED] He badly wants you to explain that.

16

BY [REDACTED]

17 Q I just want to throw it to you, and then you can tell us what your initial
18 response to seeing this email.

19 A Matt Braynard was not someone that I believed was trustworthy, yet he was
20 extremely persistent in reaching out to me. And I believed that this -- I don't believe
21 that a meeting with Jared occurred on this. I believe that this was me trying to politely
22 push him aside. This is a guy who, it's my understanding, worked for the campaign back
23 in 2016, was dismissed from the campaign for reasons that no one ever really made clear
24 to me.

25 I found out that while he was trying to be engaged by the campaign to do analysis,

1 he had raised something like half a million dollars on GoFundMe, and I didn't want to deal
2 with all that mess. And I'm glad, frankly, that I didn't, because I don't know if you're
3 familiar with Mr. Braynard, but he ended up testifying before a congressional body in the
4 State of Georgia, and was found to be pretty unreliable.

5

BY [REDACTED]

6

Q And a moment ago when you said that your understanding was that Mr.

7

Braynard was untrustworthy, is everything that you just said the basis for that belief, or is

8

there anything else that gave you reason to think that he was untrustworthy or risky in

9

dealing with?

10

A No, those are the reasons that he was terminated for reasons that nobody

11

would ever explain to me. RNC had told me that they would not share data with him,

12

any of their voter data with him, and he had raised a bunch of money on his own.

13

BY [REDACTED]

14

Q With regard to indicating you would be meeting with Jared Kushner, why

15

would that be -- that kind of high-level individual in the Trump orbit -- be the person that

16

you would note that you were meeting with to get Mr. Braynard off you?

17

A I don't -- I don't recall. I just know I wanted Braynard away from me.

18

Q Did you have conversations with other people within the campaign about

19

any of the problems you perceived with Mr. Braynard?

20

A Yes, sir.

21

Q And who did you have these conversations with?

22

A Matt Morgan, Justin Clark, probably counsel for RNC.

23

Q Is that Justin Riemer?

24

A It would have either been Justin Riemer or Chris White that I had that

25

conversation with.

1 Q And when you expressed the concerns you had with, I think you said, Mr.
2 Morgan, Mr. Clark, potentially Mr. Riemer, Mr. White, were they -- did anyone disagree
3 with your conclusions regarding Mr. Braynard or pushback?

4 A No, sir.

5 Q Is it fair to say they were all in agreement with your conclusion?

6 A At least what they expressed to me.

7 Q Okay. Are you an individual -- are you familiar with an individual named
8 Russ Ramsfeld -- Ramsland, excuse me?

9 A I am familiar with the name, yes, sir.

10 Q And who do you understand that individual to be?

11 A I understand that he had a company called Allied Security Operations Group
12 based out of Texas, and that he was a believer in some of the Dominion allegations.

13 Q Is it fair to say that you didn't find any verifiable voter fraud evidence that
14 came from Mr. Ramsland?

15 A I never took in -- I never took any information in from Mr. Ramsland, to my
16 knowledge.

17 Q Was that a purposeful decision not to do that? I'm sorry --

18 A Yes, sir.

19 Q I'm sorry?

20 A Yes, sir, it was.

21 Q And what was the -- and why was that your decision?

22 A I believed that he may have been potentially working with some foreign
23 nationals, and a Presidential campaign cannot accept any assistance from foreign
24 nationals.

25 Q And where did you get your idea about that?

1 A At some point, a person named -- I believe his name was Andrew Young
2 called me. I never met him before. I still don't know who he is, but he had an English
3 accent. And I asked him if he was a U.S. citizen, and he told me no. And he said that
4 he is working with someone else who's Israeli. And I told him that I can't -- we
5 can't -- you know, I can't talk to you. And then he said, Well, I know someone in Texas
6 who has a company that I work with named Russ Ramsland. And that's how Ramsland
7 first came on my radar. But I made a conscious decision to not associate with someone
8 that may have been getting information from foreign nationals.

9 Q Thank you. Can you tell us a bit about your working relationship with Zach
10 Parkinson?

11 A I met Zach a couple of times. He was the research guy.

12 Q And that's for the campaign, right?

13 A I don't know whether he was employed by RNC or the campaign, but he
14 worked out of the annex.

15 Q And when you say the "research guy," what is that?

16 A If you needed research done on a topic, he would research it for you. I
17 don't know that I interacted with him a whole lot, but I -- it was my understanding that he
18 did research for comms and research for -- for messaging.

19 Q Now, are you aware of Mr. Parkinson doing research related to fraud claims?

20 A Yes, I am.

21 Q Tell us a little bit about what you're familiar with.

22 A I recall that he did -- I believe a memo on whether officers or directors of
23 Dominion gave money to the DNC, or Democratic candidates.

24 Q And he did research directed by who?

25 A I -- I don't know. I don't know who directed him to do it. I've seen -- I've

1 seen -- I believe it's been in the press, and that's why I'm aware of it.

2 Q Did you during that -- and I'll note that Mr. Raskin is joining. I'll note for the
3 record that Mr. Raskin is now part of the proceeding.

4 So turning to Mr. Parkinson, you mentioned a Dominion memo that's in the press.
5 Were you aware of that memo or memos at the time they were written?

6 A I don't recall.

7 Q Did you receive information from Mr. Parkinson regarding -- can you kind of
8 walk us through the various information you received from him regarding election fraud
9 research?

10 A I don't -- like I'm saying, I don't recall ever receiving any information directly
11 from him related to election fraud research. But, again, if you have a document that
12 would refresh my recollection, I'm more than happy to take a look at it.

13 Q Well, let me ask you something, are you aware of -- did anyone else express
14 to you Mr. Parkinson or his team's findings regarding election fraud claims?

15 A Not to my recollection.

16 BY [REDACTED]

17 Q You don't remember ever -- anyone ever mentioning the Parkinson memo
18 regarding Dominion voting?

19 A I do, but my first recollection of that is when I believe it was reported in the
20 press in connection with some litigation.

21 Q And do you remember ever directing Mr. Parkinson or his staff to conduct
22 research for you?

23 A Not to my recollection, no.

24 Q Okay.

25 BY [REDACTED]

1 Q Mr. Cannon, we have learned that Mr. Parkinson and those working for him
2 were looking into and researching a lot of the same issues that were coming through you,
3 or to you, through the efforts that you described. For example, dead voter lists. Did
4 you have any role in tasking Mr. Parkinson or his team to assist in evaluating the
5 claims -- those claims?

6 A Not to my recollection, no, sir.

7 Q Do you have any sense of who might have directed them to look into
8 basically the same types of allegations that you were vetting in the same timeframe?

9 A No, I don't.

10 Q Did Mr. Murtaugh ever tell that you he had folks on the research team that
11 were doing work in the same area that you were tasked with evaluating?

12 A No, sir. Not to my recollection.

13 Q Okay.

14 BY [REDACTED]

15 Q All right. Mr. Cannon, I want to circle back. If we can have what's been
16 marked as exhibit 9, Bates stamp AC 627. This has to do Mr. Ramsland that we just
17 discussed. This is an email, subject line, CALL: Russ Ramsland from Mr. Morgan to you
18 on November 9th. And in the email, Mr. Morgan says, "Alex, Russ Ramsland, according
19 to himself, has done extensive work for 2 years understanding all of the vulnerabilities
20 and all the ways to cheat in an election. We are being ordered to give this guy a call.
21 Therefore, I'm passing to you since you can talk the talk." Further, it say, "We are not
22 required to hire him, but need to call him." And then you respond, and you said, you
23 called and left the voicemail.

24 So starting in this email when Mr. Morgan says that, "We are being ordered to
25 give this guy a call," what do you understand him to be saying there?

1 A That he was being ordered to give the guy a call. I'm not -- I'm not trying to
2 be flippant, but if there is an order, there is an order.

3 Q And what Mr. Morgan --

4 A Was not a --

5 Q And when he said, was this a typical thing in this time period that you may
6 get a directive or that someone had to be contacted regarding these kind of claims even
7 though you may not have wanted to?

8 A Yes, sir.

9 Q So, starting with this one, do you have an understanding as to who was
10 typically giving these orders to someone like Mr. Morgan?

11 A No, sir.

12 Q In this particular instance, did you know who was giving the order to call?

13 A No, sir.

14 Q But is it fair to say it would have been someone quite senior to give Mr.
15 Morgan that order?

16 A I assume so.

17

BY [REDACTED]

18 Q If I could just jump in for one second. In the history of working with Mr.
19 Morgan, who did you understand to have the ability to order him as campaign general
20 counsel to do anything?

21 A I mean, it would have had to have been somebody very senior. I mean, Bill
22 Stepien, Justin Clark. That's who he would have reported to.

23 Q Is that the group -- is that the universe, so to speak, of people that you
24 would have understood to have the ability to order him to do something?

25 A I mean, it could have been people in the White House as well. Like I told

1 you earlier, I wasn't really part of Matt's team, so I don't know what he was doing really
2 on a daily basis. I reported to him. Technically, he was my boss. That would have
3 been my chain of command. But, you know, I -- I can't speculate as to who would have
4 given him the order. I understand that that's what you want me to do, but I can't --

5 Q Oh, no --

6 A -- speculate as to that.

7 Q Sorry, and let me clarify. I understood that you weren't speculating as to
8 who gave him the order. I was just trying to get, based on your experience in working
9 with him, if you understood who fell into the group of people who could order him to do
10 anything, given his role as campaign general counsel. And if I understood you, your
11 understanding was Mr. Stepien, Mr. Clark, possibly somebody in the White House, but to
12 paraphrase, it had to be somebody pretty senior given his role.

13 A I don't disagree with you.

14 BY [REDACTED]

15 Q And then, during this time period, you mentioned that this directive
16 happened in other instances. Is that fair? A directive where you had to contact
17 someone?

18 A Yes, sir.

19 Q Can you give us some insight into were those coming -- who was giving you
20 those directives that you needed to contact people relating to election fraud claims?

21 A I think you see it in my production, there was an instance, I believe, where
22 Mr. Meadows' wife contacted me and asked me to contact someone. I think there was
23 an instance where Tony Sayegh said Don Jr. wanted me to contact someone.

24 BY [REDACTED]

25 Q And just out of curiosity, in the next sentence, when Morgan says,

1 "Therefore, I'm passing to you since you can talk the talk." Understanding that you are
2 not in Mr. Morgan's head, what was your understanding of what he meant by that?

3 A I think this is more people being polite in passing off work that they didn't
4 want to do to somebody else.

5 Q So in a moment ago you listed, I believe, Don Jr. -- and I don't have the list, I
6 can have it read back -- but it sounded like -- and I don't want to put words in your mouth,
7 so correct me if this is wrong -- but it sounded like you and possibly Mr. Morgan would
8 frequently get referrals of Talk to this person, Can you talk to this person, They have this
9 evidence of fraud, They have this evidence of fraud.

10 And even if it was completely meritless, you would often have to contact them,
11 talk to them, because of the nature of who they were, or who they knew to politely say
12 thank you and then discard it if it was not verifiable or false?

13 A There is a lot to that question. Yes, there were multiple instances of
14 people that I felt like I was required to contact that I would not have otherwise contacted.

15 Q And is it fair to say this is one of those emails that kind of summarizes Mr.
16 Morgan's request of you to do just that?

17 A That's correct.

18 BY [REDACTED]

19 Q When you spoke to Mr. Ramsland, did he indicate his connection to -- it's
20 called the Trump orbit that led to him, and you being directed to call him?

21 A I don't believe I spoke with Mr. Ramsland. If I did, I don't recall it. I think
22 I -- I didn't even recall this email, and I just made this production to you guys, so if that
23 gives you a sense. But I said I called and left a voicemail, I believe, which would have
24 meant that I was done. I don't know whether he called me back or not.

25 BY [REDACTED]

1 Q If he did call you back, my assumption is that there would be no requirement
2 based on this to really follow up with him. Is that fair?

3 A Yes, yes, ma'am.

4

BY [REDACTED]

5 Q All right. Let's look at exhibit 11, which ends in Bates No. 2368. And it's a
6 November 7th email that indicates: As discussed with Senator Graham, attached is the
7 PA data for deceased individuals who actually cast ab/ev ballots in the presidential
8 election in PA that were received up to the November 5th, 2020. And it says, "We do
9 not know whether these individuals voted for Biden or Trump." Do you recall this
10 email?

11 A I do since I've done my production, yes.

12 Q So can you give us some background on what -- what you're talking about
13 here?

14 A Let me read the email. Just a moment. I was talking about an analysis of
15 dead voters in Pennsylvania who cast absentee ballots or early voting ballots.

16 Q And is this is a conversation you had had, when you say, with Senator
17 Lindsey Graham?

18 A Yes, sir.

19 Q Can you tell us a bit about how you came into contact with Senator Graham
20 on this issue?

21 A I believe Eric Trump asked me -- Eric may have even been on the phone call.
22 I think Senator Graham wanted to go on TV.

23 Q And so, then, he needed evidence from you regarding these issues so he
24 could talk about them on television?

25 A That was my understanding.

1 Q [REDACTED], did you want to -- did you have a line of question you wanted, [REDACTED]?

2 BY [REDACTED]

3 Q Sure. If I could, I wanted to talk a little bit more about the issue of dead
4 people voting. And there is a fair amount of documents in your production that relate
5 to this issue. And without going through specific documents, I thought it might be
6 helpful just to get your understanding of sort of what the claims were, understand what
7 efforts were made on your end to try to verify that information, sort of the challenges
8 that were posed, and so forth. So can I -- can I ask you a few questions about those
9 topics?

10 A Yes, yeah -- I mean, yes, sir. I mean there may be some -- I mean I may
11 have to consult with counsel on some privilege issues here.

12 Q Okay. Well, generally, I think I recall you testifying -- or testifying, excuse
13 me, mentioning earlier that one of the -- maybe the only allegation that you felt had
14 some merit related to a deceased person voting, or someone voting on behalf of a
15 deceased person. Is that accurate?

16 A I'm sorry, could you ask the question again? I apologize.

17 Q Yeah, I think when you were talking earlier about the fact that most of the
18 allegations, the vast majority of them, you found to be unverifiable, or meritless, you
19 excluded from that group. In other words, the one allegation that you felt did have
20 some merit, I thought you said involved a person voting on behalf of a deceased
21 individual.

22 A So that would be -- when I say merit, I mean something that's verifiable
23 within the timeframe. I think there were also some other categories that given
24 additional time could have been verified. But I believe that -- yes, with respect to dead
25 people, I believe that there's a pretty high -- we had a pretty high confidence in

1 this -- data.

2 Q And when you say this data, there seems like there was a lot of information
3 coming in from a lot of different States, from a lot of different people, making similar
4 types of claims, that is, the people who had predeceased the election were somehow
5 recorded as having voted. Is that correct that the information was coming in from
6 different places regarding different States?

7 A I recall people making those allegations, yes, sir.

8 Q And when you said that there was some information that you deemed to be
9 verifiable, was that a subset of the information that you gathered, or did you find that all
10 of it -- all of the claims that were made with respect to deceased people voting were
11 verifiable and had merit?

12 A I don't recall all of the allegations that were being made. I only recall the
13 States that I looked at.

14 Q What States were those?

15 A So I believe Pennsylvania and Georgia were the two States where voter data
16 was sufficient to match the -- match it to a deceased individual.

17 Q And I think there is something in your production where you discussed the
18 issue of the challenges with other States. For example, there might not be date of birth
19 information for the individuals so that you could match up, that the person with the same
20 name is actually the same person. Is that fair to say?

21 A Yes, sir. That's what I was -- that's what I was getting at.

22 Q And is that the major shortcoming here that -- or the challenge here, I guess
23 I should say, the challenge is making sure that the person who is -- who has voted is the
24 same person who died before the election?

25 A Yes, sir. And that's with any category of data that you're dealing with.

1 You're matching a particular ballot cast to a particular individual, whether it's somebody
2 who voted out of State, someone who changed their address, someone who allegedly
3 voted twice. Any of those what I'll call micro categories of data.

4 Q Did you find in your review with respect -- particularly with respect to the
5 deceased voters, did you find instances in which the person who was claimed to have
6 voted, or the person who did vote, is not the same person who had predeceased the
7 election?

8 A We found one instance in Georgia -- maybe two instances in Georgia where
9 we felt like we had a high confidence. And then it was later reported that the individual
10 was -- our matching was wrong.

11 Q So was that -- okay. So those two examples, you thought you had
12 confidence, but the matching was wrong. Were the -- were the -- the rest of the
13 universe of folks who are on these lists, did you have a high level of -- of confidence that
14 the names on the voter list, and the death roll, for lack of a better term, matched up?

15 A What list are you talking about? Are you talking about my list?

16 Q So, yeah, let me, let me step back. You -- as far as I can tell from the
17 production, it looks that you were provided at various times with fairly lengthy lists from
18 various jurisdictions of people who were believed to have voted even though they were
19 dead.

20 A Okay. I don't recall that document, in particular, sitting here, but I'll take
21 your word for it, unless you want to show it to me.

22 Q Why don't you tell me. Did you receive lengthy lists from various internet
23 sleuths or others, telling you that in Pennsylvania, for example, there were dozens or
24 hundreds of people who had voted, but had -- even though they were dead before the
25 election?

1 A Maybe.

2 Q Okay. Are you able to estimate what percentage of the names that you
3 reviewed, you had a high confidence level, were the same person that is the person who
4 voted, was the same person who had predeceased the election?

5 A That's a difficult question to answer for the reasons that we discussed
6 earlier, which is, it all depends on the quality of the data coming from the State, right?
7 So you have to have enough personal data being reported in the State to be able to
8 match it to an individual. So it's hard for me to give a percentage, because some
9 States -- during the timeframe, it would have been impossible to actually do the matching
10 exercise with a high degree of confidence.

11 Q Then what about in the States where you did have date of birth information,
12 were you able to do the matching exercise, and if so, what were the results of your -- of
13 that matching exercise?

14 A Georgia and Pennsylvania, I believe, were the only two that I recall right now
15 that we did that -- we were able -- the data was of such a nature that we could undertake
16 that matching exercise. I don't recall what the gross numbers were coming in, but you
17 can see in my documents the numbers of people that we felt like we could verify with a
18 high level of reliability.

19 Q Do you have -- can you estimate that order of magnitude in terms of the
20 gross number?

21 A No, sir, I can't. I don't recall.

22 BY ██████████

23 Q Just -- Mr. Cannon, to follow up on that, in the exhibit that we put up a
24 moment ago, exhibit 11 -- and this is not a memory test. We can put it back up there.
25 My understanding is that you attached an Excel spreadsheet that included the individuals

1 that you were able to identify with a high degree of confidence in Pennsylvania. And I
2 believe it's page 2 of the exhibit.

3 And when I tally it up, I believe there's 15 people. And if we could leave it there
4 for a moment. Is this the people that you represented as people who had been
5 deceased to cast absentee or early voter ballots?

6 A I think there was some color coding on here that's not showing up as well.
7 I'm not sure what the color coding meant while sitting here. But, yeah, this would have
8 been the universe of people that we were able to match with date of birth and Social
9 Security data index.

10 Q So I just want to clarify because I don't know that the colors translated when
11 it was produced. So if there were colors, that might be something if your counsel could
12 follow up on that would provide helpful clarification. Because if I understand your email
13 on the page before, you say rose highlight in red indicate voters who registered to vote
14 after they died. So is it even a subset of the 15 who actually registered to vote after
15 they died, it's not even the full 15 on this list, is that what you're saying?

16 A That's what I'm saying. And you can actually see here what the color
17 coding is because it's slightly lighter.

18 Q Oh, which ones, if you could help me, because I have terrible eyesight?
19 Which ones are you referring to?

20 A It looks like Thomas Sullivan, George White, Judy Presto, Jeanne Evans,
21 Elizabeth Bartman. Those look like the ones that are in -- highlighted in different colors.

22 Mr. [REDACTED] This right here.

23 [REDACTED]

24 Q Could you do me a favor -- and I apologize, this is just me not being able to
25 see the distinction that you're drawing -- ah, okay. Ah, okay. I am incredibly

1 impressed.

2 But to your point, earlier, in the email, you specify, We do not know -- and I say
3 specify, but it's actually bolded and underlined -- you write, "We do not know whether
4 these individuals voted for Biden or Trump." Why did you bold and underline that
5 statement to the extent that you --

6 A Because I wanted to --

7 Q -- you remember?

8 A -- because I wanted to make it clear that the voter data did not include
9 the -- who the person cast the ballot for.

10 Q So to be clear --

11 A If you had 10 dead people, it doesn't mean they all voted for Biden.

12 BY [REDACTED]

13 Q And, in fact, do you know, do you have any information on that, how this
14 played out, Mr. Cannon, for example, with respect to Elizabeth Bartman? Do you have
15 any follow-up information on that particular person?

16 A I don't recall. I may have. I don't recall. There were a couple of
17 instances where we were wrong. And if that's an instance where we were wrong, it's an
18 instance where we were wrong.

19 Q I think that might have been one where there was some publicity that her
20 son, who was a Trump supporter, was prosecuted for voting on behalf of his deceased
21 mother. So if that's true, that would be consistent with the admonition that you put in
22 your -- in your email. Is that right?

23 A Yes, sir.

24 Q Okay.

25 BY [REDACTED]

1 Q I point out the underlining and the bolding, Mr. Cannon, only because having
2 looked at a lot of the documents in your production -- and please disagree with me if you
3 think this is unfair -- what I saw was somebody who was constantly trying to highlight the
4 reality of something, or point out the truth of something to people who might or might
5 not care about that when they went to use it. Is that fair or unfair?

6 A No, that's unfair. I did not have any belief that Mr. Graham -- I wanted to
7 make sure that what I was providing to Senator Graham was as clear as possible, so that if
8 he made a misstatement, or relied on something that I provided to him to the public, that
9 I would not be blamed for it.

10 Q So the first part of my statement, though, was true. You were trying to tell
11 people the truth.

12 A Based on my limited ability to do research having never done anything like
13 this before.

14 Q And so, I'll add a qualifier to make it even more true, that you were trying to
15 tell people the truth as you saw it and were able to verify it. Is that fair?

16 A Yes, it is.

17 Q Are there any other questions on this exhibit, [REDACTED]

18 BY [REDACTED]

19 Q Not on this one, but I'm trying -- as I'm going through the exhibits, I'm not
20 able to put my hands on it right now, Mr. Cannon. But I seem to recall a document
21 where there were photocopies, they looked like photocopies of do we have information
22 regarding particular voters who might fall into the category of -- we've been talking about
23 that included research about where they -- where the person was buried, the proximity of
24 that cemetery to the precinct to which the person voted. Do you recall that in that
25 particular --

1 A I don't recall that. I don't recall that document. I apologize.

2 Q No, no worries. On the break, I will try to pull that up and maybe we'll
3 come back to it. The last thing I'll ask you then on the -- on the -- on this research
4 project, did you -- it sounded as if you were sort of cognizant of the -- of the potential
5 problem of comparing these different databases with -- with a, sort of, with limited
6 information, identifying information regarding the individual.

7 So for example, in -- in jurisdictions where the voting records didn't show a date of
8 birth, you recognized early on that would be a challenge to match that person up with a
9 Social Security file of a person with the same name and confirm that it was, in fact, the
10 same individual. Is that accurate?

11 A Yes, sir.

12 Q And did you -- how about in jurisdictions where there was a -- a birth year,
13 which I think we see in some of these jurisdictions -- that the year of birth may be listed
14 but not a date of birth, did you ask that information to be reliable enough to have a high
15 degree of confidence that we're talking about the same individual?

16 A No, sir.

17 Q How about a month, a month of birth which also seems to be the case in
18 some of these jurisdictions?

19 A That would be more reliable.

20 Q And did you -- how did you treat the individuals where you only had a month
21 of birth on one of the databases? Did you consider that to be a likely, unlikely? Or
22 how did you characterize the -- the confidence level of the match in that case?

23 A I -- I don't recall how we did that. That would have been something that
24 Simpatico would have done based on statistical analysis. I'm not a statistician. I
25 trusted --

1 Q Was Simpatico -- go ahead.

2 A I said I trusted Simpatico be very diligent, and that's why I wanted to work
3 with them.

4 Q And were they, in fact, engaged to take on this project?

5 A Yes, sir, they were.

6 Q And could you share with us the work product that they generated?

7 A No, sir, I didn't. That's privilege work product.

8 Q That's privileged, did you say?

9 A Yes, sir.

10 Q Okay. Do you have possession of it?

11 A Yes, sir.

12 Q Okay. Thank you. We may -- maybe we'll come back again and revisit
13 that issue if you look for now. I am prepared to move on. Thanks, [REDACTED]

14 BY [REDACTED]

15 Q At this time, we'll pause and see if Ms. Lofgren is still here -- whether Ms.
16 Lofgren has any questions for Mr. Cannon.

17 Ms. Lofgren. Yeah, no questions.

18 BY [REDACTED]

19 Q Thank you. All right. Mr. Cannon, just quickly, I'm going to move to
20 exhibit 12. And it's Bates No. AC 679, and it's from someone with the email address
21 contact at the RedElephants.com, and it's to you CC'ing Alexander Adams. Can you tell
22 us, who is the Red Elephants' email address?

23 A I don't know who was behind it.

24 Q Who did you understand to be -- like what entity or group did you
25 understand that to represent?

1 A I knew that they were -- so shortly after the election, they had posted
2 something on Twitter showing some analysis, some statistical law that had something to
3 do with the leading digits of -- I think it was called Branford's law or Benford's law. And
4 they reached out to the campaign. And, again, this is an example of something just sort
5 of coming to me.

6 Q Does the name Vincent Tocana or Vincent James ring a bell?

7 A No, sir.

8 Q So in this email, the Red Elephants' email address says, "I am working on
9 putting together a team of people that have deep knowledge on this before our call
10 today." And it mentions about wanting to run some numbers. And then you respond,
11 "Thanks. Please move as quickly as possible." Did you -- did the campaign engage
12 individuals' help in the fraud search?

13 A Did the campaign engage individuals to help in the fraud search?

14 Q These --

15 A I'm sorry, I don't think I --

16 Q Well, these individuals -- I understand that you --

17 A I think I can just -- I think I can just -- I think I can just put all this in context
18 for you. These guys came in, they had an idea about this Benford's law thing. We had
19 a call with them, and then all of sudden they started adding a ton of people to emails, and
20 we had no idea who they were. And I didn't want to deal with them anymore, because
21 it -- I mean, they seemed like a bunch of crazy people.

22 So, I mean, you can ask me whatever questions you want ask me about these
23 specific documents, but that's going to be the answer to pretty much everything.

24 Q No, that's helpful. And if you look at document, exhibit 13, I think that
25 confirms what you're saying here which you asked about -- it's Bates Stamp 620. And

1 you say, Can you please create a new thread only to Vincent, Dave, Quincy, Chris, and
2 Steven from that group. Is that you basically saying, let's clean this up, narrow it down,
3 and only include the people that are actually potentially relevant?

4 A Yeah, and also, then, I think there is a later email where I follow up with him,
5 with Steve Kunath, and I say, you know, I don't think they got the message.

6 Q Who is Steve Kunath?

7 A He was a volunteer for the campaign. He was a statistician.

8 Q So I'll look at Document 14, which ends Bates Stamp 1066. And here, you
9 say to Mr. Kunath, you say, "Please let them know that as they are volunteers" -- you said,
10 between us that we want to not -- I think that's really associate ourselves with -- and that
11 the campaign cannot assist them. And Mr. Kunath says, "Indeed, I'll reemphasize as
12 what I've been trying perhaps with too much subtlety." So here, you are speaking about
13 Red Elephants group that we just talked about, right?

14 A Yes, sir.

15 Q And when you say that you do not want to really associate ourselves with, is
16 that kind of what you said because they might be a bit crazy or more -- not grounded in
17 their views?

18 A Yeah, they were just acting like -- I mean, I'll tell you, honestly, I had a
19 conversation, I think, with Steve Kunath where I said these guys might be Borat.

20 [REDACTED] The actor?

21 Mr. Cannon. Yeah, one of these guys might be Borat. I mean, it became such a
22 huge universe of people. I'm not going to -- we're not going to take the risk of like
23 having conversations with a whole bunch of people that we don't know anything about.

24 [REDACTED]

25 Q Okay. If we look at the next email, which is exhibit 15, ending in 1083.

1 Here you say, I think it's following the same email, but responding to the Red Elephant.
2 And it says, "Thank you, we received this. I am interested in your findings -- this is the
3 correct way to pass them along to me." Is this fair to say that you've kept, even though
4 you placed some distance, you've kept the line of communication open just by virtue of to
5 make sure what you were doing there, which is looking for anything that could be
6 credible?

7 A Yeah, I don't recall exactly the timeframe of, you know, when they came on
8 and when -- I mean, I don't know when Kunath's email was -- was it prior to this?

1

2 [12:14 p.m.]

3

BY [REDACTED]

4

Q It's prior to this, yes. The reemphasis email is on the 10th. This appears to be on the 11th, but it has the same initial email from Red Elephants.

5

6

A Yeah, I don't know. I mean, other than -- I mean, if anything, it's -- I don't know why I -- I wasn't particularly interested in their findings at this point. I know it says something different. Maybe I'm just too polite. I don't know. I --

7

8

BY [REDACTED]

9

Q Well, to a certain extent -- not to cut you off, but we covered this a moment ago, in the sense of would this have been part of your talking the talk role to let -- to basically let these people talk, hear what they have to say, let them down if it was not used? I mean, that seems to be a common theme throughout the emails, is how polite you are to the people who, a moment ago -- I don't want to -- to use your word, were crazies?

10

11

A Yes. I mean, that would have been consistent kind of with what I was doing.

12

13

Q And I apologize if you already mentioned this, but do you know if the Red Elephants group had been established before this? Was this an organization you were familiar with?

14

A No.

15

[REDACTED] Okay. One second, Mr. Cannon. Let me just catch up to where I am.

16

BY [REDACTED]

17

Q Just out of curiosity, Mr. Cannon -- and, if we already covered this, please

1 correct me. But what kind of vetting process was there for these groups that came in?
2 If somebody said, "Hey, can you talk to so and so," was there any google search, or who
3 was responsible for checking on that?

4 A I mean, no one really was. Depending on how it came in -- I mean, I don't
5 know. With this group, there was such a hubbub all over the internet about Benford's
6 law and how the U.N. uses it to detect fraud in elections in developing countries. And I
7 don't know that anybody did any research into this group, but, you know, if, like,
8 Mark Meadows asked somebody to call somebody, you assumed that it was -- you know,
9 you were supposed to do it.

10 Q And not to go back too far, but earlier in our discussion, you told us an
11 incident where three guys from Texas were able to get a meeting with Mr. Trump in the
12 Oval Office. And the impression I got from you was that those three guys from Texas
13 were likely similar in terms of the -- forgive me -- crazy factor.

14 How are these folks getting meetings, to the extent that you know, in the Oval
15 Office with the President to propound their theories and "give us this money and we can
16 find you this" -- how are people getting into the Oval Office with the President? Do you
17 know?

18 Mr. Daniel Benson. Pardon me. I hate to interrupt, but you have -- there is no
19 foundation for Mr. Cannon to have, you know, any idea how someone is getting into the
20 Oval Office.

21 [REDACTED] No, no, Mr. Benson. I know that. That's literally why I'm asking
22 and qualifying it, to the extent that he has any idea.

23 Mr. Daniel Benson. Of course he has no idea.

24 [REDACTED] Just if he has any idea.

25 Mr. Daniel Benson. I'm not trying to tell you how to do your job, but if we can

1 just stick to what Mr. Cannon, you know, personally knows or could even know, it might
2 make this go a little more smoothly.

3 [REDACTED] Sure.

4 Mr. Cannon --

5 Mr. Daniel Benson. I hate to interrupt, but, you know, it's -- I don't see the point
6 of it.

7 [REDACTED] Sure.

8 Mr. Cannon, do you have any personal knowledge of how those three individuals
9 from Texas came to be in the Oval Office meeting with Mr. Trump that day?

10 Mr. Cannon. No, I do not.

11 [REDACTED] Thank you.

12

BY [REDACTED]

13 Q Mr. Cannon, do you recall having contact with someone related -- not
14 related -- excuse me -- connected to Sean Hannity?

15 A Yes, sir, I do.

16 Q Can you tell us a bit about how you came about providing information to -- I
17 assume what's one of his representatives?

18 A I don't recall the specifics. I think Mr. Hannity wanted to do a show
19 potentially with some people that had sworn out credible affidavits.

20 Q And how did it land on your desk to provide information to his
21 representative?

22 A The same way everything else landed on my desk.

23 Q Well, let's be more specific. Do you recall who would have given you that
24 task?

25 A No, I don't recall. I didn't remember the Hannity thing until we went

1 through the production.

2 Q Any other examples of you providing information to representatives from
3 the media to use in their programming?

4 A No. If you had -- I mean, if there is something else in my production that
5 I'm not recalling, please refresh my recollection, and I'll tell you about it. But I don't
6 recall anything other than Mr. Hannity and Mr. Graham now.

7 Q Do you recall whether Mr. Hannity, in fact, used the information that you
8 provided?

9 A No, sir, I don't recall.

10 Q All right. I want to turn to any involvement you had with post-election
11 litigation.

12 Now, earlier we talked about Clela Mitchell. Can you just tell us again what you
13 understood her role to be post-election?

14 A I'm not sure what her role was post-election.

15 Q When you had conversations with her, what did you understand her to be
16 doing?

17 A Trashing Justin Clark and Matt Morgan.

18 Q And this is what she would do in private conversations with you, or are you
19 saying --

20 A No.

21 Q -- she would do that otherwise?

22 A That's what I heard she was doing otherwise.

23 Q And how did you hear that?

24 A From Mr. Herschmann.

25 Q And did he provide further insight into why she was trashing Mr. Morgan

1 and Mr. Clark?

2 A Because she wanted to be relevant.

3 Q And relevant in what sense?

4 A She wanted to -- she claimed that -- it's my understanding that she claimed
5 that, you know, everybody was lying to the President and that there was a ton of voter
6 fraud out there, and everybody was hiding it from him, and she was the best lawyer ever,
7 yet we couldn't get her to sign an engagement letter.

8 Q Did you attempt to get her to sign an engagement letter?

9 A I think I produced some documents to that effect.

10 Q Do you know whether she had any connection to Mark Meadows?

11 A I don't.

12 Q Now, when you started having conversations with her, do you recall how
13 that came about? Did someone direct you to do so?

14 A Yes. Cleta was making life difficult and uncomfortable for Justin and Matt,
15 and Cleta was calling me and asking for resources for something in Georgia. She wanted
16 money. I believe she was using Matt Braynard, who we've already discussed.

17 And I told her in a conversation that, you know, she worked for a large
18 international law firm -- this was really an attempt to box her in -- that she worked for a
19 large, international law firm, and if she would send an engagement letter over, we would
20 be more than happy to engage her firm, and she would have all the resources that she
21 needed through her large firm. And, at that time, it was my understanding that her
22 international law firm would absolutely not agree to be engaged by the Trump campaign.

23 Q So you basically were suggesting that in order to kind of stop her in her
24 tracks a bit? Is that fair?

25 A Call her bluff.

1 Q Did the campaign ever engage -- as far as -- well, withdrawn actually.

2 Let's go to document 20 -- what's marked as exhibit 24. And this is an email
3 where -- it's a November 7th email where someone -- where Gary Coby forwards you an
4 email from who he says is one of his staffers at Opn Sesame. And, in that email, alleges
5 some fraud in Georgia. And Mr. Coby says: Former staffer.

6 And then you forward to Ms. Mitchell and say: May be worthwhile in Georgia.

7 Do you recall this email?

8 A Not specifically, but I've seen it.

9 Q Okay. And then Ms. Mitchell responds -- she says: Holy crap, yes. We
10 need to follow -- we need to follow up on this. We are meeting tomorrow to go through
11 every possible claim and how to document.

12 And you respond: You're welcome.

13 Were you in any meetings with her regarding these claims in Georgia or other
14 claims?

15 A No. I would have been told by somebody to send this to Ms. Mitchell.

16 Q And why do you believe you were told by someone to send it?

17 A Because I had never met her and never heard of her. And this is very, very
18 early on.

19 Q Do you recall having discussions with her about your conclusions regarding
20 Dominion Voting Systems?

21 A No.

22 Q Because we see emails here where Ms. Mitchell appears to be contacting
23 you regarding a purported expert with Dominion, and then she indicates that she's
24 struggling to find credible experts that are able to testify to potential issues related to
25 vote manipulation by Dominion.

1 Do you recall having any further conversations with her about whether or not
2 there was credibility to those Dominion claims?

3 A I don't believe I did. Again, I didn't think Cleta was someone that was -- I
4 felt like it may be unwise to deal with her. I kept her at arm's length.

5 Q Do you recall any involvement she had in filing any litigation in Georgia or
6 elsewhere related to the election?

7 A I knew she was working in Georgia, and you can see that from this email. I
8 don't know what role she had in connection with the election challenge in Georgia.

9 Q I'll show you what's been marked as document exhibit 27, and it's Bates
10 stamped AC 637. And it's an email from you on November 10th, and it says: Hi, Cleta.
11 Over the weekend, you said you would send me a proposal for a lawsuit in Georgia. Did
12 you send it? If not, can you?

13 And then she responds about -- basically saying that she will try to do that this
14 evening.

15 Do you recall conversations with her regarding a proposed lawsuit in Georgia?

16 A Sir, this is the email that I was talking about earlier where I was calling her
17 bluff.

18 Q Gotcha. Okay. No, that is helpful.

19 So it's fair to say you were not -- you didn't have an intention that the -- you didn't
20 have expectation that this would result in the campaign engaging Foley -- I guess Foley &
21 Lardner? That was your expectation in engaging in this conversation with her. Is that
22 fair?

23 A That was the opposite of my expectation.

24

BY [REDACTED]

25 Q Just for purposes of clarity -- and maybe I misunderstood this, but, in the

1 email, when you say, "Over the weekend, you said you'd send me a proposal for a
2 lawsuit," is it your understanding that was the engagement letter from Foley --

3 A And a budget.

4 Q -- that you would --

5 A And a budget. An engagement letter and a budget.

6 Q Oh, okay. So the proposal that you had been talking about was an
7 engagement letter and a budget to file a lawsuit in Georgia?

8 A Yes, ma'am.

9 Q Got it. Thank you. That's helpful clarification.

10 Just to clarify, you never received that proposal or an engagement letter from
11 Foley & Lardner, correct?

12 A Correct.

13 Q To the extent that you know, only based on your personal knowledge, do
14 you have any idea whether Ms. Mitchell was ever paid or compensated for her work that
15 she was doing in this area?

16 A I do not know.

17 [REDACTED] Okay.

18 BY [REDACTED]

19 Q Did you continue any conversations that you're aware of with Ms. Mitchell
20 into December of 2020 or early January 2021?

21 A I don't believe I did.

22 Q Are you familiar with the name Brandon Castleberry (ph)?

23 A I saw his name in my production. I have no idea who that person is.

24 Q Okay. Now, looking in your documents, there are numerous documents
25 that discuss Rudy Giuliani coming in and taking control of the post-election litigation

1 efforts.

2 Can you provide us some background on when you recall that happening and how
3 you became aware of it?

4 Mr. Cannon. I will, but I'd like to use the bathroom first. So if we could take
5 2 minutes, I'd appreciate it.

6 [REDACTED] No problem at all.

7 [Recess.]

8 BY [REDACTED]

9 Q Mr. Cannon, I believe we were discussing when Mr. Giuliani took over legal
10 efforts.

11 A Yes, sir.

12 Q All right. So I think you were about to provide us with your recollection as
13 to when and how that happened and how you became aware of it.

14 A I believe that, shortly after the election, Mr. Giuliani came to the campaign
15 and was talking to people, and -- I mean, I don't really recall. I wasn't involved in any of
16 those meetings. I just remember seeing him at the campaign offices early on. And
17 then, you know, I think Matt Morgan told me that he and Justin had been replaced by
18 Mr. Giuliani and Mr. Giuliani's team.

19 Q And how did that impact the work that you were engaged in?

20 A Well, they were the focus. You know, they came in, and it was made
21 well-known that they were in charge and they were running comms, and they were
22 running the legal, and they are running all messaging. And they took over a conference
23 room. And I believe, at that point, I moved my office, again, further away from that
24 location so I didn't have any interaction with them.

25 [REDACTED] I'm sorry. Could you clarify when that was, the timeframe?

1 Mr. Cannon. I mean, I recall the President's tweet was, I think,
2 November 13th -- 12th or 13th.

3

4 Q Okay. And, when you said you moved your office away, was that so you
5 could -- the purpose was to be further away from them. Is that right?

6 A Yes, sir.

7 Q And why did you want to be further away from them?

8 A I didn't want to get pulled into any of their work. I was expecting a baby.
9 I was tired. I mean, I -- it had been a long -- it was -- elections are hard. Campaigns are
10 hard. I don't know if any of you have worked on a campaign before. They're a lot of
11 work.

12 Q We have not had the pleasure of being -- being on the campaign, at least
13 anyone on this team.

14 [REDACTED] But I will say that is not a -- that is a common refrain, so we
15 empathize. We've heard that in -- and I will say going through that and expecting a child
16 would be -- from the people we've heard who were not dealing with other circumstances,
17 campaigns are hard enough in addition to also dealing with expecting a baby. So I -- we
18 can only imagine what that must have been like.

19

20 Q So, Mr. Cannon, when we -- I believe the President's tweet is November 14th
21 by our notes here. So just want to unpack a bit.

22 When we get to after the President puts Mr. Giuliani in charge, when you are
23 getting information kind of funneling to you, are you doing anything different with that
24 than you would have done before Mr. Giuliani was in charge?

25 A Yes, sir. I mean, we had engaged experts in anticipation of litigation, and

1 we were then trying to use those experts from time to time, or I was from time to time to
2 assist people who were pushing back on some of the claims that Mr. Giuliani was making.

3 Q I'm sorry. Can you just repeat that last part for me?

4 A I said, at that point, most of the calls -- let me rephrase it.

5 The requests that I received changed from being requests to look into something
6 for offensive purposes, like challenging the election, to: Alex, can you look into this
7 claim that someone is making, whether it's Jenna or Rudy, and ask if it can be verified?

8 Q And would that have been Matt Morgan asking you to do that, or anyone
9 else?

10 A It would have been Mr. Herschmann.

11 Q Okay. So is it fair to say you were basically attempting to test the claims
12 being made by President Trump's new legal team?

13 A When asked.

14 Q And were you asked -- were you routinely asked after November 14th?

15 A Certainly from time to time. I don't know -- I mean, I don't know what
16 routinely means, but from time to time.

17 Q Do you recall -- well, let me ask this: What were some of the things that
18 Mr. Herschmann or others asked you to look into as it related to Mr. Giuliani's claims?

19 A I remember one instance where there was an allegation someone had made
20 that a very large number of illegal immigrants had voted in -- I believe it was the State of
21 Nevada, and we were asked to run that down.

22 Q And do you recall the results of your work there in running that down?

23 A It was the same as a lot of the other results, which is the data would be
24 insufficiently reliable to be admissible in court.

25 Q Is it fair to say that you couldn't verify -- that it was normal that you couldn't

1 verify the claims being made by Mr. Giuliani and his team?

2 A No, because that implies that I was checking a lot of his claims.

3 Q Well, I'm asking with regard to the claims that you were asked to check.

4 For those, was it typical that you couldn't verify them?

5 A For the ones that I was asked -- and I don't believe it was a lot, and I don't
6 recall how many, but, for example, we would not be able to verify because of data issues
7 that a large number of illegal immigrants voted in the State of Nevada.

8 Q And then, when you had the results of that verification, who would you
9 share those with?

10 A Matt Morgan, Mr. Herschmann.

11 Q And was it your understanding that they would share those with
12 Mr. Giuliani's team?

13 A I don't know what they did with the information.

14 [REDACTED] [REDACTED], did you have something that you wanted to
15 inquire about?

16 [REDACTED]

17 Q Just to ask if there were any other instances besides the undocumented folks
18 voting in Nevada that you remember Mr. Herschmann or anyone else asking you to look
19 into?

20 A I mean, people changing addresses, so people on the NCOA database, we
21 were asked to look into that.

22 Q What did you do on that one? Do you remember what efforts you made to
23 try to validate or verify that allegation?

24 A It's the same problems that you had with the data, which is effectively
25 matching individuals without -- within the timeframe.

1 Q But how did you come to the conclusion -- was this sort of an off-the-cuff
2 response, or did you do some digging to determine whether there were ways or methods
3 to do the matching that was required?

4 A That was all done by an expert.

5 Q Simpatico?

6 A For those categories, yes, sir.

7 Q And the response -- without getting into privileged information, the
8 response led you to conclude that it was not possible, with the data available and the
9 time available, to verify the information, for example, with respect to people who had
10 moved and were in the change of address database?

11 A That was the expert's opinion.

12 Q Anything else you can remember besides people moving, voting twice, or
13 not being citizens?

14 A I remember a question of low-propensity voters, specifically in Pennsylvania.
15 I think we looked at some people that hadn't voted in three or four election cycles and all
16 registered to vote and cast ballots on roughly the same day, and that seemed to us to be
17 indicative of ballot harvesting.

18 [REDACTED] And I will just note for the record that -- I'm sorry to
19 interrupt, Mr. Cannon. I'll note for the record that Mr. Raskin has joined. Mr. Cannon,
20 I'm sorry. I didn't mean to interrupt you. Please continue.

21 Mr. Cannon. It's all right.

22 Those are the categories that I recall.

23 [REDACTED] Okay. Thank you.

24 [REDACTED], I don't have anything else on that.

25 [REDACTED] Okay.

1

2 Q So, Mr. Cannon, looking at these emails, it looks like, once Mr. Giuliani's
3 team takes over, you are -- and I don't want to say washing your hands of some stuff, but,
4 to the extent that Mr. Giuliani's team was looking for something, you were sending folks
5 that way and that they can handle it. Is that a fair summary of where you were at that
6 time?

7 A Yes, sir.

8 Q And then is it -- I want to look at document number -- exhibit 36, and it's a
9 November 15th email, so, again, around this time. And it's from Christopher White, and
10 he's RNC legal. Is that right?

11 A Yes, sir.

12 Q Okay. And he writes you saying: Our data team is getting some weird
13 requests from guys named Patrick Witt and Morgan Warstler. Are they on the campaign
14 data review team? Morgan claims he was at some kind of White House meeting with
15 RNC and campaign attorneys.

16 And then you say in response: This is above my pay grade. I presume they are
17 on Rudy's team.

18 Is this the kind of example we're talking about here where there may be some odd
19 ducks coming in, but you weren't really involved with what the Rudy team was doing or
20 not doing?

21 A That's correct.

22 Q And this kind of characterization about the weird requests, was that
23 surprising to you, or was that expected, that weird requests might be coming from
24 someone on the Rudy team?

25 A It was expected. It wasn't unusual for me to hear from RNC that people

1 were requesting access to RNC data. And they would ask me if I knew who they were.
2 This is an example of that. Usually it would have been a phone call or, for a
3 while -- yeah. This is an example of that.

4 Q All right. And so I know you -- I believe you had your child on -- I think you
5 said the 22nd or the 20th -- is that right -- in November?

6 A The 20th.

7 Q 20th. I want to get a bit of sense of what your work for the campaign
8 looked like for the rest of November. I don't know whether you took time off or
9 otherwise were less engaged, but what was that time period like for you?

10 A I mean, it's hard to recall. I mean, I certainly was interested in winding
11 down the campaign at that point. I think I was, you know, still fielding some one-off
12 questions from some folks.

13 Q I guess what I'm trying to get a sense of is -- we'll discuss an email in a
14 minute that shows -- it's you, Jason Miller, and Matt Morgan, and it's about a paralegal
15 request for someone -- a typist for Victoria.

16 Do you know the email I'm talking about?

17 A I generally recall the email, but if you'd put it up, I'd appreciate it.

18 Q Yeah. I'll put it up in one second. Tell us: Who is Victoria?

19 A I presume that would be Victoria Toensing.

20 Q And who is that?

21 A Joe diGenova's wife, I believe.

22 Q And what role was Victoria engaged in at this time?

23 A She was on Rudy's team. I only know that from the President's tweet.

24 Q So, if we can put up exhibit 37, which is -- it's November 29th. And at the
25 bottom of page 2, which ends in 14494, Mr. Miller indicates that: I need a

1 paralegal/typist for Victoria Toensing in the D.C. area ASAP.

2 It says: Mayor Giuliani wants me to get it done and have someone available to
3 get to work for her.

4 And then Mr. Morgan responds indicating that -- he says, quote: I don't have
5 any recommendations. I can't exactly speak for Alex, but I'm willing to bet he does not
6 have any recommendations either. All of the law firms we use for pre-election litigation
7 have been fired, pushed out, or stepped aside for Rudy's team. The current roster of
8 law firms who are doing work have all been identified and hired by Rudy's team. I know
9 Boris has been involved in the new law firm engagements. Is there any way he can
10 make a particular request of a current law firm to provide the needed support?

11 And, at the end of this email, Mr. Morgan says: Sorry I don't have a better
12 answer, but my resources have basically gone to zero.

13 And then you respond: Hi, Jason. Matt's right. Unfortunately, I don't know of
14 anyone who could assist.

15 Mr. Miller responds and says: Guys, not to be a dick here, but I'm not going to
16 fall on the sword for this one.

17 He goes on further there, and I'm happy to let you read it if you're not -- if you
18 would like to. And then --

19 A I'm reading it.

20 Q -- Mr. Morgan, on the first page, responds in a longer email, which I'm happy
21 to have you -- if you would like, just so you can recollect what Mr. Morgan was saying
22 here. Would you like to do that?

23 A Yes, sir.

24 Q Yeah. And I'll just read it into the record.

25 It says -- Mr. Morgan says: Jason, Alex and I have been killing ourselves through

1 Thanksgiving as we've been constantly pinged by lawyers the President is communicating
2 with, not named Rudy or Jenna, on other available legal options. I'm sure you've been
3 burning the midnight oil all week as well. But please don't mistake our desire to help
4 with our ability to help. I will gladly look through my contacts list again, but Rudy and
5 his team have absolutely alienated every lawyer and law firm on my list.

6 It says: I'm sorry they've put all of us in this trick bag. Every staffer and lawyer
7 we've -- every staffer and lawyer we've given them over the past 3 weeks has bailed
8 because of unreasonable expectations.

9 It says: For example, her last typist basically quit when Victoria chastised her for
10 not being able to practice law and file something online with the court. At this point, I
11 would expect Victoria or Joe to have a deeper contact list within the lawyer community
12 than me. I mean, their website does say that they run an international law practice. I
13 don't know why they can't draw from that community.

14 And it says: Team Rudy has simply displaced all of the lawyers I hired
15 pre-election. They've run me out of options. It is not that I have no options for you.
16 It's that I've already exhausted all the slim options I had to give them already.

17 It says: Worse off, I get emails from Rudy's outside lawyers constantly bossing
18 me around and telling me that the campaign should be paying the outside lawyers more
19 money.

20 And then Mr. Miller responds and says he found someone to do this.

21 Do you recall this email?

22 A From my production, I do, but I would not have recalled it otherwise.

23 Q Do you recall having -- the tenor of the email here, it seems -- I think clearly
24 states that Mayor Giuliani's team seems to have come in and pushed out basically the
25 prior legal infrastructure that existed and fully replaced it. And is that how you recollect

1 this happening in real time?

2 A Yes, sir.

3 Q So what -- let's start back -- let's go back to -- I'm sorry. I'm looking for a
4 document here.

5 [REDACTED] Actually, you know what? I'm going to -- is [REDACTED]
6 on?

7 [REDACTED] I am.

8 [REDACTED] Yeah. [REDACTED] if you want to go through -- I think you
9 have a line of questioning here that is well-timed about outside counsel that Mr. Morgan
10 is referencing here.

11 [REDACTED] Sure.

12 [REDACTED]

13 Q Mr. Cannon, I wanted to talk to you about the sort of legal relationship that
14 the campaign had with some of these outside lawyers. I think you said that you were at
15 some point responsible for managing vendor relationships. I assume that that meant
16 attorney relationships as well?

17 A No, unless it was a non-election-related litigation.

18 Q Okay. So, if I were to go down the list of lawyers that purported to be
19 working for the campaign, would you be able to tell me whether they were, in fact,
20 retained by the campaign, or is that a question better put to Mr. Morgan or someone
21 else?

22 A I will attempt to do so. If I don't know, I'll answer I don't know.

23 Q Great. So start with Mr. Giuliani. Do you know if Mr. Giuliani was
24 engaged by the Trump campaign to perform work in the period after the election?

25 A I do not know.

1 Q How about Jenna Ellis?

2 A Jenna Ellis did have a consulting agreement with the campaign.

3 Q How about a retention agreement as an attorney?

4 A I'm not certain about that.

5 Q Is it your understanding that she was an attorney representing the Trump
6 campaign at any point?

7 A I mean, I viewed her more as a spokesperson, but I presume that she
8 functioned as an attorney from time to time as well.

9 Q How about John Eastman? Are you aware of or familiar with whatever sort
10 of contractual or legal relationship Mr. Eastman had with the campaign?

11 A Mr. Eastman did not have an engagement agreement with the campaign to
12 my knowledge.

13 Q Have you heard of a person by the name of Ken Chesebro?

14 A From the reporting. I saw his name come up in reporting.

15 Q And is that a person who had any sort of legal or contractual relationship to
16 provide legal work for the Trump campaign?

17 A I do not know.

18 Q Katherine Friess?

19 A I don't even know who that is.

20 Q How about Christina Bobb?

21 A I don't know.

22 Q Have you ever heard of a person by the name of Phil Kline?

23 A No.

24 Q Was Boris Epshteyn ever engaged as an attorney by the Trump campaign?

25 A I don't know.

1 [REDACTED] Okay. Thank you.

2 [REDACTED]

3 Q All right. Mr. Cannon, let's turn back to the email, exhibit 37. And I want
4 to focus on Mr. Morgan's email on the first page.

5 I'm sorry? Did you say something?

6 Now, at the beginning, Mr. Morgan says to Mr. Miller that you and him have been
7 constantly pinged by lawyers the President is communicating with, not named Rudy or
8 Jenna, on other available legal options.

9 What is he referencing there?

10 A I don't know. I don't believe that I was being constantly pinged by lawyers.

11 Q Do you remember being pinged by any lawyers that's not Rudy Giuliani or
12 Jenna Ellis, being contacted by them in this time period?

13 A I mean, with the exception of our -- you know, there was a short exchange
14 between me and Cleta Mitchell, which we already discussed, I don't recall being pinged
15 by lawyers.

16 Q Do you recall anyone pinging you or otherwise asking you to look into
17 available legal options or what that could mean here?

18 A No, I don't.

19 [REDACTED]

20 Q Just really quickly on that, do you remember having any conversations -- the
21 way that Mr. Morgan phrases this, it sounds like the two of you were kind of going
22 through it through Thanksgiving.

23 Do you remember Mr. Morgan complaining to you about constantly being pinged
24 by lawyers that the President was communicating with?

25 A I don't recall that, no. I know Matt was very frustrated and very tired.

1

2 Q And when he expressed his frustration to you, what did he express that he
3 was frustrated with?

4 A That people were trying to ruin his professional reputation and career.

5 Q And who were those people?

6 A Cleta Mitchell predominantly.

7 [REDACTED] Were there -- I'm sorry. Go ahead.

8 [REDACTED] Go ahead.

9 [REDACTED] Were there others, or was it just Ms. Mitchell?

10 Mr. Cannon. I think it was also Ms. Ellis.

11 [REDACTED]

12 Q And, in their attempts to ruin his career, how would you summarize what he
13 said they were doing?

14 A That they were going in and telling the President that they -- that he lost the
15 election because he didn't win the lawsuits against Marc Elias.

16 Q And how did that bear on Mr. Morgan in their framing?

17 A Because he was running the pre-election legal challenges and that, if Matt
18 had been successful, the President would have won -- President Trump would have won.

19 [REDACTED]

20 Q Was that the sole criticism about the pre-election litigation, or are you aware
21 of comments that those individuals may have made regarding election fraud claims or
22 things that should have been done post-litigation that Mr. Morgan may not have been
23 comfortable with?

24 A I'm not aware of anything other than what I've been told about people going
25 in and trashing Matt.

1 Q And, just to clarify, for pre-election activity, to the best of your knowledge?

2 A Yes.

3 Q Okay.

4 [REDACTED] [REDACTED], you came off video. Did you want to add something?

5 [REDACTED] Yeah. I just wanted to follow up on that same topic?

6 [REDACTED]

7 Q Were you ever privy to anyone trashing Mr. Morgan or the work that his
8 team had done?

9 A No.

10 Q So none of these complaints or criticisms made their way directly to you.
11 You just heard Mr. Morgan explaining what he has heard others have said about him?

12 A And from -- I mean, other people told me the same thing --

13 Q Okay.

14 A -- right, so it was verified by others.

15 Q So I want to -- and you may be familiar with this, but I've heard Mr. Giuliani
16 in various contexts, including under oath in a deposition, sort of take direct aim at the
17 campaign lawyers, meaning, I believe, Mr. Morgan and maybe you, in terms of their sort
18 of unwillingness to do what it took to try to reverse the outcome of the election.

19 Are you familiar with any of that criticism?

20 A No. I haven't read any of his depositions. I don't believe it would be
21 aimed at me. I don't think he would -- I don't think he would know me if he saw me.

22 Q So he's spoken generally about the campaign's lawyers sort of throwing the
23 towel in this time period after the election. Was that concern ever -- other than maybe
24 Mr. Navarro calling you an agent of the deep state, did anyone ever make that accusation
25 to you or say that you were less than vigorous in your defense of the President?


1 A No, sir.

2 Q Did you want -- were you hoping that President Trump would win the 2020
3 election personally?

4 A I mean, do my personal political views really impact on the investigation
5 here?

6 Q Well, only to address this concern. And if you don't want to answer that,
7 that's okay. I respect that, or I'll respect that, but there -- an allegation has been leveled
8 more than once that there were people who either -- people working for the campaign
9 who either wanted the President to lose, wanted to move on to other jobs and didn't
10 want the battle to continue. And I'm wondering whether you would -- if you think there
11 is truth to that or any truth to that from your own personal sampling.

12 Mr. Daniel Benson. Pardon me --

13  But, if you're not comfortable answering, Mr. Cannon, I'm not going
14 to -- I'll respect your wishes on that.

15 Mr. Daniel Benson. Perhaps the way to -- pardon me. Perhaps the way to ask
16 the question is, regardless of your personal political views, did you perform your services
17 as a lawyer to the best of your ability, something like that.

18 

19 Q Mr. Cannon, Mr. Benson's question is -- what would your response be to
20 that?

21 A I believe that I performed the -- my duties to the best of my abilities, yes, sir.

22 Q And are you comfortable going beyond that in terms of your personal beliefs
23 or views or desires with respect to the 2020 election?

24 A No, sir, I'm not.

25 Q Okay.

1 [REDACTED] Thank you.

2 [REDACTED]

3 Q In that same email, at the end of that first paragraph, Mr. Morgan says that
4 Rudy and his team have absolutely alienated every lawyer and law firm on my list.

5 Did you have discussions with Mr. Morgan as to how those lawyers and law firms
6 were alienated?

7 A Not that I recall.

8 Q Did you have any discussions with Mr. Morgan or anyone else
9 that -- whether law firms or lawyers were alienated because they were providing advice
10 that either Rudy's team or the President did not want to hear?

11 A That was the general sense, but I don't have any specifics on that.

12 [REDACTED]

13 Q I just wanted to ask a quick question. In the paragraph that starts with
14 "Worse off, I get emails from Rudy's outside lawyers constantly bossing me around," do
15 you have any personal knowledge of which outside lawyers were being referred to there?

16 A No, ma'am, I don't.

17 Q And, subsequently, it says that the -- Morgan says: Constantly bossing me
18 around and telling me that the campaign should be paying the outside lawyers more
19 money.

20 Do you have any idea who it's referencing there in terms of who they were
21 paying?

22 A No, I don't.

23 Q In the sentence at the end of that paragraph, Mr. Morgan says: The least
24 one of those law firms could do is use some of that money to supply Victoria with one of
25 their paralegals. That's why I seriously suggested enlisting Boris, who has been tracking

1 many of those conversations.

2 When you read this, was it your understanding that that was Boris Epshteyn?

3 A Yes.

4 [REDACTED] Thank you.

5 [REDACTED]

6 Q All right. Now, Mr. Cannon, when -- and we can take this exhibit down.

7 When Mr. Giuliani's team took over the legal efforts, did you have any

8 involvement in coordinating any other litigation efforts?

9 And, as you'll see, I'll show you some emails that seem to have discussions with
10 you, at least forwarded to you, that talk about post-November 14th litigation.

11 Do you recall what generally your involvement was there?

12 A No. I don't recall being involved in any post- November 14th litigation.

13 But, if you want to put something up, I'm happy to answer questions, of course.

14 Q So I'm going to show you what's been marked as exhibit 38, and it's Bates
15 No. 562 of your production. And it's an email from Kris Kobach -- I guess that's how you
16 say his name -- and it's to -- the first email is to Larry Joseph; a hammerhead email, which
17 I believe is Mark Martin; and then a Kurt Olsen. And its subject line is: Pennsylvania
18 statistical report.

19 And that email, Mr. Olsen forwards an email to you on November 27th. It's a
20 November 24th email.

21 Do you recall these discussions regarding these topics here that were directed
22 over?

23 A Vaguely. I do recall having one or two phone calls with Kurt Olsen and
24 Mark Martin now that we're talking about it.

25 Q Can you walk us through who are these various individuals, is your -- who

1 you know them to be and their relevance or their role, I should say, in this late November
2 period? So let's start with Mr. Joseph.

3 A I don't know who that is.

4 Q Okay. What about Kurt Olsen?

5 A I -- I am aware of who Kurt Olsen is, although I've never met him.

6 Q What are you aware of as to who he is?

7 A I believe that he was involved in the Texas v. PA original jurisdiction lawsuit
8 in the Supreme Court.

9 Q Okay. And who is Mark Martin?

10 A I believe he was a former judge from North Carolina who was also involved
11 in those efforts.

12 Q So, I mean, look at this email, and if you -- and we can scroll down even
13 earlier to the first email. The subject line says: Work product that's confidential.
14 Contours of a Texas-only complaint.

15 So these conversations appear to be discussing an expected lawsuit -- it sounds
16 like the lawsuit you're talking about here in the Texas v. Pennsylvania lawsuit, and it goes
17 through various arguments and the shape of the complaints or brief, and it talks about
18 how best to organize it around various constitutional claims.

19 And then Mr. Olsen forwards you these two emails and attaches a Pennsylvania
20 2020 voting analysis report dated November 16, 2020.

21 Can you tell us a bit about why he forwarded this -- these conversations and
22 anything you recall about them?

23 A It's probably because I had had a phone call with him -- I don't know how he
24 got my number -- and was talking to me about how, you know, this would be, you know,
25 a great chance to get in front of the Supreme Court on these issues.

1 I think, from my perspective, I thought that, if the Supreme Court got involved and
2 ruled one way or another, that would at least be an answer for folks.

3 Q Okay. So what did you do with this information when you received it?

4 A Nothing. He was doing it -- this was his -- this was his case.

5 Q So, when he forwarded to you, did he make any request of you as a
6 campaign representative to either discuss it with anyone else or otherwise do anything?

7 A No. I produced everything with Kurt Olson. I don't believe we withheld
8 anything as privileged with Kurt Olson. So --

9 Q So was --

10 A So everything you're seeing is everything there is.

11 Q So was this forwarding of an email just to keep you in the loop and know
12 to-dos resulting from it?

13 A Probably.

14 Q Did you have conversations with Kris Kobach?

15 A I don't know who that is.

16 Q So the individuals you know are Kurt Olson, and you're aware of
17 Mark Martin. Did you have any conversations with him?

18 A I believe I had a phone call with Kurt Olson and Mark Martin.

19 Q Is that the same phone call? They were both on it?

20 A Yes, sir.

21 Q And was it about this Texas lawsuit?

22 A Yes, sir, it is. And I believe I actually terminated the phone call early
23 because I got the impression that Mr. Olsen was not a terribly credible person.

24 Q Tell us a bit about how you reached that conclusion.

25 A He was talking about a lot of data that didn't seem to make much sense to

1 me. He also spoke a lot about Dominion, which is something we have addressed and
2 what my thoughts were on Dominion.

3 Q And did it -- on that call, it appeared that Mr. Martin had consistent views
4 with Mr. Olsen? Is that fair?

5 A I don't recall Mr. Martin talking on the call. I just recall Kurt Olsen. But I
6 know Mr. Martin was on the call.

7 Q Did you have any discussions with anyone from the campaign or RNC or
8 anyone else regarding Mr. Olsen or Mr. Martin?

9 A I believe I had a conversation with Mr. Herschmann about Mr. Olsen.

10 Q And what was the substance of that conversation?

11 A That I didn't think Kurt Olsen was credible and that the data that he wanted
12 to use was not verifiable.

13

14 Q Mr. Cannon, in the context of this time period, the email from Mr. Kobach
15 that gets forwarded to you is sent on November 24th, and it's forwarded from Kurt Olsen
16 to you, and I believe just you from what I can see on the email, on November 27th.

17 A Okay.

18 Q Let me back up for a second before I ask you a question regarding those
19 dates.

20 It is our understanding that Mr. Morgan effectively told folks that, as of
21 November 20, 2020, he was no longer responsible for the campaign's election-related
22 litigation.

23 Is that consistent with your understanding?

24 A I believe there was a letter that he sent out. That's consistent with my
25 understanding.

1 Q Did you see that letter?

2 A No. I don't recall it. But I -- this is from conversations.

3 Q Did you ever send anything saying that you also wanted to no longer be
4 affiliated or responsible for the campaign's election-related litigation?

5 A I was never responsible for the campaign's election-related litigation, so I
6 didn't feel that I had an obligation to send any such letter.

7 Q Oh, that -- and I understand that. That's fair. I just -- what I was asking is:
8 After November 20th, when Mr. Morgan issues that letter, do things start coming to you
9 that previously had been going to Mr. Morgan, such as this email from Mr. Olsen
10 regarding litigation?

11 A I don't know.

12 Q You didn't see, like, an uptick or people saying, "Oh, send that to Mr. Cannon
13 instead of Mr. Morgan now"?

14 A No. I don't remember seeing that as -- I don't remember seeing an uptick
15 in anything like that.

16 Q And you don't remember feeling like, oh, I'm starting to get stuff that Matt
17 would have gotten kind of thing?

18 A No. No. I don't remember that.

19 Q Okay.

20 [REDACTED] Thank you.

21 [REDACTED]

22 Q Did you understand Mr. Olsen to be working with anyone else in the
23 campaign or on Mr. Giuliani's team or at the White House?

24 A No.

25 Q And, now, let's go to the next exhibit, exhibit 39, which is

1 December 5th -- yeah -- December 5th email from Mr. Olsen to you, and it copies
2 Mark Martin, Larry Joseph. And the subject line is: Evidentiary support.

3 It says: Alex, Mike Farris suggested I reach out to you with this request. I'm
4 looking for three categories of evidence that either you or Rudy's team may have that I
5 can use to make the complaint more persuasive.

6 Who is Mike Farris?

7 A I don't know.

8 Q And then, at the bottom of this email, after running through the three data
9 points, it says: This is a complaint to be sent to Texas tomorrow at noon, and it's our
10 last shot.

11 Do you recall having any conversations subsequent to this, whether written or
12 over the phone or in person, with Mr. Olsen or Mr. Martin or Mr. Joseph?

13 A No, I don't. No, I don't.

14 Q Do you recall doing anything in response to this email?

15 A No. I think I accidentally -- I think I had a pocket response here.

16 Q Yeah.

1

2 [1:18 p.m.]

3

4 Q That would be the I and then nothing else, correct?

5 A That's right.

6 Q We've all had that happen at least once, I believe.

7 [REDACTED] Right. I will stop to see whether Ms. Lofgren has any
8 questions. We're going to be switching topics now.

9 Ms. Lofgren may be away. But all right, Mr. Cannon, if you're good, we're going
10 to keep moving forward. Do you need a break or anything?

11 Mr. Cannon. Yeah, can we take a little lunch break here?

12 [REDACTED] Yeah, should we return back at 2:00?

13 Mr. Cannon. What time? I don't even know what time it is right now.

14 [REDACTED] It's 1:18 right now.

15 Mr. Cannon. I mean, I don't think we need that much time.

16 [REDACTED] Mr. Cannon, however long you think you need for a lunch break, we
17 are happy to make it as short -- we were erring on the side of affording you time to eat.
18 So we don't want it to be an energy marathon.

19 [REDACTED] If you give me one second. Ms. Lofgren has come off
20 mute. Ms. Lofgren?

21 Ms. Lofgren. I just wanted to note I don't have questions, but I had technical
22 difficulties turning on my mic. So thanks very much.

23 [REDACTED] Thank you, Ms. Lofgren.

24 Mr. David Benson. Do you have a sense of how much longer we're going to go?

25 [REDACTED] I would say to err on the side of caution, probably an hour

1 and a half on the outer side, but, you know, it could be less. I think it's likely less.

2 [REDACTED] Can one of you mute when the other is not talking. I'm sorry, my
3 facial reaction was to the feedback.

4 [REDACTED] Mr. Cannon, you're on mute if you have a question.

5 Mr. Daniel Benson. Can we just resume at 1:40?

6 [REDACTED] Okay. We'll be back in 20 minutes.

7 Mr. Daniel Benson. Great. Thanks very much.

8 [Recess.]

9 [REDACTED]

10 Q All right. So we're going to switch topics and talk about TV ads and
11 Jamestown Associates. Can you tell us a little bit about what involvement you had
12 regarding the campaign placing post-election TV ads?

13 A I was asked to review some of the TV ads.

14 Q And review them for what?

15 A Predominantly to make sure there were no intellectual property or copyright
16 issues in the ads; that we had the appropriate licensing for music; that we had the
17 appropriate licensing for the stock footage that was being used, and the disclaimers at
18 the bottom of the ad that are required by FECA were present.

19 Q Had you done any reviewing ads for the campaign previous to this December
20 timeframe?

21 A I did some ad review in connection with the convention. So I had a little bit
22 of experience with it.

23 Q So for the ads Jamestown had previously done for the campaign, outside of
24 the convention, did you have any involvement in reviewing those?

25 A No.

1 Q And who directed you to get involved with reviewing TV ads?

2 A I believe it was Matt Morgan.

3 Q Now, we're going to look at some documents on this to topic. But first,
4 was it within your wheelhouse to also review the content of the ads or the accuracy
5 therein?

6 A No, there was a research team that would have been responsible for that.

7 Q And is that Zach Parkinson?

8 A He's the only researcher I know about, but I'm sure there were others.

9 Q Okay. Do you recall getting contacted in early December, because the
10 campaign -- the present one to go on -- on the air to -- for election fraud TV ads -- as in
11 ads where they would say ads where they would say fraud has occurred across the
12 country allegedly?

13 A What was the timeframe on that?

14 Q Early December.

15 A Yeah, I recall that there were some media buys.

16 Q What do you recall about what the objective there was?

17 A To get the ads on air.

18 Q What were the point on getting ads on air, post election?

19 A I don't know. I wasn't involved in strategy decisions.

20 Q Okay. Had you previously worked with Jamestown Associates prior to
21 December 2020?

22 A Not that I recall.

23 Q Had you previously worked with Larry Weitzner?

24 A Not that I recall.

25 Q Do you know who Larry Weitzner is?

1 A I do now.

2 Q And when you say now, tell me what timeframe are you talking about?

3 A I know -- so, you know, I knew -- I found out or knew that he produced ads
4 that the President liked, and that, you know, there were certain ads that you can see on
5 TV, and then I learned that those are like Larry's ads.

6 Q Before you worked on the ads in December 2020, did Matt Morgan contact
7 you to tell you that you would be working with Larry Weitzner and others to create
8 ads -- or not to create ads, but that you would be involved in the process?

9 A Yeah, I think so. I don't recall, specifically, how I ended up being involved in
10 this. You know, it was generally, I think, outside counsel reviewed ads, TV ads.

11 Q Are you saying that's what happened previously to these post-election ads?

12 A That's what happened previously to TV ads, generally, is what I'm saying.

13 Q Did you --

14 A What I'm saying is I don't know exactly why I was tasked with reviewing
15 these ads. The only thing that I can speculate is that I was asked to do it by someone
16 senior to me, which would have likely been Matt Morgan.

17 Q Okay. I'm going to show you what's been marked as exhibit 20. And I'm
18 going to start on the second to the last -- the third to the last page, excuse me, which
19 ends in Bates Stamp 170. Did I say 20? Sorry, if I said 20. I apologize. I meant 40.
20 I misspoke. My apologies. If you can take a look at exhibit 40. And we're going to
21 start on the page that ends in 170. Now, this is a document that is not from your
22 production, but that you're on.

23 A Okay.

24 Q And so you see here this email from Mr. Weitzner dated June 8th, and it's to
25 you, Mr. Parkinson --

1 [REDACTED] December 8th.

2 [REDACTED]

3 Q December 8th. Sorry, I am misstating so much here. December 8th.
4 Alexander Cannon, Zach Parkinson, Carlos Cruz, Evan Tracey, Ben Angle, and Jason Miller
5 are on the recipient list. Do you know who Carlos Cruz is?

6 A No, I had never heard that name before.

7 Q What about Evan Tracey?

8 A I believe Evan Tracey was at Harris Sikes. They were the buyers.

9 Q And that's also Ben Angle as well, correct?

10 A Yes.

11 Q Had you worked with either Evan or Ben Angle prior to this December 8th
12 email?

13 A Possibly with some contract stuff, but I don't recall.

14 Q Is it fair to say you knew who they were before this email we're about to talk
15 about?

16 A Yeah. Yeah, I knew who they were.

17 Q Okay. And then Jason Miller. So the subject line says, New Project. And
18 it says: Team, I was asked by Jared and DJT to work on an ad about election fraud.
19 Attached is a 60-second script doing that. It will be followed by a 30 focusing the
20 Georgia example, and another on multistate fraud. I know we have significant issues
21 getting the ads on air. We took a lot of the language that I think Fox would object to,
22 but I assume we would get pushback anyway. Do you recall this email?

23 A No.

24 Q Do you recall that Larry Weitzner reached out to you and expressed what's
25 noted in the email that President Trump and Jared Kushner wanted him to work on an ad

1 about election fraud and he did, in fact, start doing that?

2 A No, I mean, I don't doubt the authenticity of this document, but I would
3 know nothing about a meeting between Larry Weitzner and the President and Jared.

4 Q Well, do you recall Larry Weitzner reaching out to you and including you in
5 the process of getting these ads on the air?

6 A Again, I don't recall this particular instance, but I have no reason to doubt
7 the authenticity of the email.

8 

9 Q Let me try to phrase it a different way. I had the expression from you a
10 couple of moments ago that you were not frequently involved in television ad review. I
11 think you said the last time you did it was the convention. So we were trying to figure
12 out why, to the extent that you know, does Mr. Weitzner loop you in on the
13 December 8th, 2020 email regarding the ad campaign about election fraud, to the extent
14 that you know or had conversations with him about it?

15 A I don't think I've ever spoken to Larry Weitzner in my life. So, no, I don't
16 know why I was asked to do this. I don't know who asked me to or why I got put on it.

17 Q Okay. That's helpful. Thank you.

18 

19 Q So I'm going to scroll up in the email -- well, before we do that, do you
20 remember having conversations with anyone about issues with getting TV ads on air
21 because of the substance of those ads?

22 A No.

23 Q Did you have a discussion with anyone about how different television
24 stations might have had different levels of receptiveness to Trump campaign ads?

25 A Not that I recall.

1 Q Do you recall TV ads, in fact, going up on air in December 2020?

2 A I'm aware that TV ads went up, yes. I think --

3 Q Okay.

4 A -- I think only from -- going through this process with you guys right here.

5 Q All right. I'll show you some emails and see whether it refreshes some of
6 your recollection regarding your involvement. You'll see Ben Angle respond, if you scroll
7 up a bit to the prior -- to the next email. Ben Angle responds, and he says, "I'll start
8 collecting rates." Right there. "But you're right that we could run into clearance
9 problems. The copy below is likely to cause us the most trouble with S&P departments.
10 If you have a rough-cut available to send for clearance, then we can start the process.
11 When do you want to start, how much do you want the campaign" -- "how long do you
12 want the campaign to run? You will need to have substantiation ready for these
13 claims." And then you list out a variety of claims there. Are you familiar with the
14 process regarding substantiation of claims that are going to be run in television?

15 A No.

16 Q Are you aware, generally speaking, that we -- that campaigns may have to
17 provide substantiation of the claims they make in their ads?

18 A Yes.

19 Q Okay. And are you aware the Trump campaign having issues regarding
20 providing adequate substantiation for claims made?

21 A No, I wasn't aware of that.

22 Q Okay. We scroll through the next email, which is from Mr. Weitzner. And
23 it says, "Zach and Jason, the more you guys can help on this sourcing/backup information,
24 the better. I have not been following it closely until yesterday, and I worked off
25 campaign documents." So do you believe that Zach Parkinson and Jason Miller said -- is

1 it fair to say this is example of Mr. Parkinson being involved in the fact-checking, or
2 sourcing of information in ads?

3 A That's what it appears to be.

4 Q And I'm giving you context, but you are going to have a responsive email. I
5 want you to have the full context before we get to your email. So Mr. Cruz responds in
6 the next email, a little bit further up, and he attaches the three scripts for the proposed
7 ads. One is called Stop the Steal, another one is called On Tape, which focuses on
8 Georgia, and then the third is Overwhelming, it's called. Do those names ring a bell for
9 ads Stop the Steal, On Tape, or Overwhelming?

10 A No.

11 Q All right. We're going to scroll up. Mr. Angle responds indicating that he
12 wants to send these to networks to get first reactions from S&P departments. Mr.
13 Weitzner responds saying he is getting emails asking me to hurry up and edit them. Are
14 you aware of any time pressure the campaign had placed on Mr. Weitzner or others
15 regarding getting these ads on air prior to December 14th?

16 A It doesn't sound like the pressure is coming from the campaign. But, no,
17 I'm not aware of any pressure.

18 Q Okay. Next, Mr. Parkinson responds, and he says right there -- he says,
19 "Our legal team is the ones who'd have to substantiate these, as many of them I cannot.
20 Some of these claims (like suitcase full of ballots), networks can point to fact-checks like
21 this" -- which he then puts a link in -- "and say it's not true." Are you familiar with the
22 claims made regarding a suitcase -- a so-called suitcase full of ballots in Georgia?

23 A Yes, I am.

24 Q What is your understanding of what those claims are?

25 A That after there was a water main break at the -- wherever the vote

1 counting center was in Georgia. That people pulled out suitcases of ballots, and they
2 were double-counted. Ballots were double-counted.

3 Q And are you familiar with the video of that -- of the so-called suitcase full of
4 ballots that was circulated in the media?

5 A Yes, sir, I am.

6 Q And you have seen it. Is that fair?

7 A Yes, sir.

8 Q Okay. So I'm going to show you an email, if you scroll up, this is an email
9 from you that responds to Mr. Parkinson's email. And it's a December 8th email the
10 same day as Mr. Weitzner's original email. We keep scrolling up to one more page.
11 Thank you. And here you say, "Jason" -- this is Jason Miller -- "I assure that no one
12 wants a lawyer writing their scripts. That being said, here are my thoughts on the
13 factual components of the voter fraud claims in the scripts. I suspect that S&P
14 department will have a hard time with these ads. Stewart, if you have anything
15 additional, please chime in, if not just confirm."

16 You start with the first video called Overwhelming, and there you say, "Suitcases
17 of Ballots -- you all can judge from the video what went on just as well as I can. I do not
18 have a high degree of confidence that networks will run this." And then you say, "Dead
19 People -- we are not able to confirm dead people voting in Wisconsin because voter
20 information does not include date of birth. We do have evidence of dead people voting
21 in Georgia and Pennsylvania."

22 You say, "Money for Votes in Nevada." You say it's the first time you're hearing
23 about money for votes scheme in Nevada, but you indicate that support is needed. And
24 then I will note you then talk about the Stop the Steal video, that's the second ad,
25 indicating that "ballots miraculously appeared -- need substantiation." And, again, on

1 the third On Tape you say regarding -- and I will proffer to you that the video is about the
2 Georgia -- the Georgia video we talked about, the Georgia suitcases. You, again, say,
3 "You all can judge from the video what went on just as well as I can. I do not have a high
4 degree of confidence that networks will run this."

5 So in looking at this, it sounds like what you're saying here is after reviewing the
6 potential scripts or the claims that the proposed ads would make, you are doing your job
7 and highlighting some concerns that certain allegations could not be substantiated. Is
8 that fair?

9 A That's fair.

10 Q And are you familiar with the subsequent explanation from the Secretary of
11 State's office in Georgia as to what happened in that video, and also the release of a
12 longer surveillance video of the incident?

13 A I'm not familiar with it.

14 Q Sitting here today, do you have any knowledge or about attempts to -- do
15 you have any knowledge about explanations that undercut the argument that fraud was
16 occurring in that video in Georgia?

17 A Well, there was a recount. So if ballots had been counted multiple times, it
18 would have come out in the recount.

19 Q So is it fair to say that the Georgia ballot video that was circulated did not, in
20 fact, show fraud?

21 A I don't know the answer to that. I mean I -- I believe that if the recount was
22 conducted appropriately, and I have no reason to believe that it was not, that if ballots
23 had been scanned multiple times, it would have come out in the recount.

24 Q I don't know the way you look at it today, but I think you say something
25 similar to Ms. Ellis when she talks about Dominion voting, and you indicate that the

1 claims aren't supported and, in fact, are the Georgia recount as contrary evidence of
2 those claims. Do you recall that?

3 A Yes, I do.

4 Q So is that the similar thing here, basically, that the recount undercuts other
5 claims made regarding the Georgia vote?

6 A Yes, sir.

7 Q And is it fair to say that here you are -- the same way that Parkinson did
8 when he highlighted a fact-check for the Georgia suitcase, you are also telling Mr. Miller
9 and Mr. Weitzner that you also have concerns that the accuracy of these claims cannot be
10 verified?

11 A That's what Zach asked me to do.

12 Q And is that what you, in fact, did; is that what you're saying here that these
13 claims can't be verified?

14 A That they may not be verifiable enough for Standards and Practice
15 Department at a national TV network, yes.

16 Q Because you're the only lawyer -- I guess Stewart Cross is on this as well.
17 Can you tell us who that is?

18 A He is outside counsel for the campaign at Jones Day, or he was at this time.

19 [REDACTED]

20 Q Just real quickly on that. Do you remember a few minutes ago when we
21 were talking about the Mike Morgan email where he referred to the outside lawyers that
22 Rudy was using? Do you have any reason to believe that that would have been Stewart
23 Crosland?

24 A Oh, no. No, no, no.

25 Q Okay. So completely different bucket of outside lawyers?

1 A Oh, they were FEC compliance counsel.

2 Q Okay. Crosland you're talking about now?

3 A Yeah, Crosland and Jones Day were FEC compliance counsel.

4 Q Got it. Thank you. I just wanted to draw that line and see if we -- thank
5 you.

6 [REDACTED]

7 Q And, Mr. Cannon, did you have further conversation after providing these
8 comments, did you have further conversations that you recall in your responses to your
9 comments here?

10 A No, sir, I don't recall any further conversations.

11 [REDACTED]

12 Q If we can go back really briefly to page 6 of the exhibit. It's the email right
13 before your substantive email. On December 8th, you are actually the one that adds
14 Stewart Crosland to the email chain. And a minute, ago you said because he was the
15 FEC compliance lawyer, was it your understanding that this was a compliance issue?

16 A Yes, like --

17 Q Okay.

18 A -- I said when I started out this conversation, it was, from my perspective, as
19 being an individual who is not in control of messaging, content, or strategy, I had to make
20 sure that there was licensing, I had to make sure there were appropriate disclaimers at
21 the bottom of the ad, and other IP issues. Then, in this email chain, Zach Parkinson said
22 the lawyers need to chime in, which is not something that I generally would have done,
23 because messaging wasn't really part of my -- like the content and substance of
24 messaging was not part of my job description.

25 Q And just to follow up on that, if we could scroll down just a hair to Mr.

1 Miller's email underneath that. When Mr. Miller says, "Over to you on signing off on
2 bombs being hurled, Alex, or at least how best to phrase to give us the wiggle room we
3 need." Was there any concern you had expansion of your job duties that was not
4 consistent with what you were doing previously?

5 A Look, this whole time period was an expansion of my job duties that wasn't
6 consistent with what I had been doing previously. So, no, I wasn't surprised at this point
7 that somebody was asking me to do something that I hadn't normally done.

8 Q And the only reason I ask that is because then you subsequently add outside
9 counsel to the chain. And the impression I got -- and this is where it's difficult to read
10 things and understand context -- but the immediate response to add outside counsel
11 seemed almost like calling in backup to say --

12 A Correct.

13 Q -- is that fair?

14 A That's correct.

15 Q Okay.

16 A And like I had said, when I originally mentioned this, I said that ads would
17 have been reviewed previously predominantly by Jones Day and not by me.

18 Q So --

19 A That's why I would have added Stewart.

20 Q So you read this chain of emails, and everybody is moving quickly, they're
21 talking about the ads, and you are the only attorney that you see on here. And then all
22 of a sudden, Jason Miller says, Okay, Alex, we need you to sign off. And you respond,
23 Let me add the counsel who has been traditionally handling this for backup. Is that fair?

24 A Correct.

25 Q Okay. It's just helpful to understand because we live in a world of reading

1 without some context, and so that's where your help is invaluable. So we appreciate
2 that.

3 [REDACTED]
4 Q Mr. Cannon, I think we're going to switch topics. [REDACTED], are you on?

5 [REDACTED] I am, yes.

6 [REDACTED] All right. Mr. Cannon, this is one of our colleagues here,
7 senior investigative counsel, [REDACTED]. He has a few questions for you, so I will hand
8 it over to him now.

9 [REDACTED]
10 Q Good afternoon, MR. Cannon. Thank you. And good to see you again,
11 Mr. Benson. Very briefly I want to talk with you about what I'll refer to as alternate
12 electors, and I'll define that term just so you know what we're talking about. But,
13 generally, it's an effort to have electors for former President Trump and former Vice
14 President Pence meet and cast votes for Trump and Pence in States that they had lost.
15 Does that make sense to you?

16 A Yes, sir.

17 Q Okay. When did you first hear, if you did, about the idea of having State
18 legislatures appoint or use from electors in States that Trump had lost?

19 A I mean, it might have even been after the election when there started to be
20 some media reporting on it.

21 Q Okay. And are you talking like days after the election or weeks, months?

22 A No, like weeks or months after the election.

23 Q Okay.

24 A I knew -- I had one conversation inside the campaign where somebody was
25 talking about, you know -- this was very, very late on too, because there were

1 like -- nobody was in the office, but me. And I believe I spoke with Josh Findlay and
2 asked him, like, What were you doing in the office? And he said, Oh, there's this stuff to
3 do with like some electors. And I said, Oh, what do you mean? And he was, like, Yeah,
4 there's some elector stuff. And that was it. And now looking back on it realize that,
5 you know, that's what he was likely talking about, but at the time I had no knowledge of
6 any of those activities.

7 Q Okay. And I believe I missed the beginning of the meeting here, but I
8 believe that you had a child around November 20th.

9 A Sure.

10 Q Do you remember if this was before or after that just using that as a
11 guidepost?

12 A I think it would have been afterwards, because we were like breaking down
13 desks and spackling walls and stuff and getting ready to turn the campaign over back
14 over to the landlord, the campaign offices back over to the landlord.

15 Q Do you know --

16 A Or something else that I had to do.

17 Q And, roughly, when did that happen? What did you guys turn the keys in
18 on the offices?

19 A I think the lease was up -- you know, Mr. Dollman would know better than
20 me -- but it was either January 15th or January 30th is when we turned over on offices.

21 Q And you think this conversation was after that -- or, excuse me, around that
22 time like maybe we can use January 6th, the joint session day. Do you think it was
23 before --

24 A It obviously -- I believe it was prior to January 6th.

25 Q All right. And I understand that there may have been discussions as early

1 as -- just a matter of days after the election within the campaign and among
2 Rudy -- Mr. Giuliani and his team about seeking or having Trump electors cast electoral
3 votes for Trumps in States that he had lost. Do you remember any conversations that
4 early within a day or a week or two after the election?

5 A No, sir. I would not have had any involvement in those conversations.

6 Q Okay. And I know you mentioned John Eastman, or you were asked about
7 John Eastman earlier. When is the first time you remember him being involved in
8 anything related to the campaign?

9 A I don't think I even heard John Eastman's name until after January 6th.

10 Q Somewhat related to that is discussions about the Vice President and his
11 authority on January the 6th. Did you ever hear any conversations about what the Vice
12 President would or would not be able to do when he convened and presided over the
13 joint session on the 6th?

14 A No, sir, not to my recollection.

15 Q One of the things that came out, of course, in the days beforehand, and then
16 it's been well-reported afterwards, and I don't want to get into stuff you know only from
17 reporting, but is that the President encouraged the Vice President to either delay the joint
18 session in order to send the electoral college votes back to States for further
19 consideration, or that the Vice President had the authority to count or not count certain
20 votes during the joint session. Do you remember hearing any conversation about those
21 topics and the Vice President before January the 6th?

22 A No, sir, I don't recall that.

23 Q Okay. Okay. Thank you very much, Mr. Cannon. I appreciate it. And
24 [REDACTED], I'll turn it back to you.

25 [REDACTED] Thank you, [REDACTED]

1

2 Q Thank you, sir. All right. Mr. Cannon, can you tell us a bit about what
3 DataPier is?

4 A Yeah, absolutely. So DataPier was an organization that was set up to
5 manage the Trump campaign list. So we were -- during the summer, probably around
6 May or April, there was a lot of talk -- and I learned and was told that the Trump
7 campaign list was valuable for the campaign going forward. And that, in fact, I was told
8 that that's how Romney and his campaign had, you know, paid off some of their debts,
9 post election, is by doing list rentals. And then I learned that in order to do list rentals,
10 you have to have a brokering company, a third-party brokering company, that has to have
11 domains and has to have IP addresses. And that those domains and IP address have to
12 be what's called "warmed up" in order to undertake the brokering.

13 So, you know, you have to have reputation scores and all kinds of stuff like that.
14 And, in addition, you have to have an agreement with the third-party vendor -- I believe
15 they're called an ESP -- which you can actually load the underlying data into so that you
16 have a possession of it. And it was my understanding from these conversations that the
17 joint fundraising agreement between the RNC and the campaign provided that there was
18 joint ownership over the fundraising email list. It was also told to me that the only copy
19 that existed of that list was in the RNC sales force. So I was told to figure out a way to
20 make sure that we have a copy of the list from RNC. And that in the event RNC goes its
21 separate way from, you know, the Trump political operation, that we had a way to do
22 email sends to supporters, or a way to broker out the list to third parties in the event that
23 we had to satisfy any debt obligations for the campaign. So that's the story.

24

25 Q Mr. Cannon, quite a few times during that -- and it was an incredibly helpful

1 explanation. I just want to pick apart a few things. There was a lot in there that
2 non-email list experts wouldn't know. So I am going to come back and kind of ask you.
3 But at certain points, you said that I was told or I was directed. Who did you have
4 conversations with about those things?

5 A I mean, it was all over the campaign. There were concerns about the RNC.
6 So it could have been, you know, people like Justin Clark, people like Matt Morgan. I
7 would have had a conversation likely with, you know, Eric Trump about it. I would have
8 talked to Mr. Dollman about it as well because, obviously, he is concerned about making
9 sure that we can pay our debts, right? So.

10 Q But in the -- I'm going to call it a bucket for lack of better word -- but in the
11 bucket of things that you talked about that somebody said you needed to do, can we
12 maybe break down -- and to the extent that you can, and I know it was a while ago -- but
13 can you try to remember the conversations that you had with these individuals in terms
14 of either what their concerns were, or what they asked you to do?

15 So let's start with Mr. Stepien, I think you mentioned. Sitting here, to the extent
16 that you can remember, do you remember the conversations that you had with Bill
17 Stepien regarding what you needed to do with the email list or any of the concerns that
18 you just mentioned?

19 A I don't remember talking to Stepien about it. I don't know that I mentioned
20 Mr. Stepien's name. If I did --

21 Q Okay --

22 A -- I mean, yeah, I don't think I mentioned -- I think I mentioned Justin Clark.

23 Q Okay. That, but Clark -- but we can start there.

24 A Yeah, I mean, the conversations would have been RNC has the entire
25 fundraising database and a list of all the email supporters. And, you know, we don't

1 have a way -- one, we don't have access to it; and two, with sort of the firing of Mr.
2 Parscale from the campaign, or the stepping back of Mr. Parscale from the campaign, we
3 really didn't have a way to deploy it. So it was either Justin, or I'm not sure, but
4 somebody -- at one point, Sean and I were directed to do this and warm up IPs so that we
5 could make sure that we had a copy of the data and the ability to, you know, do email
6 sentence.

7 Q And just to clarify, the Sean your referenced there is Mr. Dollman, correct?

8 A That's correct. So Sean ran the books.

9 Q And a moment ago, you said that part of the concern was that the data was
10 all in sales force. Was that because the sales force account was actually RNC's sales
11 force account that the joint funding committee was using, correct?

12 A That's correct. It was the -- the RNC maintained this at what's called the
13 sales force instance.

14 Q And so, the concern was all of the data, all of the metrics -- but the list -- I
15 guess the really important part was the list, wasn't it?

16 A Well, the metrics are really important, too. But, yes, the list and the
17 metrics.

18 Q Can you explain why the metrics are important?

19 A Because of spam House rules. So if you're deploying emails at volume, and
20 you're not doing it to people who have recently opened emails or recently clicked on
21 emails or recently converted in some way to a landing page, it's more likely that those
22 individuals end up on what's called an inactive list, and the emails will go to their spam
23 folder. So you can't just take like a list of 40 million people and blast it all out at once.
24 There has got to be sort of a structured approach is my understanding to make sure that
25 you can actually deliver emails to people. So the metrics of who's active and who's not

1 is what are called click rates, and those are important.

2 Q And just out of curiosity, did you know all of this stuff at the time that you
3 were doing it, or did you have to do, like, a crash course in everything that you're talking
4 about right now?

5 A I learned some of it through my job as being vendor management attorney
6 at the campaign and dealing with, you know, like I said earlier, the vendors that were
7 dealing with data. But for the most part, it was, you know, just another thing that I had
8 to do.

9 Q And in the course of your understanding of learning about warmup IPs and
10 click rates, how familiar would you say you are with the CAN-SPAM law?

11 A I'm not incredibly familiar with CAN-SPAM. You know, I know the general
12 contours of it.

13 Q Okay. And was any of that involved in the discussion in terms of the
14 discussions on when to send emails, how to send emails? Was that ever a concern?

15 A Well, CAN-SPAM -- I mean, I don't want to get into, like, a law school quiz
16 here -- but sitting here today, yeah, CAN-SPAM would have been a concern. But for the
17 most part, CAN-SPAM applies to making sure that you're accurately representing who the
18 sender is, and that you're accurately representing, you know, the content of it, that it's
19 some kind of solicitation, or advertisement. I don't believe there's like an opt-in
20 requirement for emails like there is for, you know, text messages, like short code text
21 messages, for example.

22 Q Okay. That's super helpful. Go ahead.

23

24 Q So you had mentioned a third party that helped or, I guess, helps manage a
25 list. What was that third party for DataPier?

1 A It's the ESP. It's called Iterable. It's like a sales force. They're the
2 delivery layer, the technology that actually delivers the emails. They're like sales force.

3 Q Okay. So when the email goes out to X million people, Iterable is the folks
4 who make that happen?

5 A I mean, I don't pretend to understand how ESPs work, but they have the
6 technology that actually delivers emails.

7 Q So when we're looking at the post-election period -- because in the email
8 you produced, we often see you an email as approved by the RNC, and the Trump
9 campaign, presumably for TMAGAC. And that's T-M-A-G-A-C. That's approved by
10 TMAGAC to go out -- it's often proven you forwarded that email to Darren Centinello.
11 C-e-n-t-i-n-e-l-l-o. And then he CCs often Mr. Dollman is on the email with a DataPier
12 email address, Mr. Centinello has a DataPier email address, and then you have a DataPier
13 email address. Can you talk us through in a little bit of detail as to why it is all structured
14 that way, and why TMAGAC's emails are going out that way post election?

15 A Because we had an agreement to do sends on behalf of the campaign using
16 RNC copy. So once the copy was approved by RNC, we would do warmup sends, or
17 called warmup sends to small portions of the list using the RNC's copy. And those were
18 usually coming in through, you know, people at RNC.

19 Q So tell us a little bit about why do it this way? Like what is a warmup send
20 intended to do? How does that work?

21 A Well, it's intended to make sure that you have IP addresses that are
22 functioning and reliable so that you can deploy emails at scale later on. So you have to
23 have people interacting with your emails. So if you have an IP address, and it's brand
24 new, you can only send a couple hundred people at a time. And then as people start to
25 interact with your emails, those IP addresses warm up, and you can start to send to larger

1 numbers of people at a time.

2

3 Q And is it fair to say part of this -- and not to get too technical. And I'm
4 sorry, I find this fascinating, so I'm going to geek out for a moment -- but this is, in some
5 ways, to prevent things like bots, right, or things from blasting out emails that are newly
6 created; the idea of being we want real people at real computers with real IP addresses
7 being able to blast out emails, because we don't want thousands or millions of spam
8 emails coming from brand new IP addresses. Is that fair?

9 A That's correct.

10 Q Okay.

11

12 Q And when the warmup was happening with DataPier, were the ultimate
13 large blast emails coming from the Trump campaign, or from TMAGAC?

14 A You would have to look at the specific email, right? There would be a
15 disclaimer. I mean, I produced the emails, I believe. There would be a disclaimer that
16 would say who paid for it.

17 Q Well, I guess what I'm asking you -- and perhaps let me rephrase it as
18 broader question -- is that post election, did you understand that the emails -- were you
19 working on what you thought were Trump campaign emails, or were you working on also
20 joint fundraising emails for TMAGAC?

21 A I mean, the purpose of this whole thing was to set up an entity that could
22 broker the list for whatever the Trump campaign was in the future. Who we were
23 sending on behalf of, I just don't recall whether -- I mean, I think all fundraising went
24 through TMAGAC. But sitting here right now, I don't recall. I mean, the mission was to
25 warm up IPs, and that was really it. And then --

1 Q Who else was involved from the Trump campaign besides you and Mr.
2 Dollman?

3 A Darren Centinello. He had done some work on the digital team, and he
4 knew how to operate these things, which is why we asked him to help.

5 Q Okay. And what's his role? Like, was he more of an IT guy?

6 A No, he was a marketing guy. So he knew how to use the Iterable, actually
7 the software, how to load in content, and, you know, create, warm up IPs.

8 Q Uh-huh. So in working for -- you and Mr. Dollman and Mr. Centinello, who
9 did you all report to in engaging the post-election work with DataPier and Iterable?

10 A I mean, there wasn't -- we were a vendor. So, I mean, we reported to like
11 Justin Clark. But it's all -- anything would have been -- maybe I just don't understand the
12 question. What do you mean who do we report to?

13 Q I guess the way I understand it, you're saying that the point of DataPier is for
14 President Trump and his potential post -- if there is a world where he is no longer
15 engaged with the RNC for joint fundraising, DataPier has intended to be able to use and
16 monetize his large email fundraising base. Is that fair?

17 A Yeah, but not necessarily for any, like, personal purposes. I think we were
18 really, you know, mostly thinking about what the Romney campaign did.

19 Q Yeah -- and I am not suggesting a personal purpose, but what I am
20 suggesting, though, is that when this is happening, it is post election, so the debt question
21 is not relevant anymore, because at that point the -- and tell me if you disagree, but the
22 emails we're seeing that are post election, there isn't a debt issue why DataPier would be
23 necessary to retire Trump campaign debt. Is that fair?

24 A Yeah, that's fair, but we also wanted a list, broker, right? I mean, you still
25 have a value in that list. And if that list goes cold, it's valueless.

1 Q I understand that. But I guess what I'm saying is the person who, in a
2 sense, owns the list at its core is President Trump. It's his political --

3 A No.

4 Q Okay.

5 A It's not. He doesn't own it.

6 Q Okay.

7 A The campaign owns it.

8 Q All right. And then, ultimately, does President Trump control the campaign
9 is what I'm trying to get it. I don't want to belabor the point, but it seems like the point
10 of the list is that President Trump's future political entity, or whatever comes out of this,
11 would be able to use the list. I'm not trying to suggest it in a nefarious way, but in a way
12 to keep the list alive, it would be his political universe by which the list would come into
13 play. Is that fair?

14 A Yeah, there's a lot there. I want to start out also by saying this isn't -- we
15 didn't start this post election. We started this back in -- I mean we started this back -- I
16 don't know when we did our first send, but it was well before Election Day.

17 Q Uh-huh.

18 A So the warmup in IP is a many months'-long process. This isn't something
19 that happened immediately during the post-election period. We provided you with
20 documents that were responsive to the request, right? When it was set up, there were
21 concerns about the relationship with the RNC, there were concerns about the
22 relationship with Brad Parscale, and we needed to make sure that we had a copy of the
23 data. That's not inconsistent with what other work that I was doing as well, making sure
24 we backups to certain databases that were maintained by the campaign, right? So this
25 is an extension of that.

1 Q And then so when we look at records and DataPier is paid by the campaign,
2 are those moneys for DataPier's work, or are those moneys being passed through the
3 Iterables or somewhere else?

4 A DataPier had expenses. I don't know exactly what all the expenses were,
5 but Iterable was expensive. We paid on a person basis without overhead costs.

6 [REDACTED]

7 Q I just want to make sure I understand because maybe I -- you and Mr.
8 Dollman are the individuals that create DataPier, correct?

9 A Yes.

10 Q Okay. And, Mr. Centinello, is he an employee, or is he a cofounder, or
11 what's the status there?

12 A He was a consultant who provided services.

13 Q Okay. So did he have his own company?

14 A Well, no, I mean, he was Darren Centinello. I don't think he had a company
15 that he was using, but he was 1099'd, I believe. Again, you would have to ask Mr.
16 Dollman.

17 Q Okay. And just to be clear, would you have said DataPier was really Mr.
18 Dollman's endeavor, or were you equally involved? How would you characterize that?

19 A I sort of took on the responsibility of, you know, understanding the technical
20 side of it, and Sean took on the operational side.

21 Q Okay. And so, you're having the conversation presumably sometime -- I
22 would guess in September, because I think we see the first actual payment to DataPier is
23 in October 2020? So I think --

24 A Right.

25 Q -- you said it would take months. And it's okay if you don't remember the

1 exact start date. I'm just trying to figure this out in my head. You create DataPier
2 because you need an entity to broker the list. And it can't be the campaign because you
3 need a separate entity to do the sales to other entities. Is that right?

4 A That's how it's custom -- my understanding is that's how it was customarily
5 done, yes. You have a broker in the middle who deals with the list, and you are not
6 dealing directly with campaigns and committees.

7 Q And do you remember who told you that?

8 A I mean, that's just the way it works. I mean, you know, you have, like,
9 conservative connector and other entities if that's business that they're engaged in.

10

11 Q So let me ask you this, so who owns DataPier?

12 A DataPier is gone now, but it was me and Sean.

13 Q And what happened to DataPier?

14 A Well, after January 6th, we had stopped, you know, doing anything with it
15 because of what happened on January 6th.

16 Q And then can you stand on that? And why would that lead to it being fully
17 dissolved?

18 A Because our IPs got cold.

19 Q So the value of the list there had lost its value. Is that fair?

20 A We didn't have the ability to do those sends because our IPs, we hadn't done
21 sends for months and months and months.

22

23 Q Oh, was that partially because of the sales force shutdown?

24 A Well, everything got shut down on January 6th.

25 Q So when they stopped send the emails, when they basically stopped the

1 fundraising emails, all of the IPs that you were using for that got cold and --

2 A We weren't using sales force. No, we stopped. Like everybody else stops
3 sending messages.

4 [REDACTED] Voluntarily.

5 [REDACTED]

6 Q Right. No, I am sorry, you had already clarified it nothing to do with the
7 sales force shutdown. That was a separate answer. And I thought that you were
8 saying was that when you voluntarily stopped sending emails, the IP addresses that we're
9 using went cold. And so you couldn't restart them?

10 A It would have been a big, big expense to restart them, yes.

11 Q Okay. And was there no discussion with anyone -- I mean, was the value of
12 that completely lost to anyone who would have tried to use it?

13 A No because we had turned out that, you know, some of the vendor -- like
14 Brad Parscale ended up being able to do email sends, and he knows a hell of a lot more
15 about this than me and Sean. And so, he now is -- you know, he does email sends.

16 Q So this is going to sound incredibly rudimentary, and I apologize, because I'm
17 probably not using the proper terms. But did he figure out faster how to warm them up,
18 and you couldn't get yours warmed up in time?

19 A No, he just has -- he does this for a -- he does this all the time. So he has
20 other clients and has warmed up IP addresses already. But when we set this thing up,
21 we didn't know whether or not Brad was still going to be around.

22 Q That makes sense. So this was an alternative kind of a fail-safe, we can use
23 these IP addresses. It was really meant to be for the Trump campaign to kind of protect
24 itself in the event of possible future relationship issues with the RNC. And post
25 January 6th, you go dark, there's no point in bringing it alive again because they go back

1 to Parscale.

2 A Correct.

3 Q Okay. That's super quick -- that's very helpful clarification. And just to be
4 clear, it's not -- the events on January 6th, you stopped sending the emails, is that at
5 somebody's direction?

6 A Well, I mean, I knew that Gary Coby had stopped sending emails, and we just
7 stopped sending emails like everybody else did.

8 Q How did you know that Mr. Coby had stopped sending emails?

9 A Because on January 6th, Gary called me and said, are you seeing what's
10 happening? I'm obviously turning everything off.

11 Q Did you get the impression that Mr. Coby made that decision, or did he say
12 anything to you about anybody else telling him that?

13 A He didn't tell me anybody else. He just told me I'm turning off text
14 messages, I'm turning off emails.

15 Q Got it. And so you did the same?

16 A Yeah.

17 Q Yeah. And I am just clarifying.

18 

19 Q Now, just to clarify, when an email was sent out by DataPier, who was giving
20 the approval to do that?

21 A Well, the campaign would have been the ones that hired DataPier as a
22 vendor, right? So Justin Clark, I mean, he is the one who approved -- Justin Clark is the
23 one who approved DataPier.

24 Q I'm going to ask, if I see an email -- if one of the emails you produced, for
25 example, it says, it has email post election about the election that's approved by the

1 approval chain, it comes to you, you forward it to Darren who then gives it to Iterable.
2 In that process, is someone from the campaign besides you deciding that this email,
3 rather than going through the RNC sales force medium is going through Iterable, who is
4 making that decision, is that you?

5 A Yeah, I mean, but RNC -- you know, we had conversations with RNC. You
6 can see in my production as well that RNC sent it directly sometimes to Alex at DataPier.
7 If what you're suggesting is that we were somehow like operating under the radar and
8 trying to steal RNC copy or something like that, that's not happening now.

9 Q No, no, no.

10 A That's just the only copy we have. I guess I just don't understand the
11 question, sir.

12 Q Yeah, no, no. That's not what I'm suggesting at all. What I'm trying to
13 understand is just how the process worked. So there are hundreds of emails that go out
14 post Election Day pre-January 6th. And we're trying get a sense of it doesn't appear
15 from the documents that every email, right, is being funneled through the Iterable
16 process, just some are. So just where that decision process being made as to these
17 emails going through, one versus the other?

18 A So, I had asked RNC to send us really their most basic, what I was hopeful
19 would be their most basic, least controversial copy.

20 Q And why least controversial, and why basic?

21 A Because we were worried about deliverability issues, right? Like you saw
22 what happened with Sales Force, right? I mean on January 6th, they shut down. We
23 were hearing that, you know, there were drops in deliverability because people were
24 talking a lot about, you know, election issues and election fraud. So we tried to -- I
25 mean you guys are going to -- I understand where you're sitting, and you guys may

1 disagree with this -- but what we tried to do was use, you know, stuff about Georgia,
2 general issues speech matters, and then on December 9th, we started doing, like, a
3 weekly newsletter instead of any sort of fundraising emails.

4

5 Q This was all before January 6th, wasn't it?

6 A Yeah, that's what I'm saying.

7 Q Right. But so our understanding was that everything was incredibly hot
8 and heavy on fundraising emails. There were no limits in terms of the language
9 pre-January 6th, were there?

10 A Well, I was putting limit -- I mean, you can look at the production and
11 compare it to what RNC was sending out, right?

12 Q Well, say --

13 [REDACTED] Oh, maybe I can clarify.

14

15 Q Well, no, sorry, real quickly. I want to be clear about something. I don't
16 know if it's become clear to you, but you're talking to a bunch of people who don't have
17 campaign experience, don't know emails as well as you do. Your expertise sometimes, it
18 far exceeds like our subject-matter expertise. So sometimes when you say things, we're
19 asking to you clarify. So just be patient because we may be asking the questions -- we're
20 not trying to trick you. You just noted at a depth that sometimes it's very helpful when
21 you explain things, and then we back up to have you explain certain technical aspects to
22 us.

23 So it's just very helpful. So we would like for you explain things, especially given
24 your expertise. We would rather have you explain it to us than us try to guess. Does
25 that make sense?

1 A Absolutely. And I am trying to be as helpful as I can. And I'm sorry, I'm
2 just tired, and --

3 Q You know, I totally --

4 A -- we've been at this for a long time.

5 Q -- I totally understand.

6 A But I am more than happy to continue. And I apologize if I came off as
7 being short or rude in any way. That's not my --

8 Q No, no, I did not take it that way. I think you were understandably
9 frustrated. And we are trying the best we can to ask these questions, and we do really
10 appreciate your patience with that. So I think my colleague was going to ask my
11 question better. So I will let him do that.

12

13 Q On the point about less -- I don't want to use the term excited emails, but
14 perhaps less -- emails that are more likely to be delivered, was your concern there that
15 the purpose of warming up the IP addresses is that they were actually being delivered
16 and engaged with, and that's how you warm up an IP address?

17 A Yes, they have to be delivered and engaged with.

18 Q And then was it a concern that you used some of the RNC emails with more
19 excited language that there could be problem with the goal of deliverability and
20 engagement?

21 A Well, we believed that there would be more of a problem with deliverability,
22 not necessarily engagement.

23

24 Q So, actually, that's super helpful. Can you parse that out, because what is
25 the deliverability problem in using inflammatory language?

1 A It gets flagged as being a terms of service violation from your ESP, and they
2 can threaten to turn you off.

3 Q Okay. That is incredibly helpful. Because in my head I was like, is there a
4 screening mechanism for words. But it's the email sender who looks at and says this
5 may be a terms-of-service violation.

6 A Correct.

7 Q And just like --

8 A And just like you see in my production, that one of the first emails we sent
9 out was just a standard RNC copy that was like, you know, the election was stolen, or
10 something like that. And then you can see the Iterable's counsel jumps in and says, Hey,
11 guys, we can't do this. And then there was a period of time where we started working
12 with Iterable's counsel to make sure that what we were sending met their community
13 standards. And in order to do that, we were asking RNC for their most basic copy.

1

2 [2:40 p.m.]

3 [REDACTED] I'll let you go, and --

4 [REDACTED] Okay.

5 [REDACTED] -- I'll keep my questions for later.

6 [REDACTED]

7 Q Yeah. I want to go to exhibit -- we're going to talk about in a bit, but we'll
8 be back. But exhibit 62, the November 6th email. And it has the Trump Election
9 Defense Fund, and it just says -- the subject line says: Proof, Michael, and increase your
10 impact now.

11 And then Darren forwards it to an individual named Seth Charles.

12 Is that Iterable's counsel.

13 A That's my understanding. That's either somebody in Iterable's counsel's
14 office, or it's somebody in charge of, like, standards and practices at Iterable.

15 Q Okay. So, here, Mr. Charles says: I would advise that -- and he offers an
16 edit of adding additional word.

17 And then he says: Again, this comes in the chorus with less inflammatory
18 language that could be misleading as accusatory or assuming intent upon a particular
19 population.

20 Is this the kind of feedback you're talking about that Iterable would give you on
21 the substance of emails?

22 A That's correct.

23 Q So, when he says, "Among the chorus comes the -- again, this comes in
24 chorus with less inflammatory language that could be misleading," is he talking about that
25 Iterable's kind of automated process might have issue with this and that's why, or is it the

1 end users -- the recipients that's going to have an issue?

2 Can you just walk us through that a little bit more?

3 A I think what he's saying is: Please don't use inflammatory language or
4 anything that could be considered misleading or accusatory.

5 And we're saying: Great, we'll work with you to make sure that we're doing
6 everything you guys need.

7 Q And is the idea that, once an IP address has gone from warm to hot -- so let's
8 say it's a campaign email address. The day before election, they're emailing millions of
9 people daily. That campaign email address is able to deliver more inflammatory emails
10 because those recipients have been engaging with that email address over a long period?

11 A If you take the terms of service piece out of it, right, if you take the terms of
12 service piece out, in general, the higher the reputation score and the hotter the IP
13 address is, the more volume you can send from that IP address.

14 Q And, on the terms and service piece, how is that typically captured, meaning
15 is that an automated process that, in your experience, would capture, or are they -- or
16 was Iterable specifically saying, "We have issue with this because we reviewed it on a
17 manual basis"?

18 A I don't know how they handle their internal reviews.

19 

20 Q But, to be clear, that would have been an internal review that Salesforce or
21 Iterable, these companies that are actually sending the emails -- it's their internal
22 screening process with what they're comfortable with based on their contractual terms of
23 service agreement, correct?

24 A Yes. That's my understanding.

25 Q So you talk with them, and you say, "This is what we want to send through

1 your service," and their counsel looks at their terms of service and says, "Based on our
2 agreement, we have no issues with that"; is that fair?

3 A That's fair, yes.

4 Q And so, once you have these really -- to my colleague's point, once you have
5 these really hot IP addresses that could theoretically blast out -- I don't know -- thousands
6 of emails? Was there a limit?

7 A I mean, it -- I don't know what the limit would be on a really hot IP. But,
8 you know, you could deploy a lot of emails in a day if you have really high reputation
9 score IPs that have been around for a long time.

10 Q And, if you have these really hot IPs and you've got a giant list with, say,
11 millions of emails, is it fair to say that the only limit or the only screening on what's going
12 to be able to go out is the terms of service and the legal counsel of the service that's
13 going to send out the emails effectively being the gatekeeper of what can go at that
14 point, right?

15 A Well, the individual doing the send should, you know, exercise some
16 judgment as well, right?

17 Q I understand that.

18 A But --

19 Q I understand that you may have done that, and so -- and I get that's your
20 perspective, and I appreciate that. I'm saying, stepping back, objectively, if you look at
21 the system systematically, if the sender is saying, "This is what we want to send," and
22 they've got a hot IP, and they've got a list of millions, the only thing stopping that is an
23 iterable or a Salesforce saying whether it violates their terms of service or not, correct?

24 A Yeah. I mean, there is also these organizations -- one is called
25 Spamhaus -- that monitors emails coming from places, and if they look spammy, they

1 report that back to like Salesforce and Iterable. There is a whole network here that's
2 involved in email deliveries.

3 But, you know, I don't think your characterization is unfair, that, you know, in a lot
4 of ways, it comes down to the email service provider and the feedback they're getting
5 from users, from click data, from Spamhaus, and places like that, about whether or not,
6 you know, emails are going to be delivered or whether they're going to be sent to
7 people's spam boxes.

8 Q Okay. And -- no. Actually, I'm going to turn it back over to my colleague.
9 Thank you. That was very helpful.

10

11 Q So, if we can look at exhibit 53 -- I think it's our next exhibit, ending in 4724,
12 in this email, Mr. Charles says: Hi, Darren. Thanks for reaching out with this. Happy
13 to provide feedback here. For the most part, I think this would be fine, and I'm fairly
14 confident, when they come after me, they're really coming after you and everything you
15 stand for, would get flagged. I'd recommend looking for modified copy there to be a
16 little less threatening.

17 Let me know if you have any questions.

18 And, before I ask you a question, I'm going to show you exhibit 54, the next
19 exhibit, which is a similar email from Mr. Charles on November 11th. And he, again,
20 says: For the most part, this looks okay, although this copy would need further
21 adjustment.

22 He quotes the copy, which says: Only to see the leads miraculously disappear as
23 the days went by. Perhaps these leads will return as our legal proceedings move
24 forward, but only if we have the resources to keep fighting.

25 Then he says: This obviously insinuates the so far unsubstantiated theory of

1 voter fraud, as well as contributions and legal actions will result in some sort of different
2 outcome. You have been spot-on with other changes, so I'd reference that to an
3 objective observation on the current state of the voting process, et cetera.

4 Now, in both of these emails and all the emails that you're sending Iterable, is it
5 fair to say that those have already gone through the RNC and the Trump campaign's
6 approval process for TMAGAC?

7 A Yes. Yes. They would have been final -- final approved copy.

8 Q So, when Iterable says an email is either unsubstantiated or otherwise
9 threatening, they're talking about emails that the RNC and TMAGAC -- excuse me -- the
10 RNC and the Trump campaign have approved to be sent out through TMAGAC, correct?

11 A I believe so.

12 Q Now, did Mr. Charles reflect in these edits here, for example, about the
13 unsubstantiated theory of voter fraud -- is that a concern he has based on the terms and
14 conditions that Iterable has?

15 A That was my understanding, right, because, after we sent one email
16 that -- you know, on, like, the 6th or whatever and they reached out to us, we just agreed
17 that we wanted to work directly with Iterable and engage directly with Iterable to make
18 sure that they had no problems with what we were sending, right?

19 So I don't know -- I mean, sitting here, I don't have the Iterable terms of service in
20 front of me, and they weren't referencing, you know, section 4.2 of the TOS. But, you
21 know, that would be -- it has something to do with their terms of service or standards,
22 community standards and guidelines, right?

23 Q So it's fair to say that there were emails that Salesforce was okay sending
24 that Iterable was not okay sending, but they were both approved by the same people?

25 A I mean, I'd have to speculate and say that, you know, Salesforce sent out -- I

1 don't know what copy was actually sent out by RNC, right? I mean, just -- the
2 assumption you're asking me to make is that every piece of copy that was approved by
3 RNC was deployed through the RNC Salesforce. I don't know if that's the case.

4

5 Q So, actually -- so I guess, if you could help us with that, that would be -- one
6 of the points of confusion that I have is what emails went out through Iterable versus
7 which emails went out through Salesforce.

8 A Well, we got email copy sent to us by RNC to send out through DataPier. I
9 don't know exactly whether that was a mirror image of stuff they were sending out of
10 Salesforce or not.

11 Q When you say that, can you break that down, because part of the confusion
12 for us is, because of the nature of the joint fundraising committee, there were some
13 people that worked for the RNC who were actually part of the joint fundraising
14 committee, and so they were sending TMAGAC emails versus just RNC emails.

15 So can you kind of, like, really parse out who is it that's giving you emails and copy
16 to send through Iterable as opposed to Salesforce?

17 A I believe it was a guy named Austin Boedigheimer. I'm not sure how to
18 pronounce his last name. He was the one who would send us a few examples a day to
19 send. And then Darren, you know, would pick the one that he believed was the most
20 likely to go through Iterable. And then we'd work with Iterable to make sure that it
21 would be deployed.

22

23 Q And --

24 Hold on one second.

25 Yeah. Give me one second.

1 Mr. Cannon, we're ready when you are.

2 Mr. Daniel Benson. He'll be back in a moment.

3 [REDACTED] Mr. Cannon?

4 Mr. Cannon. Yes, ma'am?

5 [REDACTED] Apologies.

6 [REDACTED]

7 Q I think the confusion was mine, because I was trying -- I was struggling to
8 understand why are some of the -- all of the emails are generally going out through
9 Salesforce and the TMAGAC team. They go through the whole approvals process, and
10 everything's just going out through Salesforce and the TMAGAC team.

11 I couldn't figure out why are some emails going through this process through
12 DataPier and Iterable. And what my colleague said and what I'm hoping that you
13 confirm is that you're taking -- you're siphoning off some of the emails and running them
14 through DataPier and Iterable in order to warm up these new IP addresses so that, if later
15 you can't use the RNC or Salesforce, you have your own thing for the campaign?

16 A That is 100 percent correct.

17 Q Okay. And I want to follow up on this, because I'm on the roll -- is the
18 reason -- you're picking emails that are coming out of the approvals process that aren't so
19 inflammatory and aren't likely to violate terms of service to get them through Iterable
20 with no problems?

21 A Correct.

22 [REDACTED] Okay. I'm going to turn it back over to my colleagues who are on
23 track, and I really appreciate the clarification.

24 [REDACTED]

25 Q All right. Mr. Cannon, now, we've seen the email, which I'll -- where are my

1 notes?

2

3 Q Sorry. Real quickly, while he's looking for his notes, did you have any
4 conversations with Mr. Charles, either by phone, outside an email, about -- it's just
5 interesting to me that you start having these conversations. How does it get to the
6 point where you're proactively working with them on a
7 can-you-check-this-before-we-hit-send basis?

8 A We either got a notification from them, or they called. I don't recall. It
9 might have come through the Iterable system, or it might have been a phone call. I
10 don't recall, but --

11 Q Sitting here --

12 A -- you know --

13 Q I'm sorry. Go ahead.

14 A The mission was to make sure that our emails could be delivered and our IPs
15 were warm, and I made a determination that we should work with Iterable.

16 Q And, sitting here right now, can you actually remember any verbal
17 conversations that you had with Mr. Charles about these issues?

18 A No. I'm sorry, I can't.

19 Q Okay. But the takeaway was -- it sounds like you decided to have a very
20 proactive relationship of running things through them to prevent problems that would
21 prevent you from warming up the IPs?

22 A That's correct.

23 Q Is it fair to say that the versions of the emails that you syphoned off and
24 selected from the ones that had gone through the approvals process -- that you ran
25 through the Iterable process, were the ones that were -- I don't know. I'm trying to

1 figure out the best way to phrase this. I don't want to say less inflammatory, because
2 even then Iterable comes back with language changes, correct? So you're toning them
3 down. Is that fair?

4 A That's correct.

5 Q Okay.

6 [REDACTED] Go ahead.

7 Mr. Cannon. We wanted --

8 [REDACTED] Mr. -- I'm sorry. Go ahead.

9 Mr. Cannon. We wanted our starting point to be toned-down RNC emails, and
10 then we further toned them down through this iterative process with Iterable.

11 [REDACTED]

12 Q So you -- I see. You took the -- like the relatively safe, least inflammatory
13 RNC copy -- and we're saying RNC copy, but it could have been TMAGAC, correct?

14 A RNC -- it's my understanding that RNC wrote -- it was RNC staff that wrote all
15 the copy. TMAGAC was just a joint fundraising committee. They don't have staff
16 or -- you know what I mean? Like --

17 Q Right.

18 A It's -- yeah.

19 Q You're saying RNC because you believed the people worked for the RNC. Is
20 that fair?

21 A Yes.

22 Q Okay. And you're taking their copy, the copywriter's -- the digital
23 copywriter's copy, and you're taking the least inflammatory versions, putting it in emails,
24 and then toning it down even further in conversation with Iterable?

25 A That's correct.

1 Q Got it. Okay. Thank you.

2 [REDACTED] Go ahead.

3 [REDACTED]

4 Q All right. So, Mr. Cannon, we see November 4th, when Nathan Groth
5 hands off the approval process for emails and texts to you. Do you recall that?

6 A I do.

7 Q And it says here -- I mean, it's Bates -- it's exhibit 45, but he says: Matt
8 instructed me to hand off all compliance matters, including approvals, to you. And he
9 clarified that the two main pieces are comms approval, email and text messages, and,
10 two, digital ads.

11 One thing I want to confirm is that, in your role as you saw it -- and I want to call it
12 the approvals group, or the approvals chain -- did you see yourself as tasked with
13 reviewing the content of fundraising emails separate from compliance issues and typos
14 and things like typos?

15 A No. I saw myself as doing exactly what I was instructed to do here, which is
16 do what Nathan had previously been doing. So it's this. It's compliance issues like
17 disclaimers and typos.

18 Q Okay. So, for example, if you saw a fundraising email come across your
19 desk for your approval and you reviewed it and you thought it had -- well, let me ask you
20 this. Let me retract that.

21 If you reviewed that, were you engaging with the substance of the claims made
22 about election voter fraud, for example, or were you just reading it over, checking typos,
23 or checking disclaimers?

24 A The latter.

25 Q Okay. So, when we look at the emails, we see a variety of people that are

1 included on the approvals chain.

2 So we have Jenna Kirsch. Am I right that she's RNC legal counsel?

3 A I don't know her.

4 Q Okay. Do you know Kingsley Cortes?

5 A I know the name, but I don't know her.

6 Q Okay. Do you know Cassie Smedile, S-m-e-d-i-l-e?

7 A No, I don't.

8 Q Okay. So, when we look at these emails and we see fundraising email
9 comes across from Julia Trent at the RNC, and then you write "good"; Kingsley writes
10 "good"; Jenna writes "good"; Zach Parkinson writes "good," tell me --

11 A Yeah.

12 Q What was your involvement --

13 Mr. Daniel Benson. Pardon me. Pardon me. Can we see the email you're
14 talking about?

15 [REDACTED] I'm not talking about a specific email. I'm talking -- I
16 mean, there are dozens of -- can you mute yourself there? I mean, if you're next to each
17 other, maybe we can hear it that way.

18 But, Dan, there are lots of emails produced that have this same format.

19 [REDACTED]

20 Q Mr. Cannon, if you would like to see one, I'm happy to show you one. But
21 there are often emails that a fundraising copy comes across, and then a variety of
22 people -- it goes to a chain called "approvals at GOP," I think is one of them, and then a
23 variety of folks respond, including you, approving the email can be sent.

24 Does that sound how it typically happened?

25 A Yes, sir.

1 Q Okay. And let's -- I'll show you an example. Let's go to exhibit 46. So
2 we scroll down to the second page. Here, we see copy that has "SMS ORG," which has
3 "DJTFP," so I assume those are texts coming from the Trump campaign, correct?

4 A Yeah. It would look that way, yes.

5 Q And then has a variety of texts. And it has: SMS ORG for the RNC.

6 And then it has "ORG with TMAGAC" there at the bottom, which I believe there is
7 referring to emails. This particular email happens to be -- the first line says: The
8 Democrats are trying to steal the election. We will never let them do it.

9 So, when you receive an email like this and you see that phrase, "the Democrats
10 are trying to steal the election," did you view it as part of your job responsibility to
11 consider whether that statement was true or not, or was that outside of your purview for
12 what you were tasked with here?

13 A It was outside of my purview for what I was tasked with. I mean, you can
14 look, and I recognize that there aren't -- it's going to be a highlighting issue again. But
15 you can see links that I clicked on and went to the landing page to make sure that the
16 disclaimer was at the bottom, that it said contributions are not tax deductible, that you're
17 a U.S. citizen, and the various certifications you have to make to make a contribution.

18 I was concerned with FICA issues and typos.

19 Q Who did you understand, if you know, that would be tasked with ensuring
20 that fundraising emails are true and accurate?

21 A I don't know who that would have been.

22 Q I'm going to show you the next exhibit, 47.

23 So, in this email, someone named Marc Robertson from -- appears to have -- at
24 legal. Do you know who that is? Marc Robertson?

25 A No, sir, I don't.

1 Q Okay. In this email, he says: One of the RNC texts has the 1,000 percent
2 match language that needs to be changed to 800 percent.

3 Any idea what he's talking about here?

4 A No, sir.

5 Q Were you involved in any discussions as to whether to use impact versus
6 match in fundraising emails or texts?

7 A No, sir.

8 Q Were you involved in any conversations as to what language should be used
9 in fundraising emails regarding stolen election claims?

10 A No, sir, not to my recollection.

11 Q All right. I'm going to show you the next exhibit, 48. So here is an
12 example of an email that you seem to approve at the first page. It's from Julia Trent,
13 which I note she's at the RNC.

14 You say: Good.

15 And then you eventually seem to forward it to Darren Centinello. And you say:
16 Approvals, try to find one that can be appropriately toned down. Let me know if that's
17 not possible.

18 And that's November 6th.

19 Is this what we've talked about where you want Darren to go through the various,
20 you know, emails that have been approved here and find one that would not trigger
21 issues with Iterable?

22 A That's correct.

23 Q And is it fair to say that the post-election emails coming out of TMAGAC
24 were generally inflammatory? That's why you're saying, "Let me know if that's not
25 possible," because your expectation was that they were going to be inflamed?

1 A I don't recall. I was just asking him to find one that wouldn't have a -- that
2 we could make sure would be delivered by Iterable.

3 Q But, when you say, "Let me know if that's not possible," that suggests to me
4 that the expectation is he could review these and find ones that you really couldn't tone
5 down and keep the essence. Is that a fair reading?

6 A That's an -- that's a fair implication.

7
[REDACTED]

8 Q Just out of curiosity, are you aware of any conversations that Salesforce ever
9 had with the RNC or with the campaign about any of these emails violating their terms of
10 service or being too inflammatory to send?

11 A No, I'm not aware of any such conversations.

12
[REDACTED]

13 Q Okay. Let's go back to exhibit 49.

14 This is another approval email from November 11th. At the top, we see Zach
15 Parkinson saying he's good with it with edits. And then we have Cassie Smedile, who
16 says, "Okay"; Mike Reed, who is comms at RNC, says, "Okay."

17 At the second page, we see your approval. You say, "Good." But I want to
18 draw you down to Jenna Kirsch, who I will represent to you, if you don't know, is legal at
19 RNC. And she has: Edits below.

20 A Okay.

21 Q If we go to the next page, we can see the highlighting isn't super great with
22 the black and white, but she appears at one point to change "secure 4 more years"
23 to -- just scroll down a bit, please. I can show you. If we scroll down. Right there.

24 She appears to change "secure 4 more years" to "defend the election."

25 And, when we look at these edits in your production, it appears repeatedly that

1 there is an edit that seems to remove -- let's call it an implication of another 4 years, and
2 focus on something like keep the fight or finish the fight or defend the election.

3 Do you recall any discussion you had of why those edits were made?

4 A No. I --

5 Q Okay.

6 A Like I said, I don't know who Jenna Kirsch is, so I didn't have any
7 conversations about it.

8 Q Okay. We see another edit here where it's a switch from "stop the left
9 from stealing the election," and it becomes "stop the left from trying to steal the
10 election." And that's RNC legal, it appears, making the edit.

11 Any discussions you had as to why that was a change that was thought to be
12 necessary?

13 A No.

14 Q Okay. Is it fair to say that, if -- and I'm going to again proffer to you that
15 she is RNC legal -- that, if you had gotten an edit like this, you would have just deferred to
16 them as to why they were doing it?

17 A Yes.

18 Q Okay. All right. Very quickly, I want to turn -- this is two quick docs here.

19 Exhibit --

20 [REDACTED] Sorry.

21 [REDACTED] Oh, sorry. Go ahead.

22 [REDACTED] Really quickly.

23 [REDACTED]

24 Q Mr. Cannon, were you on any of the approval emails all up through
25 January 6th?

1 A No. There was a -- I don't know when I stopped, but at some point, I was
2 no longer on it.

3 Q Okay. Go ahead.

4

5 Q And do you recall someone telling you you would stop being on it?

6 A Yeah. I think just with -- I had enough going on, and I think I asked Justin
7 Clark if I could get off of it, and he said that would be fine. And then they took me off of
8 it.

9 Q Do you recall if anyone replaced you?

10 A No. I -- I don't know. Maybe Nathan went back to doing it, but that's
11 speculation.

12 Q Okay. Did you have discussions with anyone within the campaign about
13 the inflammatory tone of the post-election emails?

14 A Yeah. I mean, I did mention it to Justin Clark.

15 Q What did you say to him?

16 A That, you know, I just didn't love the messaging, something along those
17 lines.

18 Q What was the issue you had with the messaging?

19 A I think it's just some of it seemed a little over the top to me.

20

21 Q Because you had just spent weeks researching and looking and trying to
22 figure out what was verifiable and what wasn't, right?

23 A Yes, ma'am.

24 Q You had had face-to-face conversations with Mark Meadows, with Peter
25 Navarro, with the Vice President. You'd been told to your face -- you'd been accused of

1 being an agent of the deep state in response to telling people the truth about what you
2 were seeing in terms of election fraud that was verifiable or would be admissible in court,
3 hadn't you?

4 A Yes.

5 Q And, in response to all of the truth that you were propounding to people,
6 you watched for weeks as the tone of these emails got stronger and more inflammatory,
7 raising millions -- hundreds of million dollars off of theories that you had spent weeks
8 debunking and denying because you had found that they were not verifiable, right?

9 A I can see how you would draw that conclusion.

10 Q I see somebody who -- and you correct me if I'm wrong. I see somebody
11 who diligently looked up, researched, responded, and, as a lawyer, wrote back, "this is
12 what you can say, this is what you can't say, this is what's verifiable, this is what would be
13 admissible in court," and watched as countless people ignored it and put incredibly
14 inflammatory things that were often contrary to exactly what you said in fundraising
15 emails.

16 Am I wrong?

17 Mr. Daniel Benson. You don't have to agree with all the characterizations. You
18 can characterize it the way you would characterize it if you answer that question.

19 Mr. Cannon. I'd really prefer not to answer that question if that's all right with
20 you.

21 [REDACTED] I can understand why it would be uncomfortable to do so, so I totally
22 appreciate that. Go ahead.

23 [REDACTED] I want to turn to -- I'm sorry?

24 Mr. Daniel Benson. Just for the record, I mean, I think, you know, you're just
25 using kind of characterizations that the witness hasn't necessarily testified to. So, you

1 know -- but you can take his answer for how you take it.

2 [REDACTED] No. And I appreciate that, and I think Mr. Cannon made it clear that
3 he didn't necessarily agree with my characterizations. He chose not to answer, and I
4 understood him choosing not to answer.

5 [REDACTED]

6 Q Mr. Cannon, I want to show you document exhibit 43, which talks about the
7 legal -- it's the subject line of the email: Legal defense fund. It's an email exchange
8 between you and Cleta Mitchell on or around November 11th, ending in 13889.

9 And, here, Ms. Mitchell asks you in the second page at the bottom -- she
10 says -- excuse me -- at the middle: Is there a legal defense fund set up for the Trump
11 campaign, or is that all part of the JFC with RNC?

12 And you respond: The campaign has a recount fund, and the RNC has a legal
13 proceedings fund. There is fundraising occurring through the JFA. In addition, POTUS
14 established a leadership PAC on Monday night that has been added to the JFA.

15 That leadership PAC is Save America, correct?

16 A Yes, sir.

17 Q Were you involved in conversations about the formation of Save America?

18 A Yes, sir, I was.

19 Q Who did you have those conversations with?

20 A Mr. Kushner.

21 Q Anyone else?

22 A I spoke to the President about it as well.

23 Q Now, when did you speak -- okay. Walk us through when you spoke to
24 Mr. Kushner and when you spoke to the President about this.

25 A I spoke to the President -- this would have been a meeting I had after

1 January 6th, where he wanted to understand what his post-Presidential organizational
2 structure looked like. And so I identified for him that, you know, there was a leadership
3 PAC called Save America that had been established. I also had some other discussions
4 with him about options for other organizations as well.

5 Q All right. So let's -- before we go -- we'll go over that in one minute, but
6 Mr. Kushner -- let's talk about -- excuse me. Let's talk about November, because you're
7 saying you had this conversation with Mr. Trump in January 2021. Let's go to
8 November. The PAC is formed, I think, November 9th.

9 Did you have any conversations with anyone prior to its formation about its
10 formation?

11 A No. I recall being asked if we could set up another committee and then
12 having discussions with outside counsel, meaning Jones Day, about what type of
13 committee would be appropriate, and that was a leadership PAC. And then a form 1
14 was filed with the FEC, and Save America was formed.

15 Q And who directed you to look into that, into the formation of a new
16 committee?

17 A Mr. Kushner.

18 Q And what did he -- that was when? Was it November, October?

19 A No. It would have been in November.

20 Q After the election?

21 A Yes, sir.

22 Q Okay. And tell us a bit about -- tell us what he told you about what would
23 become Save America.

24 A Can I consult with counsel for just a moment, please?

25 Q Of course.

1 [Discussion off the record.]

2 [REDACTED] Mr. Cannon, yes?

3 Mr. Daniel Benson. All right. I don't know why we're --

4 [REDACTED] I think if Mr. Cannon mutes, perhaps --

5 [REDACTED] Mr. Cannon, can you mute for a moment?

6 Mr. Daniel Benson. He's muted us.

7 [REDACTED] You.

8 [REDACTED] I think if you mute yourself, Mr. Benson, and then maybe
9 if we -- Mr. Cannon unmutes himself, we'll listen to you through him. That might work.

10 Mr. Daniel Benson. I'm going to object to these are calling for privileged
11 conversations -- attorney-client privileged conversations.

12 [REDACTED] I guess just to clarify, Mr. Benson, the conversation is
13 about Save America PAC with the campaign lawyer, so I guess who is the client here?
14 The campaign is a client?

15 Mr. Daniel Benson. Mr. Kushner is a client or representative of a client.

16 [REDACTED] Mr. Kushner is representative of the client, which is the
17 campaign, correct?

18 Mr. Daniel Benson. Yes.

19 [REDACTED] But I'm trying to understand what connection does the
20 campaign have to Save America PAC, an independent legal entity that has no connection
21 to the campaign?

22 Mr. Daniel Benson. Let me put it this way. Mr. Kushner, acting either on behalf
23 of himself or on behalf of some other person or entity, was asking for legal advice about
24 the formation of this PAC, and the advice that was rendered was confidential legal advice.

25 [REDACTED] Okay.

1 [REDACTED] From Mr. Cannon?

2 Mr. Daniel Benson. Yeah. Mr. Cannon is an attorney and was an attorney at
3 the time.

4 [REDACTED] But you're saying that Mr. Kushner was Mr. Cannon's client or was
5 representing a client of Mr. Cannon?

6 Mr. Daniel Benson. No. Or was an agent of a client who was consulting
7 through Mr. Kushner with Mr. Cannon.

8 [REDACTED] So, I guess, just so we clarify the record, Mr. Benson, does
9 Mr. Cannon represent anyone, at that time period in 2020, outside of the Donald Trump
10 campaign? And, of course, in -- as part of that, its agents and what else, but is anyone --

11 Mr. Daniel Benson. In this case, so far as I know, he was -- Mr. Kushner was his
12 client, and he was rendering advice to Mr. Kushner. Whether Mr. Kushner was acting on
13 behalf of another principal who was -- you know, who could be characterized as the
14 client, I don't know as I sit here, but this was legal advice that was rendered to a client.

15 [REDACTED] But, just so we're clear for the record, the only client that
16 Mr. Cannon has is the Trump campaign and anyone that would be under the Trump
17 campaign umbrella. Is that fair?

18 Mr. Daniel Benson. Not necessarily.

19 [REDACTED] Okay. So, just so we have a clear record, who else is
20 Mr. Cannon representing besides -- because our understanding is that he was employed
21 by the Trump campaign and that entity alone. And of course, pursuant to that, there
22 are a variety of individuals that will come within the scope of that privilege, but was there
23 anyone else that he represented outside of what I just said?

24 Mr. Daniel Benson. Well, Mr. Kushner, whoever Mr. Kushner was acting on
25 behalf of, who was asking him for confidential legal advice.

1 [REDACTED] And was the Kushner representation born out of
2 Mr. Kushner's involvement with the campaign, or separate from Mr. Cannon's
3 representation of the campaign?

4 Mr. Daniel Benson. Well, Mr. Kushner was -- you know, did have a role with the
5 campaign, so perhaps it was with the campaign, but I -- you know, I don't know as I sit
6 here who he -- whether he was acting on behalf of himself or another principal or the
7 campaign itself.

8 [REDACTED] I think we're going to have to have a conversation about that offline
9 given previous discussions we'd had that have been factually inconsistent with that. So
10 perhaps we could take a brief break and maybe have a call with you, Mr. Benson, to
11 discuss this?

12 Mr. Daniel Benson. Sure. What's confidential? Can we go off the record for a
13 moment and just kind of talk about it now?

14 [REDACTED] Can you give us one second?

15 Mr. Daniel Benson. Sure.

16 [Recess.]

17 [REDACTED] Mr. Benson? Sorry. You want to unmute either
18 Mr. Cannon's -- okay.

19 [REDACTED] There we go.

20 [REDACTED] Mr. Benson, yeah. So we're happy to -- if it makes sense,
21 to talk about this offline so we can unpack this because I think it's just our interest to
22 understand -- again, we said Mr. Cannon represents the campaign. So we understand
23 that individuals who work for the campaign would fall within perhaps the scope of that
24 privilege.

25 But, here, it's conversations with Mr. Kushner about an entity that is not the

1 campaign and a work-related entity that, as we understand it, is not owned or -- and is
2 otherwise legally distinct from the campaign. So it might make sense to speak briefly --

3 Mr. Daniel Benson. Sure. But what prevents an attorney employed by the
4 campaign -- in this case, Mr. Cannon -- from rendering legal advice to a client that's not
5 the campaign? I mean, nothing prevented him from doing that, and that's, in fact, what
6 he was doing. So I'm not sure what the question -- what the issue is.

7 [REDACTED] The confusion was, at the beginning of this interview, when we asked
8 Mr. Cannon who he was employed by and we were trying to get a feel for his work
9 history, there wasn't a suggestion that he had other clients or that he was moonlighting
10 for other entities while he was working for the campaign. So, to the extent that there
11 was an entity that he represented, that's somewhat inconsistent with a lot of his
12 testimony, so we were asking if Mr. Kushner --

13 Mr. Daniel Benson. Pardon me. Pardon me. Pardon me. It's not
14 inconsistent at all. He's employed -- you asked who he was employed by. He said he
15 was employed by it. He didn't say, "I never gave legal advice to other people."

16 I mean, I am sure you know lawyers who work for companies who do pro bono
17 work for clients, who do public service work for clients. Just the fact that he was
18 employed by the campaign in no way precludes him from rendering legal advice to other
19 clients.

20 [REDACTED] No, that's fair. But he would need to have --

21 Mr. Daniel Benson. That would be --

22 [REDACTED] He would need to have an actual engagement -- I mean, if I give, you
23 know, side advice to my friends, I don't believe they would claim attorney-client privilege,
24 certainly if I wasn't engaged by them or paid by them. Was he engaged or paid by the
25 entity that Mr. Kushner worked for?

1 Mr. Daniel Benson. I hope you tell your friends that if and when they consult
2 you.

3 ██████████ Oh, good God, I do.

4 Mr. Daniel Benson. When my friends consult me as an attorney, I assume that
5 every -- all legal advice I'm giving to anyone, if -- to the extent I do it, is privileged and
6 confidential.

7 ████████████████████ Well, Mr. Benson, let's do this. Why don't we -- let's
8 keep going, because I think let's table that conversation with Mr. Kushner just for the
9 benefit of time. And then we can perhaps circle back to certain -- you know, try to work
10 around these topics so we don't keep Mr. Cannon longer than we need to.

11 Mr. Daniel Benson. Okay. That's fine. I'm just going to take -- do you want to
12 take a minute break?

13 Mr. Cannon. Yeah.

14 Mr. Daniel Benson. Let's take a minute break.

15 ████████████████████ All right. Sure.

16 Mr. Daniel Benson. Thank you.

17 [Recess.]

18 Mr. Daniel Benson. Can I just maybe do something that will help -- might help
19 resolve this?

20 ████████████████████ Okay.

21 Mr. Daniel Benson. Mr. Cannon can testify as to what questions Mr. Kushner
22 asked him. He won't tell you what his answers are, but, if -- why don't we do that, if
23 that makes sense. And then you can figure out whether those are subjects you need to
24 delve into in any event.

25 ████████████████████ Okay. Sure. Let's proceed that way.

1 Mr. Daniel Benson. Okay.

2 [REDACTED] Thank you.

3 Mr. Daniel Benson. Thank you.

4 BY [REDACTED]

5 Q So, Mr. Cannon, just to have context, I think we were talking about your
6 conversations with Mr. Kushner that preceded the formation of Save America PAC on
7 November 9th. Can you tell us what he -- the questions he asked you?

8 A He asked what type of entity could be formed. He asked what the
9 fundraising limits would be for such an entity. He asked what are permissible
10 expenditures from such an entity, and what's required to form it.

11 [REDACTED]

12 Q Was this a verbal conversation that you had with him?

13 A Yes, ma'am.

14 Q In person, or on the phone?

15 A Telephone.

16 Q Was there anybody else on the call?

17 A Telephone, if I recall. Not that I recall.

18 Q And, to the extent that you can say, at any point did Mr. Kushner indicate
19 that he was asking the questions on behalf of somebody else, or to the extent that you
20 can remember, did you get the impression that he was asking for himself?

21 A I got the impression that he was asking on behalf of someone else.

22 Q And who did you think that person was?

23 A The former President.

24 Q Did you get that impression, to the extent that you remember, from
25 anything he said -- i.e., "President Trump is asking about" -- or did he mention the

1 President during this conversation in the context of the questions that he asked you?

2 A I don't recall.

3

BY [REDACTED]

4 Q Okay. So we have that November post-election but pre-November 11th
5 meeting with Mr. Kushner.

6 Did you have further discussion with Mr. Kushner regarding Save America after
7 that?

8 A Mr. Kushner was present in the Oval Office meeting that I referred to earlier.

9 Q Okay. And that's a January meeting?

10 A Yes, sir.

11 Q All right. So let's stick with November first.

12 What about November conversations with Mr. Kushner or Mr. Trump in
13 November? Any other conversations you recall regarding Save America?

14 A No.

15 Q And what about in December? Any conversations you recall regarding Save
16 America with either Mr. President Trump or Jared Kushner?

17 A No.

18 Q Did you do work -- were you involved in the actual creation of Save America
19 after that conversation with Mr. Kushner post-election?

20 A I don't recall -- I mean, there is paperwork that has to be filed. I don't recall
21 if I reviewed any of the paperwork or not.

22 Q Did outside counsel handle putting together the paperwork, or did you?

23 A I don't believe I did, sitting here today.

24 Q Was there someone else within the campaign that was involved besides
25 Mr. Kushner, or was it just you and him?

1 A I mean, Mr. Dollman would have been aware of it as well.

2 Q And what was his role with regard to the formation of Save America?

3 A I mean, I can't imagine he had much of a role in it, in forming it, but he
4 would have been aware that it was formed.

5 Q Why would it have been important for him to be aware that it was formed?

6 A Because Save America became part of the joint fundraising committee at a
7 certain point.

8

9 Q Without telling us the substance of your answers to Mr. Kushner, it has been
10 reported that the reasons for why they created Save America was with regards to some of
11 the questions that you mentioned, i.e., that there would be less restrictions on how the
12 moneys could be spent after the election.

13 Would you agree with that characterization?

14 A That's a challenging question. I mean, leadership PACs have restrictions.
15 They're different restrictions than principal campaign committees have, but they do have
16 restrictions.

17 Q So, without getting into the advice or the conversation that you had with
18 Mr. Kushner, what benefit is there, if any, of creating something like a Save America PAC
19 immediately after the campaign?

20 A I mean, leadership PACs are intended to continue to support like-minded
21 candidates and committees.

22

23 Q Mr. Cannon, let me ask it this way. And let's go back to our email in
24 exhibit 43, that I think can perhaps provide us some insight.

25 In that email, you tell Ms. Mitchell that the campaign has a recount fund, and the

1 RNC has a legal proceedings fund.

2 And then you later -- on the first page of that email, when she asks for further
3 clarification, you say: There is no specific name for the recount fund. It's just a
4 segregated restricted account -- I believe you mean held by the campaign.

5 So, just to get some insight into how the recount -- how the funds coming into the
6 campaign post-election would have worked, what was your understanding as to where
7 the fundraising efforts and the receipt of the post-election fundraising -- where that
8 money went prior to the formation of Save America?

9 A Well, I can speak generally because I wasn't involved in, like, counting the
10 money and knowing how the -- what happened with the money and how it was spent,
11 right? But I can say that, generally after an election, you can raise money for debt
12 retirement, and you can raise money for recount.

13 Q Was it your understanding that the -- whether -- did you have knowledge to
14 whether or not the campaign was in debt on election day?

15 A You'd really have to ask Mr. Dollman.

16 Q Well, with the understanding that Mr. Dollman might have the most precise
17 information as the CFO, I'm asking, knowing -- what was your sense, because we see
18 obviously your -- you received email regarding the cash position of the campaign
19 post-election. So was it your understanding that the campaign was in debt or not in
20 debt on election day?

21 A I don't know the answer to that, because I know that there is funds in transit
22 that occur after election day. I mean, there is estimates, like I think what Sean was
23 producing is predominantly, or the emails that I produced with Sean on it, by which I
24 mean the spreadsheets, right, or that little insert, I think generally that's based on
25 estimates concerning funds in transit and things like that at that time. So there is a lag,

1 and -- there is a lag between when a donation is made and when that hits an account.

2 So the campaign did report on its post-gen report a debt. I don't know what the
3 debt number was, but that's comprised of many components. That's comprised of, you
4 know, receivables from -- or accounts payable from pre-election. It's also comprised of
5 potential legal exposure as well.

6 [REDACTED] A moment ago, Mr. Cannon, if I heard you right, I thought you said
7 that a campaign can spend money on two things, debt retirement and a recount. Is that
8 what you said?

9 [REDACTED] Yeah.

10 Mr. Cannon. Yes.

11 [REDACTED]

12 Q Okay. So, if you've got a campaign where there is a good chance that there
13 is little to no debt at the end and you don't anticipate spending a lot of money on a
14 recount or certainly not, say, \$200 million worth, you'd need a PAC, wouldn't you, to hold
15 that money to be able to spend it on something other than those two things that you
16 wouldn't be able to spend it on, right?

17 A That's one option.

18 Q And was it your understanding -- and, by this, I mean conversations that you
19 had with anyone. At any point, was it your understanding that fundraising efforts were
20 not going to stop after the election was over, correct?

21 A Fundraising certainly didn't stop. That's correct.

22 Q Were you surprised by that?

23 A Well, no, because there is definitely fundraising -- you know, anybody can
24 fund-raise, so I'm not surprised by that fact that a political committee wanted to continue
25 fundraising, sort of the nature of political committees.

1 Q And earlier I think you said -- you know, we've talked about the recounts and
2 the things that you were looking at in that first week, and during that first week, maybe
3 even the first two weeks after an election, if there is going to be a recount, you would
4 need funds for those immediate post-election legal efforts, right?

5 A Yes, ma'am.

6 Q Have you ever been involved in a campaign that was fundraising 2 and
7 3 months after the election?

8 A I've never been involved in any campaign other than this campaign.

9 Q Were you surprised when the fundraising efforts continued 2 and 3 months
10 after the election was over?

11 A I'm not surprised that the committee continued to raise money.

12 Q Why not?

13 A I mean, Mr. Trump continues to have a large following.

14 

15 Q But you mentioned that you discussed with Mr. Clark some of the
16 inflammatory nature of the fundraising emails. Was it notable to you that, at the time
17 the campaign was raising money claiming that it was for election-related efforts, but that
18 money was, in fact, going to Save America PAC? Did you discuss those concerns with
19 anyone?

20 A Well, I'm not sure that I knew at that time exactly the splits on the JFA. The
21 joint fundraising agreements would have been handled by -- you know, through
22 negotiations that didn't involve me.

23 Q Well, I didn't ask about the splits with the RNC. What I'm asking is that, at
24 that time, once Save America was formed, Save America joined the joint fundraising
25 agreement, correct?

1 A That's my understanding.

2 Q Yeah. That's what your email to Ms. Mitchell says 2 days after the PAC was
3 formed.

4 A Okay.

5 Q That's right. And the only way the campaign can spend money coming into
6 it at this point would be on recount efforts. That's what you said earlier, correct?

7 A Or debt retirement, yes.

8 Q Or debt retirement.

9 So, if we assume for the purpose of that, that the debt -- because what we've
10 heard from other people is that the campaign had three of its best ever fundraising days
11 in the week after the election, before President Biden was declared the winner.

12 Are you aware that the campaign was doing quite well fundraisingwise the week
13 after the election?

14 A No. I wouldn't have been involved in those discussions.

15 Q Well, I -- well, you do have the email that you produced, which I can show
16 you if you'd like, that shows -- that was circulated internally that the campaign raised
17 \$207 million in the first 3 weeks after the election day, and I believe Mr. Murtaugh might
18 have circulated it to you and others.

19 Do you recall conversations like that?

20 A Yeah, I do recall the -- I recall the press release that was put out, if that's
21 what you're talking about, yes.

22 Q Yeah. So it was notable to folks at the time because the campaign was
23 fundraising very large amounts. Is that fair?

24 A If that's what's in the document, then I don't disagree with it.

25 Q Do you have a different take from your perception at the time?

1 A I just don't know. I just don't know. I mean, I wasn't counting the money
2 coming in the door.

3 Q Do you have any insight into that period, from November 3rd through when
4 Save America is added to JFA -- did you have any conversations with Mr. Dollman or
5 anyone else as to where the funds that were raised in that week were going?

6 A No. I wouldn't have had any conversations about that. I was doing other
7 things, as you guys know.

8 Q So who would be the best person who should know exactly where the
9 money was? Is that Mr. Dollman?

10 A Mr. Dollman.

11

12 Q But did I misunderstand you earlier? I thought you said you were reviewing
13 the disclaimers at the bottom of the emails. Would that not have included the waterfall
14 language?

15 A It would have. I mean, but sitting here today, I just don't recall what the
16 splits were. I mean, I can tell you that I recall that there were five or six amendments in
17 the JFA that occurred in the post-election period. So, you know, I don't -- sitting here, I
18 don't recall what the splits were, and I don't recall what the fundraising numbers was.
19 That wasn't in my area of responsibility, thank God.

20 Q No. And -- I certainly wouldn't expect you to remember every split on
21 every day. I think generally -- do you remember the fact that, after Save America is
22 created, the splits go to Save America, not the campaign, correct?

23 A I don't know the answer to that. I don't know when the splits occurred and
24 what the percentages were. I'm sorry, I don't.

25

Well, let's put it this way. It's not about percentages,

1 because, from your testimony and -- Save -- if the campaign were raising money on
2 November 15th, 20th, December 15th, all that money, I think as you said, effectively
3 would have to be spent on recounts.

4 [REDACTED] Or debt retirement.

5 [REDACTED]

6 Q Or debt retirement, correct?

7 A Yes, sir.

8 Q Right. So, and -- and, when Save America is formed, it's formed, in part,
9 because the proceeds from the JFC are going to be going to Save America, and not to the
10 campaign that has -- it was pretty limited what it can do post-election for obvious
11 reasons. Is that fair?

12 A That's -- I mean, sure. That's fair.

1

2 [3:44 p.m.]

3

BY [REDACTED]

4

Q Okay. So in the time period we're talking about, from November 12th on and November 9th on, the money is going to President Trump's leadership PAC and not the campaign. You don't take issue with that, correct?

7

A Well, I don't know what the splits were.

8

Q When you are you talking -- are you saying the splits between Save America and the Trump campaign, or within the Trump entities and the RNC?

10

A I'm talking about within TMAGAC. If Save America was part of -- Trump Make America Great Again Committee, that joint fundraising agreement would either have a waterfall or a percentage split. So when you're saying the money wasn't going to the Trump campaign, I can't answer that question, because I don't know if the Trump campaign was out of the split or not.

15

Q And prior to -- I just want to make sure I am clear for the record -- prior to Save America's formation, were those fundraising amounts have gone, that's a question for Mr. Dollman because you don't have any insights into that. Is that right?

18

A That's correct. I mean it would have come in, and it would have been a percentage split to the RNC and a percentage split to the Trump campaign either for debt retirement or recount. And when Save America was formed, it was added to the JFA. And there was some allocation that occurred that I, sitting here today, don't recall.

22

Q Are you aware of what happened to any funds that went to the campaign that were not spent on debt, retirement, or recounts? Did you have any conversations with anyone about that?

25

A It's my understanding that all money that was raised for either debt,

1 retirement, or recount has been spent or is being spent and consistent with that.

2 Q And when you say "is being spent," you mean currently?

3 A It's my understanding that there are certain outstanding liabilities that the
4 campaign can use recount funds for.

5 Q And what did you get that understanding from?

6 A Conversations with outside counsel.

7 [REDACTED]

8 Q Just out of curiosity, do you actually know what those outstanding liabilities
9 are?

10 A I mean, it's all publicly reported. Legal spend.

11 Q No, no, I mean the ones that are still happening a year and a half after the
12 election, do you know what outstanding liabilities are still being done that would go
13 towards recount funds?

14 A I believe some of the litigation that arose due to recount activities.

15 BY [REDACTED]

16 Q All right. I want to move just to stay on this topic slightly about the cash
17 position of the campaign. Some of the documents you produce show you in emails with
18 Jared Kushner, an individual named Cassidy Dumbauld, D-u-m-b-a-u-l-d, it's, I believe, a
19 Mr. Dollman, where Mr. Dollman shares a screenshot of the current position in three
20 accounts. Can you tell us why you're on these emails? Like, what was your
21 involvement with these cash position updates?

22 A I have no idea why I was on those emails. I asked myself that question
23 when I was doing this production.

24 Q There are discussions here that have -- for example, I'm going to show you
25 exhibit No. 56. And it's a November 16th email, subject line, 11/16, Cash position

1 update. Bates stamped 14220. Mr. Dollman says, "Hey, Jared, below is a screenshot
2 of the current position in the three accounts." And then it has notes about three
3 different bullet points. And on point two, it says, "Roughly, \$3.7 million has been spent
4 out of the recount fund to date." Then on the third bullet point, it says, "The majority of
5 fundraising is going straight to Save America and not the recount/legal account." And
6 then he says, "We should change the JFA to 80/20. Since we are taking on more legal
7 costs, our 80 percent should have a portion allocated to recount/legal fund." Does this
8 refresh your recollection about any conversations you had about Save America getting
9 the majority of the fundraising?

10 A No, I wouldn't have had these conversations. This is a financial analysis. I
11 wouldn't have been involved in these conversations.

12

BY [REDACTED]

13 Q Do you know why they were being --

14 A I --

15 Q Oh, I'm sorry, Mr. Cannon. I didn't mean to cut you off. Please continue.

16 A I just said, sitting here reading this, I don't even know what this means in
17 English, what Sean is referring to.

18 Q Do you know why these would have been sent daily to Mr. Kushner?

19 A No, I don't.

20 Q Other people have reported that Mr. Kushner was actually really heavily
21 involved in the financing of the campaign understanding the finances. Is that consistent
22 or not consistent with your understanding of his role?

23 A I had very limited interactions with Mr. Kushner.

24 Q In the -- I'm sorry. I didn't mean to cut you off. Keep going.

25 A I don't know how to answer that question. I'm not sure what Jared's role

1 was with respect to finances inside the campaign.

2 Q In your conversations with Mr. Coby or Mr. Dollman, did you ever have
3 conversations with them regarding how frequently Mr. Kushner called them or talked
4 with them about the finances of the campaign?

5 A No, ma'am.

6 BY [REDACTED]

7 Q Did you have any involvement in renegotiating the splits with the RNC and
8 either Save America or the campaign?

9 A No, sir, not with respect to negotiating splits.

10 BY [REDACTED]

11 Q Could you clarify that in the sense of it sounded like you were carving out
12 and saying not with regards to the splits?

13 A I may have seen a draft of an amendment to a JFA. So I was trying to be
14 careful in case you have a production from somebody else, or somebody else produces
15 something where I'm on a draft of a joint fundraising agreement.

16 Q That's fair. We appreciate the clarification.

17 BY [REDACTED]

18 Q I want to show you exhibit 59. It's another one of these emails. It's an
19 11/27/2020 cash position update. Mr. Dollman provides his similar CFO-type language.
20 And then Mr. Kushner responds, "I'm traveling for a few days. When I get back, let's
21 discuss a new system for paying bills where we need DJT to sign off of on them. I want
22 to create a tighter process for going forward. We should have a budget we approve,
23 and it shouldn't go to him unless approved by Sean and Justin, and maybe Alex." Can
24 you tell us what Mr. Kushner is referencing here?

25 A I mean, beyond the plain language of the email, he obviously wanted to

1 create a tighter budgetary process. I don't have any more context.

2 Q Did he discuss this with you outside of this email?

3 A Not to my recollection.

4 Q Did Mr. Clark or Mr. Dollman or anyone else discuss this process with you?

5 A I mean, not to my recollection. We had general conversations about
6 budgets, but my only input would have been, you know, some of the, like, outstanding
7 intellectual property lawsuits and NDA litigation and stuff that the campaign had.

8 BY [REDACTED]

9 Q So do you remember a new system for paying bills ever actually being put
10 into place?

11 A No, no, I don't. I was never really involved with, like, paying bills, right? I
12 mean, if somebody had a legal question about whether or not a bill was supported by a
13 contract, I would help run that down. But in terms of the approvals process, I couldn't
14 approve anything.

15 BY [REDACTED]

16 Q So I want to return -- and we can take this document off -- I want to turn
17 back to our conversations regarding meetings with President Trump. So we had our
18 mid-November meeting with the Texas gentleman that we talked about. And then you
19 mentioned that there was a December meeting with President Trump. Can you tell us
20 what that was about?

21 A That's the one I really don't recall a whole lot about that other than I went
22 in -- Cassidy to -- I think it was Cassidy that reached out. And I went in and talked to
23 Jared a little bit about legal -- like outstanding legal cases, and things like that. And
24 then, I believe, you know, he took me in to say hello to President Trump, and that was the
25 extent of the conversation. I don't recall that meeting very well.

1 Q Now, when Jared introduced you to President Trump, or brought you in, tell
2 me what was said. What was the nature of the meeting?

3 A I think it's just, This is Alex Cannon, he used to work for you. He works for
4 the -- or he used to work at Trump Org. He works for the campaign. He's a great guy.
5 I think Jared may have used the word drama-free.

6 Q That's certainly a good phrase to have. Did Jared mention your efforts with
7 regard to the fraud search?

8 A No.

9 Q Did Jared or Mr. Trump mention anything related to the election or the fraud
10 search?

11 A Not to my recollection.

12 Q How long would you say the interaction with President Trump was at the
13 December meeting?

14 A Just a few minutes.

15 Q Okay. Let's turn to the January meeting with President Trump. You said it
16 was -- that's post January 6th, correct?

17 A Yes, sir.

18 Q And tell us about what had -- but it's post January 6th, but it's close to
19 January 20th. That's what I understood last time. Is that right?

20 A I believe so. Everybody was packing up their offices.

21 Q Okay. And tell us what happened in that meeting.

22 A I believe I was there with Justin Clark and Sean Dollman. I'm not sure. I
23 am actually not sure who was with me. I think Sean may have been with me in that
24 meeting. We talked about the potential of post Presidential structures around former
25 President Trump; what those structures could look like.

1 Q And when you say "structures," you mean like are you talking political
2 entities, or social media? What are we talking about?

3 A We're talking about political entities, we're talking about library, and
4 Presidential foundation, things like that.

5 Q So in that meeting, it was President Trump, Sean Dollman, you, and who
6 else?

7 A I don't recall everybody who was in that meeting. Like I said, I'm not even
8 sure Sean was at this one.

9 Q Do you recall anyone else who was there?

10 A I mean, definitely, again, White House staff, people moving in and out of the
11 Oval Office. I think Mr. Kushner was there.

12 Q Did you speak in the meeting?

13 A Briefly.

14 Q About what?

15 A Structures.

16

17 Q What kind of structures?

18 A Like that the Presidential library is generally a 501(c)3, and usually there's a
19 policy center attached to it which is a 501(c)4.

20 Q Oh, so legal structures for some of the things that they were envisioning?

21 A Yes.

22 Q Okay. Sorry, I just, you know, I was like structural like a library, structure
23 like a building. So that was helpful.

24 A No, like legal structures.

25 Q I just wanted to clarify that.

1

2

Q And any reference of the January 6th in that meeting?

3

A No, there was no discussion of January 6th.

4

[REDACTED] All right. Mr. Cannon, thank you for your patience.
We're almost at the end of the marathon, which may be the toughest part.

6

[REDACTED] When we take the breaks, I promise you we are trying to tighten and
make it consistent so we are as efficient with your time as possible.

8

Mr. Cannon. I appreciate it.

9

10

Q Mr. Cannon, are you familiar with AMMC, American Made Media

11

Consultants?

12

A Yes, sir.

13

Q What is that, to the best of your knowledge?

14

A It was the campaign's primary media vendor.

15

Q Were you involved in its formation?

16

A No.

17

Q And did you have any other involvement with its operations?

18

A I acted as counsel to it and managed some of its sub-vendor agreements.

19

Q And when you acted as counsel to it, is AMMC an entity independent of the
campaign or better seen as an arm of the campaign?

21

A It was independent of the campaign. It had its own operations. It had its
own legal structure. It had its own outside counsel.

23

Q Now, when you say independent, did it have its own employees separate
from the campaign?

25

A You'd have to ask Mr. Dollman that. I'm not sure.

1 Q What was Mr. Dollman's role with AMMC?

2 A Mr. Dollman owned AMMC.

3 Q And when you say he owned, as in it was a for-profit business?

4 A I mean it -- I don't believe that he made a profit. I don't know.

5 Q I guess I'm trying to draw a distinction between he was on paper as the
6 owner versus AMMC, the thing that Mr. Dollman, in fact -- that that belonged to him and
7 he was the ultimate decisionmaker, which is another way to use owner. Which way do
8 you mean it? On paper, or as effectively he was the ultimate decisionmaker because it
9 was his company?

10 A I think that he made decisions with respect to certain sub-vendors that he
11 wanted to use and didn't want to use.

12 Q So did you understand that Mr. Dollman owned AMMC as a result of his role
13 as CFO, and it made sense because of that, or independent of that, he owned AMMC?

14 A I don't know the answer to that. I wasn't around when AMMC was formed.

15 Q Well, I guess what I'm trying to put in plain terms. Is AMMC his company
16 the way, right? Is that his company? Or is it better described that someone's name
17 has to go on a sheet of paper as owner, and it happened to be Mr. Dollman?

18 A I mean, Mr. Dollman would be responsible for any debts or liabilities
19 associated with it. I mean, I don't know the answer -- well, again, I wasn't around when
20 it was formed.

21 Q So when you say he was responsible, why -- it wasn't around, but you did
22 deal with it in your capacity as counsel for the campaign, right? And you reviewed
23 agreements that AMMC was a party too, right?

24 A Yes, sir.

25 Q And you were aware, I think just told us, it had its own distinct legal

1 structure and outside counsel. So you had some insight into how it worked, correct?

2 A Yes, sir.

3 Q Okay. So in trying to understand, noting that, did AMMC have any other
4 employees you're aware of besides Mr. Dollman?

5 A I think he had some people that helped him keep the books. I think he had,
6 you know, like an accountant or some staff like that helped him keep the books.

7 Q Were those the people associated with Red Curve and Bradley Crate?

8 A I don't know the answer to that.

9 Q Okay. Do you know the name of anyone beside Mr. Dollman who was
10 associated with AMMC?

11 A I think there was someone named Klina that helped him keep the books.

12 Q Do you know how to spell that?

13 A Yeah. K-l-i-n-a. I could be wrong. I mean, I'm going to be honest with
14 you, I could be wrong.

15 Q Okay.

16

17 Q Did you ever deal with anyone -- like is sitting here right now, can you
18 remember a person that you dealt with at AMMC other than Mr. Dollman?

19 A No, I would have just dealt with Sean.

20 Q Okay. Did you ever have conversations with Mr. Dollman about
21 AMMC -- because for some reason, I thought earlier you said part of your role for the
22 campaign was dealing with vendor contracts?

23 A That's correct.

24 Q And I believe AMMC is a pretty large vendor, correct?

25 A Yes.

1 Q And what was your understanding in terms of -- I mean, I think at one point
2 it's like more than half of the campaign expenditures. What is your understanding of
3 what that company does?

4 A It provides media consulting in sub-vendor management services. So if
5 there is a big digital spend or a big digital ad buy, or something like that, AMMC identifies
6 the sub-vendor, enters into a contract with that sub-vendor, does the insertion order with
7 that sub-vendor, pays that sub-vendor.

8 Q And it's your understanding that Mr. Dollman is the one doing all this? Or
9 there are other people who work at AMMC who are doing that work that you just
10 described?

11 A Well, no, I mean, that would have been, you know, me and Sean asking the
12 sub-vendor for an agreement or an insertion order for an ad. And we would negotiate a
13 contract or an agreement.

14 Q I'm sorry. I'm confused. Can you break that down? I thought -- so I was
15 asking you what services AMMC performed for the campaign, and I thought you were
16 describing a body of substantive work. And then I was asking does Mr. Dollman do that
17 work or do the employees of AMMC do that?

18 A Well, the sub-vendors do that. So if you needed a digital ad purchase, we
19 had a preferred sub-vendor for digital ads.

20 Q And the sub-vendor is who AMMC would hire to do that work?

21 A That's correct.

22 Q And did Mr. Dollman --

23 A On behalf of his client.

24 Q And did Mr. Dollman make all the decisions about which sub-vendor would
25 be hired?

1 A I mean, the campaign probably had preferred sub-vendors. But sometimes
2 he would, you know, like it's my understanding that Larry Weitzner, he didn't want to
3 deal with Larry Weitzner through AMMC. So that's why Larry is paid directly by the
4 campaign.

5 Q Do you know why he didn't want Mr. Weitzner to go through AMMC?

6 A No, you'd have to ask him. That's just a conversation that I recall. But he
7 did make decisions.

8 Q Mr. Dollman, you mean?

9 A Yes.

10 Q Okay. I just wanted to keep clear the pronoun issue regarding Mr.
11 Weitzner versus Mr. Dollman who was making that decision?

12 A Sorry.

13 Q It's just for the record purposes.

14 

15 Q Were you ever compensated separately for your work you did at AMMC?

16 A Yes, sir.

17 Q So you were compensated by who?

18 A By AMMC.

19 Q Okay. So you were an employee of AMMC and an employee of the
20 campaign?

21 A No, I was a subcontractor. I was a 1099. I was 1099'd out of AMMC.

22 Q Okay. And that was for your role as counsel to AMMC?

23 A That's correct.

24 Q Okay. And for Mr. Dollman, I think I asked you whether this was a
25 for-profit entity. Do you know whether he was compensated for his role with AMMC?

1 A I believe he was.

2 Q The same 1099 as you?

3 A I'm not sure. You would have to ask him.

4 Q All right. And then when you said AMMC was not for profit, how do you
5 know that?

6 A Well, AMMC did not have a -- like, charge a commission associated with
7 media buys like most media vendors would.

8 Q So what's the purpose of -- so I guess what I am trying to understand with
9 AMMC is that --

10 A I never said it was not for profit.

11 [REDACTED]

12 Q Yeah, I think we need to be clear with the term. A 501(c)3 not for profit is a
13 legal entity. I think what -- Mr. Cannon, correct me if I'm wrong, what you were saying
14 earlier was that you were actually -- it was unclear whether AMMC made a profit?

15 A Correct.

16 [REDACTED] And what that's what I understood.

17 [REDACTED] Yeah.

18 [REDACTED] I was saying it wasn't for -- yeah, yeah. I wasn't calling it
19 a not for profit. I think we're on the same page.

20 [REDACTED] Okay.

21 [REDACTED]

22 Q So your understanding is you didn't know whether AMMC made a profit,
23 correct?

24 A Correct.

25 Q So just to -- because, you know, when we look at our work, when we see

1 sub-vendors that have engaged in work that's relevant to the scope of the committee's
2 inquiry, and what we want to understand is that who would be directing those
3 sub-vendors? And are you saying Mr. Dollman would be in charge here, or is it -- and he
4 represents, and he deals with the campaign, and he deals with sub-vendors, and they
5 take directions from him, or is there a different structure?

6 A I think Mr. Dollman would have been, you know, told that the campaign
7 wanted to purchase ads, like digital ads, or do email sends, or whatever it wanted to do.
8 And then Mr. Dollman would work with the sub-vendors to make sure that, you know,
9 the campaign's clients, or sorry, the campaign -- I'm sorry, I'm getting tired -- the
10 instructions from the campaign were -- were executed.

11 Q Did AMMC have any other clients that you're aware of outside of either the
12 Trump campaign or TMAGAC or the RNC?

13 A No, I believe those were all its clients.

14 Q With regard to DataPier, were you compensated for your work with
15 DataPier?

16 A Yes, sir, I was.

17 Q Was Mr. Dollman also compensated?

18 A I believe so, yes, sir.

19 Q And did you happen to negotiate that with a representative of the campaign,
20 or how did you decide what you were compensated for?

21 A That was all negotiated with the campaign and separate counsel for the
22 campaign.

23 Q And who from the campaign, who represented the campaign in those
24 negotiations?

25 A Mr. Clark.

1 Q Now, earlier, you said that DataPier was your company. Is that accurate?

2 A I mean, I -- we -- Sean and I owned the LLC.

3 Q And when you say owned the LLC, is that -- like it's almost a question I'm
4 going to ask when you deal with Mr. Dollman. Is that because someone who
5 represented the Trump campaign's interest just had to be put in charge by virtue of legal
6 requirements, or was this somehow your entity for other reasons more so than it would
7 be, I don't know, Matthew Morgan decided if someone said he should be the guy?

8 A Well, no, I didn't have designs to be involved in the email-sending business.
9 We were just trying to do a job that the campaign needed done.

10 Q Okay. So when you say it was your company, is it fair to say that it was
11 your company on paper, but you were in that role as a representative of the campaign's
12 future interest?

13 A Yes, I think that's fair.

14 [REDACTED]

15 Q Because I know you said that AMMC existed before you, but there is a bit of
16 a -- I don't want to say a trend, but there is a number of campaign staff, correct, where a
17 need is identified, a company is created, or maybe somebody's running a company. I
18 mean, there were a number of campaign staff who had these, right? Mr. Parscale had
19 companies and was a vendor; Mr. Coby had multiple companies, I believe, and was both
20 working for the campaign and had company vendors. So would you have said it was
21 actually pretty common for individuals working for the campaign to have companies that
22 were also vendors?

23 A Yes.

24 Q Okay.

25 [REDACTED]

Mr. Cannon, if you can just give us just two seconds,

1 please.

2 Mr. Cannon. Okay.

3 [REDACTED] Actually, Mr. Cannon, if I could beg your forgiveness and actually ask
4 you if we could take a two-minute comfort break. This time it's my need to go to the
5 restroom, if that would be okay?

6 Mr. Cannon. Please. That's fine with me, thank you.

7 [Recess.]

8 [REDACTED] Mr. Cannon, if you are ready. We are back.

9 Mr. Cannon. I'm ready.

10 [REDACTED]

11 Q Mr. Cannon, I want to be very careful with my characterizations here, okay?

12 And I know it's been a really long day and we really do appreciate your patience, and,
13 frankly, your incredibly helpful explanations of most things.

14 Earlier, when we were looking at some of the emails, we were talking about how
15 for a while you were on the approvals chain that looked at the fundraising emails that
16 were coming out of TMAGAC, correct?

17 A Yes.

18 Q Okay. And so, you had a chance to see the tone of the fundraising emails
19 that were coming out after the election, leading up to, we'll say, December, fair?

20 A I don't know when I stopped, but I'll take your word for it.

21 Q Still, I remember you saying that. And I'm not trying to pin you down on a
22 precise date. Let's just say through the end of November. Is that fair?

23 A I don't recall when I stopped, but I'm not trying to be difficult. I just don't
24 recall. I just want to make the record clear.

25 Q No, no, and that's fair. It is 100 percent clear that you do not recall when

1 you stopped getting the fundraising emails. I guess the more important point that I was
2 trying to make is that during that time earlier when we were talking about your review of
3 those emails, it seemed clear that you were aware of the inflammatory nature of them in
4 the sense that when you forwarded them to, I believe, his name was Darren Centinello,
5 and you asked him to pull out some for Iterable, you used that "if you can find some that
6 will pass if those exist." And I interpret to mean that you were at least aware that some
7 of those fundraising emails were inflammatory enough that they wouldn't probably pass
8 Iterable's terms of service.

9 Mr. Daniel Benson. I am going to object to inflammatory. I don't know that he
10 ever would characterize anything as inflammatory, but --

11

12 Q If there's a word that you would prefer to use again, I'm not trying to
13 mischaracterize. I'm trying to characterize from your emails. So if there's a word that
14 you would prefer to use in terms of the nature of emails that would not pass through the
15 terms of service -- I was using inflammatory. Is there a word that you're more
16 comfortable with?

17 A Controversial.

18 Q Controversial, okay. So you were aware that there were controversial
19 emails were coming through the approvals process. These controversial emails come
20 through. And if I understood you correctly earlier, they come through sometimes
21 carrying claims that you might have reviewed and knew to have been false and not
22 verifiable. And earlier, you said that you raised those concerns -- I believe you said you
23 raised those concerns about what was being put in those emails versus what you had
24 seen or were seeing with Mr. Clark. Is that fair?

25 A Yes.

1 Q And I just want to clarify, did you raise those concerns with anybody else
2 either at the campaign or at the RNC?

3 A Not to my recollection.

4 Q Just to give --

5 A Maybe Matt Morgan.

6 Q Maybe Mr. Morgan. And just so I'm not missing anyone, did you raise
7 those concerns -- I'm sorry, I don't want to interrupt you.

8 Mr. Daniel Benson. Pardon me. I think he testified that and he has already
9 testified as to the people he discussed his concerns about what he saw with --

10 [REDACTED] Right, and that's why I was clarifying because I believe he had said Mr.
11 Clark. And we didn't follow up and ask if he raised those concerns with anybody else.
12 And so, I wanted to clarify if he raised those concerns with anybody else.

13 Mr. Daniel Benson. Well, I believe, if I remember correctly, that he's testified as
14 to other people he raised various of his concerns with. So I just want to make clear. I
15 mean, correct me if I'm wrong, but Mr. Navarro was an example.

16 [REDACTED] Wait, so then let's distinguish that because I want to make sure we're
17 talking about the same concerns here.

18 [REDACTED]

19 Q When you were talking about the conversations with Mr. Navarro, and, I
20 believe, Vice President Pence -- and who were the other individuals? Navarro, Pence,
21 Mr. Meadows. I want to distinguish those, because our understanding was those were
22 concerns that the -- regarding the election fraud that you weren't seeing -- I'm talking
23 about a separate thing which was when we asked you about, did you have concerns
24 about what was going out in the fundraising emails that you were seeing comparatively to
25 what you had researched. Our understanding was that specific to those concerns, I

1 thought you said that the only person that you raised that to was to Mr. Clark, and that's
2 why we wanted to follow up on those specific concerns. Was there anybody other than
3 Mr. Clark that you expressed concern regarding what was in the fundraising emails,
4 versus what you had researched?

5 A Maybe Mr. Morgan.

6 Q Okay.

7 A But I don't recall. It's been a year and a half, and I don't recall all of my
8 conversations.

9 Q And the only other thing I want to ask you is, to the best of your knowledge
10 or awareness, are you aware of any actions that anybody took to address the concerns
11 you had with the inconsistency of what was being sent in the fundraising emails versus
12 what you had seen?

13 A I do not know.

14 Q Okay.

15

16 Q All right. Mr. Cannon, let's go to January 6th. Where were you
17 January 6th?

18 A I was at the campaign headquarters. That morning, I had gone to Home
19 Depot with Mr. Dollman, and I believe we bought a Shop-Vac and some paint and some
20 sanding blocks, and we were breaking apart desks and spackling walls.

21

22 Q So you were curious? You were actually were the ones that spackled walls.
23 That was not metaphorical or delegated?

24 A No, we were actually the ones that were taking down the posters that
25 people left up and taking down TVs and breaking down desks. Like I told you earlier, if

1 somebody asks me to do something, I try to do it to the best of my abilities.

2

3 Q And when did you first learn that there was an issue at the Capitol?

4 A There were TVs in the campaign headquarters that were on all the time that
5 we didn't have the remote controls for, and so it was playing in the background.

6 Q Now, prior to the Capitol being breached, did you have any conversations
7 with Justin Clark or Matt Morgan or any of these individuals about the significance of
8 January 6th?

9 A No, not to my knowledge.

10 Q Leading up to the --

11 A Not to my recollection.

12 Q Leading up to the 6th, was that a date, a day in your mind that had -- and I
13 don't mean prior to this cycle, I mean, this 2020, did that feel like a day of importance for
14 the Trump campaign or efforts, or was it just another day to go to Home Depot. Like
15 kind of give us a sense of leading up to 6th where you thought about what to expect or
16 what other expectations you had?

17 A I thought that there would be, you know, some ceremonial-type objections
18 that Members of Congress would make, because it was my understanding it happened in
19 previous elections, but that ultimately, it was going to be an uneventful day.

20 Q And just to circle back quickly because we just -- another point, with the last
21 point about speaking to Mr. Clark about the fundraising emails, is it fair to say that would
22 have been sometime in November?

23 A Yes, sir.

24 Q Okay. Any recollection as to pre --

25

1 Q Pre-baby?

2 [REDACTED]

3 Q Pre-baby, post-baby? Was it more likely to be pre-baby?

4 A I really don't remember. I mean, it was -- I really don't remember. I'm
5 sorry.

6 Q No, no. That's all right. So let's go to the 6th. Your expectation was that
7 it would be a ceremonial process. Is that right?

8 A Yes, sir. Yes, sir.

9 Q And your expectation was that President Biden, the results would
10 be -- what's the term? Ratified. No.

11 [REDACTED] Certified?

12 [REDACTED]

13 Q Certified. There we go. The expectation was that it would be certified
14 that day?

15 A Yes, sir.

16 Q And we're at the end here. You know, we have looked at your extent of
17 production. And [REDACTED] has given you her characterization of how we see your work,
18 which is trying to diligently do your job, do the things you've been tasked with, and do it
19 to the best of your ability, and to find the truth here. And one thing -- we've been
20 looking at these in your production, when we look back, especially the production
21 as -- from it starts from November 6th forward, it really appears that you are tasked
22 with -- with basically trying to find something where there was nothing there. And I
23 want to give you the opportunity to, to the extent you want to expand, on what you did
24 at the time. We want to give folks to kind of say their peace for the record. But when
25 we look at your documents, it sounds like you were doing your best to find what was

1 true, without making presumptions, and you just did not find what you were tasked with
2 to find. Is that fair?

3 A I did not find or see, in my limited ability as one individual, I did not see
4 evidence that would be sufficient within the time period to change any sort of election
5 results in any of the States.

6 [REDACTED]

7 Q [REDACTED] is characterizing it -- the way that I said it was is to me,
8 you're one of the few people who spoke truth to power in this situation. Because I see a
9 number of emails where, in response to a number of people, I believe the phrase
10 is -- what was it the seeking something? Was it two things?

11 [REDACTED] The phrase that's made in the press right is that
12 there's -- unrelated to you, obviously -- but that there was a coup in search of a legal
13 theory. And I think what we have seen looking at your documents is that there is
14 a -- you know, I can't think of a quick way to quip it in another way. But there's a --

15 [REDACTED] I can think of a term.

16 [REDACTED] Yeah, yeah.

17 [REDACTED]

18 Q And in my head it was canary in the coal mine, in the sense that you're one
19 of the few people that we see who consistently told the truth of what they saw, whether
20 it was verifiable or not verifiable. And understand that a number of us have different
21 views, right? Like our aperture as investigators isn't necessarily the entire thing, right?
22 So I don't necessarily see every witness that testifies. But it was striking in your
23 documents the number of times that you -- if something was verifiable, you said it was
24 verifiable. And if it was the verifiable, you said it wasn't verifiable. And I believe,
25 earlier, you said something along the lines of that you were looking at it with regards to

1 kind of what would be admissible in court in terms of whether the evidence that was
2 being presented would be admissible in court. And then there were other people where
3 there were conversations where the question was, it was a different conversation, or
4 could it be used on TV, or could it be used in comms, which was clearly a different
5 standard. If I'm -- is that fair?

6 A That's fair.

7 Q And to the extent that you're comfortable saying, it sounded like there were
8 points along the way where you voiced your concerns to people where you had
9 conversations with Mr. Morgan and with Mr. Clark. And, I guess, I was just curious -- I
10 guess I was just curious, were you ever concerned that it didn't sound like any of your
11 concerns were ever addressed, or that anybody ever acted on the things that you were
12 flagging, for lack of a better word?

13 A I think my concerns were addressed, to an extent, by Mr. Clark and Mr.
14 Morgan, and then they were sidelined and replaced by Mr. Giuliani.

15 Q So that's actually helpful like in the sense of -- in what way do you think Mr.
16 Clark and Mr. Morgan addressed your concerns? I don't think we gave you a chance to
17 explain that.

18 A Well, it's been pretty well reported that Mr. Clark had some meetings with
19 the President where he expressed his thoughts on what the President's chances were of
20 winning prior to him being replaced by Mr. Giuliani, not Morgan. I believe it's also been
21 pretty well-reported. Matt Oczkowski, I believe it's pretty well-reported that those
22 meetings took place.

23 Q Do you know if there were ever any conversations, either by you, Mr.
24 Morgan, Mr. Clark, with Gary Coby, about toning down or not pumping out a fundraising
25 emails that talked about the stolen election, the Election Defense Fund, the stopping the

1 steal -- do you know if anybody ever did anything about the issues that were in those
2 fundraising emails that you found weren't verifiable when you researched them?

3 A You know, without looking at all of the fundraising emails that went out, it's
4 hard for me to say that, you know, every single fundraising email was unverifiable. So
5 I'm going to take a little bit of an issue with that. But I don't know if anyone was
6 communicating that with -- I mean, you know, it's my understanding this was RNC digital.
7 So running this whole program and writing a copy. And it's also my understanding that,
8 you know, everything that was put out in this campaign, both pre-election and post
9 election was predominantly messaging based on either the President's Twitter feed or
10 something that the White House had put out, right?

11 So, you know, I think that a lot of people -- and I'm going to speak just from
12 personal opinion, and I'm going to give you some insight into some of the folks here.
13 There are a lot of really, really good people that worked on this campaign. And we may
14 have different political views. I may even have some different political views than some
15 of these folks. But there are some really, really good people. And in a lot of ways, they
16 were powerless to make changes because they had jobs to do.

17 Q And I guess the last question that I will ask you that we've -- we've asked
18 multiple people is but for January 6th happening the way that it happened, the
19 fundraising emails wouldn't have stopped, would they? The fundraising emails based on
20 the scheme of a stolen election and stopping the steal?

21 A I don't know the answer to that.

22 Q Oh, and take that part out. The fundraising emails wouldn't have stopped,
23 would they? They're still going on to this day, aren't they?

24 A Yeah, I mean, they're not talking about the stolen election or anything
25 anymore.

1 Q If they were still talking about the stolen election, would that surprise you?

2 A To an extent, yeah. I mean, I see some of these. I'm on the distributions
3 forum. I can't seem to get myself off of them, but --

4 Q And maybe that's the note to end on, unless anybody else has any other
5 questions?

6 [REDACTED]. No.

7 [REDACTED] I know I speak for all of our team when I that I know this -- oh, [REDACTED]

8 [REDACTED] do you have additional questions?

9 [REDACTED]

10 Q I do just very briefly.

11 Mr. Cannon, I'm sorry to end the day particularly when -- that's kind of a tease
12 there. But I want to go back to the conversation you had with Mr. Findlay about the
13 electors. And I'm just going to ask you to recall that conversation you had to the best
14 you can.

15 A Sure. I walked into my office, the campaign offices were dark. It was
16 obviously very late in the election process, meaning we were coming up probably on
17 January 6th. And I think I said, Josh, what are you doing here, man? You know.
18 Because from my perspective, like I had told you guys earlier, it was breaking down chairs
19 and desks and closing up and getting ready to turn the building, the premises back over to
20 the landlord. And he said, Oh, I'm doing, you know, something with electors. And I
21 said, Well, what is that? And he said, Oh, you know, there's like this, this -- you know,
22 you got to have Trump electors vote in case there is a legal -- there is a win in one of the
23 legal cases, or something like that. And I said, Oh, interesting. I didn't know that.

24 Q That was the end?

25 A That was the end of it, yeah.

1 Q Okay. Did you have any role in the President's activities on the 6th,
2 meaning his appearance on the Ellipse to give a speech or otherwise?

3 A No.

4 Q Some of the concerns that you've been talking with the others about
5 throughout the day related to potential election fraud or irregularities, however you want
6 to call it, did you ever communicate those concerns that you had or the findings that you
7 made or didn't make to the President directly?

8 A No.

9 Q Do you know if anybody did share your findings on lack of findings with the
10 President?

11 A I don't know for sure.

12 Q Okay. Do you know if Mr. Morgan or Mr. Clark, for example, ever told the
13 President that folks in the election -- or excuse me, folks in the campaign weren't seeing
14 the same degree of fraud or irregularities that he is, or that other people are telling him
15 exist?

16 A I don't know whether they had those conversations. I believed from
17 reporting that that had happened. I don't believe they would have used my name,
18 though. But --

19 Q But the extent of your knowledge is based on public reporting as opposed to,
20 you know, one of them coming back and saying I just talked to the President?

21 A That's right.

22 Q Okay. On January 6th itself, did you have any communications with the
23 President?

24 A No.

25 Q Did you have any communications with anybody in the White House?

1 A No.

2 Q And that would include Mr. Meadows, as an example, no communications
3 with him?

4 A That's correct.

5 Q Did you ever hear any concerns or even discussions about the potential for
6 violence on January 6th?

7 A No, I did not.

8 Q Are you familiar -- there's a website out there called TheDonald.win. It's
9 kind of like an online message board related to the President, or, excuse me, the former
10 President. Have you ever heard of that online message board or website?

11 A Through media reporting concerning the committee's activities.

12 Q You hadn't heard about it back in the November, December, January
13 timeframe?

14 A No.

15 Q And, for the record, the period I am talking is November 2020 through
16 January 2021. We understand that Jason Miller sent Mr. Meadows, at one point, a link
17 to that website with some commentary. Obviously, you were not a party to that, and
18 I'm not going to ask you anything specifically about that. But do you remember Jason
19 Miller ever talking about TheDonald.win?

20 A No.

21 Q In passing or in detail?

22 A No.

23 Q All right.

24 A I didn't have a lot of contacts with Jason Miller one on one. I didn't know
25 him very well. We were on emails together, but I didn't know Jason very well.

1 Q Okay. And my last question for you is as you may know, the committee's
2 reached out to Ms. Jenna Ellis as somebody who did work with the campaign. And she
3 has related to us that you would be the person who has access to her emails through the
4 campaign. Is that accurate?

5 A This is another example of Ms. Ellis not knowing what she's talking about.

6 Q Okay. So you don't have access to Ms. Ellis' emails through the campaign?

7 A No, the campaign has outside counsel for January 6th matters. I think my
8 counsel actually shared that with some of the investigators on the committee.

9 Q Very good. Okay. Thank you. Thank you for your time, Mr. Cannon and
10 Mr. Benson. I appreciate it.

11 A Thank you.

12

13 Q It will drive me crazy if we don't ask, but earlier when [REDACTED] was talking
14 about that individual named Josh, I don't know if we ever said his last name. What was
15 Josh's last name?

16 A Findlay, F-i-n-d-l-a -- l-e or l-a-y.

17 Q Okay. You did say it. Apologies. We just wanted to -- also it would kill
18 me -- did you have conversations with Mr. Scavino ever?

19 A No.

20 Q Okay. Was there anyone in the White House --

21 A Never, ever? I'm sorry, ever? Like ever spoke to him?

22 Q That's a trick question. No, you did bump into him at a Christmas party.
23 No.

24 A Well, are we talking about during this period of time.

25 Q During this period of time?

1 A No, I didn't have any communications with Mr. Scavino.

2 Q And only because this is actually usually our last question: Is there
3 anything that you thought we would ask you about that we didn't, or that we should have
4 asked you but we didn't?

5 A No, I'm actually -- you guys seem to have quite a bit of information. So I
6 am fairly --

7 Q I will say that is because -- I keep cutting you off. Apologies.

8 A It's okay. It's okay.

9 [REDACTED] All I was going to say to the extent we have that it's because we have
10 been able to talk with people like you who shared that information. So I hope you know
11 how grateful all of us are for your time, your patience, and your endurance to be here
12 until almost 5 o'clock. I know I speak for our entire team when we say, thank you. We
13 really do appreciate the explanations and the time that you took to speak with us and
14 explain things. And I know I speak for our entire team when I say, thank you. We
15 really do appreciate it.

16 Mr. Cannon. You're welcome.

17 [REDACTED] Thank you, sir.

18 Mr. Cannon. Thank you.

19 [REDACTED] Thank you.

20 Mr. Cannon. Bye.

21 [Whereupon, at 4:43 p.m., the interview was concluded.]

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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