

S W O R N S T A T E M E N T

OF

YOLANDA POLLARD

Recorded on Wednesday, the 10th day of
October, 2018, at the Law Offices of Sher Garner
Cahill Richter Klein & Hilbert, 909 Poydras Street,
28th Floor, New Orleans, Louisiana 70112.

REPORTED BY:

Gail G. Freese, CCR

1 I N D E X

2 Caption 1

3 Index 2-3

4 Appearances 3-4

5 Exhibits 5-7

6 WITNESS:
 7 Ms. Yolanda Pollard

8 EXAMINATION BY:

9 MR. COMAN 8, 211

10 JUDGE JOHNSON 17, 211

11 MR. LAWRENCE 191

12 MR. IBERT 197

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1 APPEARANCES - Continued

2

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24

25

1	EXHIBITS:	
2	1 - ENO-NOPS006463-6464 - Email Thread (Top)	
3	6/9/2016 Green-Brown to Rice, Huntley, Hall, Cragin, Barton Sub: Re: CT	
4	Strategy Meeting	24
5	2 - ENO-NOPS006753-6758 - Email Thread (Top)	
6	7/27/2016 Huntley to Green-Brown Sub:	
7	Re: Thursday's Council Utility Committee	
8	Meeting - STAKEHOLDER REMARKS 25	
9	3 - ENO-NOPS006788-6789 - Email Thread (Top)	
10	7/26/2016 Pollard to BillR, Ehrhardt Sub:	
11	Re: Thursday's Council Utility Committed	
12	Meeting - STAKEHOLDER REMARKS 27	
13	4 - ENO-NOPS006353-6460 - Email Thread (Top)	
14	7/27/16 Pollard to Green-Brown, Sub:	
15	Thursday's With Council Utility Committee	
16	Meeting- STAKEHOLDER REMARKS - With	
17	Attachment: Entergy New Orleans Power	
18	Station New Orleans Residential Concerns	
19	About Protection Against Storms	28
20	5 - ENO-NOPS006659 - 12/6/2016 Email - Green-	
21	Brown to Pollard - List of Stakeholders	
22	For December 12th Meeting	31
23	6 - NAWTHORN001003-1006 - Email Thread (Top)	
24	August 13, 2017 Ashford to Hammelman, Walsh	
25	Sub: Shall We Talk 37	
26	7 - ENO-NOPS000409 - Outlook Calendar	
27	8/15/17 5:30 to 6:30	39
28	8 - ENO-NOPS00314-6318 - 8/16/17 Sub: Tweets	
29	From Last Night's Meeting	40
30	9 - ENO-NOPS000003 - Outlook Calendar	
31	8/24/17 7:00 to 8:00 p.m. Chanel Lagarde	39
32	10 - ENO-NOPS000324 - Outlook Calendar	
33	8/29/17 3:30 to 4:00 - Suzanne Hammelman	46
34	11 - ENO-NOPS000008-11 - Memorandum Hammelman	
35	and Scott-Belli to Pollard - Re: Follow-Up	
36	Proposal	47
37	12 - ENO-NOPS000756-759 - Email Thread -TCNA	
38	Intervention re UD-17-04 Investigation and	
39	Remediation of Service Disruptions	51
40	13 - ENO-NOPS000005-6 - Outlook Calendar	
41	8/31/17 4:00 - 4:30 - Campaign Strategy	
42	Discussion	53
43	14 - ENO-NOPS00007-28 8/31/2017 Email Pollard to	
44	Rice, Lagarde Sub: Hawthorn's Follow-Up	
45	Proposal	54
46	15 - ENO-NOPS000012 - Email Thread (Top) 9/5/2017	
47	Pollard to Rice - Sub: Hawthorn's Latest	

1 EXHIBITS - Continued

2 16 - Hawthorn000032-33 - Email Thread (Top)
September 19, 2017 Pollard to Hammelman

3 Sub: Re. Oct. Hearing 58

4 17 - Hawthorn000034-37 - Email Thread
(Top) September 20, 2017 Pollard to Hammelman

5 Sub: Re. Entergy New Orleans Information 66

6 18 - ENO-NOPS006854-6856 - Email Thread (Top)
Pollard to Huntley, Green-Brown Sub: FW:

7 Stakeholder Calls on NOPS 69

8 19 - October 3, 2017 Text Message Communications
Rice/Pollard 71

9 20 - October 3, 2017 Email Thread (Top) Hammelman
to Pollard Sub: FW: Yesterday's New Orleans

10 Flooding - Reference to 75

11 21 - October 3, 2017 Email Thread (Top) Pollard to
Hammelman Re: Revised Proposal 77

12 22 - Hawthorn000148-150 - Email Thread (Top)
October 3, 2017 Hammelman to Swart

13 Sub: Revised Proposal - QUESTION 79

14 23 - ENO-NOPS006833-6836 - Email Thread
(Top) Pollard to Mercadel Sub: FW:

15 NOPS SUPPORT AT OCTOBER 16TH PUBLIC
HEARING ON NOPS - ASSIGNMENTS 81

16 23A- Hawthorn000163 - October 16, 2017
Email Hammelman to Swart Sub: FW: All

17 Set! 85

18 24 - Hawthorn000160 - October 16, 2017 Email
Thread (Top) Hammelman to Swart, Cohen

19 Sub: FW: All Set! 87

20 25 - 3 Pages of Color Photos 89

21 26 - October 15, 2017, Text Message
Communications Rice/Pollard 93

22 27 - Hawthorn000316-17 - Email Thread
October 16, 2017 Hammelman to Swart

23 Sub: Fwd: All Set! 96

24 28 - October 20, 2017 Text Message
Communications Rice/Pollard 97

25 28A - Hawthorn000056 - Email Pollard to
Hammelman Sub: Following Up 98

26 29 - ENO-NOPS006311-6312 - Email Thread
(Top) Cavell to Rice Sub: The Lens 100

27 30 - Hawthorn000058-59 - October 23, 2017
Email Pollard to Hammelman Sub: Second

28 Tweet, See Comments 101

29 31 - ENO-NOPS008573-8575 - Email Thread (Top)
10/23/2017 Cavell to Pollard, Green-Brown

30 Sub: FW: (Sprinklr) Message Assigned 102

31 JOHNS, PENDLETON, FAIRBANKS AND FREESE 504 219-1993

1	EXHIBITS - Continued	
2	32 - ENO-NOPS006571-6572 - 10/24/2017 Email	
3	Thread (Top) Cureington to Pollard, Green-	
4	Brown Sub: FW: Docket UD-16-02 10-16-17	
5	Public Hearing - Cards provided by persons	
6	who were unable to speak due to expiration	106
7	of time	
8	33 - ENO-NOPS006564-6570 - October 16, 2017 UC-	
9	16-04 Public Hearing Public Comment Cards	
10	Of People Who Spoke (With Color Coding)	107
11	34 - Hawthorn00004 - January 11, 2018 Email	
12	Thread (Top) Pollard to Hammelman Re:	
13	Please call my cell when you get a minute	108
14	34A - January 11, 2017 Text Message	
15	Communications Rice/Pollard	109
16	35 - Hawthorn00005-6 - Email Thread (Top)	
17	January 19, 2018 Pollard to Hammelman	
18	Sub: Re: Feb 21 Hearing Options	110
19	36 - Hawthorn00014-15 - Email Thread (Top)	
20	Pollard to Hammelman Sub: RE: Please	
21	Review attached for next week113	
22	37 - Hawthorn000016 - February 21, 2017 Email	
23	Pollard to Hammelman Re: Room Opens at	
24	8:30 AM	114
25	38 - Hawthorn000198-199 - February 22, 2018	
26	Email Thread (Top) Hammelman to Swart	
27	Sub: FW: Last Night	119
28	39 - ENO-NOPS005839-5840 2/23/2018 Email	
29	Thread (Top) Williams to Raymond,	
30	Green-Brown, Pollard Sub: RE: NOPS	
31	Support Speakers Feb 21 18 With	
32	Attachment	123
33	40 - ENO-NOPS006106-6127 - 2/27/2018 Email	
34	Doucette to Pollard Sub: Re: ENO	
35	Opposition Group Monitoring Feb 26,	
36	2018 With Attachments	124
37	41 - Hawthorn000248 - March 5, 2018 Email	
38	Thread - (Top) Hammelman to Swart Sub:	
39	FW: Request for key points	125
40	42 - Hawthron000020-23 March 5, 2018 Email	
41	Thread (Top) Pollard to Hammelman	
42	Sub: Re: Request for key points128	
43	43 - ENO-NOPS000548-549 - Email Thread (Top)	
44	3/6/2018 Hammelman to Pollard Sub:	
45	Re: Request for key points	130
46	44 - ENO-NOPS000519 - March 8, 2018 Email	
47	Thread (Top) Pollard to Hammelman Sub:	
48	Re: Congrats!	131
49	JOHNS, PENDLETON, FAIRBANKS AND FREESE	504 219-1993

1 EXHIBITS - Continued

2 45 - ENO-NOPS000133 - 3/23/2018 Email Pollard
to Accounts Payable Invoices @ Entergy
3 Sub: Please Process: Hawthorn Group
Invoice 133

4 46 - ENO-NOPS000319-321 - 4/12/2018 Email Thread
(Top) To: Franklin Sub: RE: Confirm Status
5 Bright Moments Invoices137

6 47 - ENO-NOPS000249-252 - Email Thread (Top)
4/27/18 Pollard to Guidroz Sub: Hawthorn_
7 Entergy Contract 138

8 48 - ENO-NOPS000492-493 - Contract Change Order
Pursuant to Contract No. 10529184 140

9 49 - ENO-NOPS000496-497 - Contract Change Order
Pursuant to Contract No. 10529184 140

10 50 - ENO-NOPS006009-6014 - Hawthorn Fee Schedule
With Attachments 142

11 51 - ENO-NOPS0005760 - 4/27/2018 Email Thread
(Top) Pollard to Stein Sub: Fwd: Media
12 Request 146

13 52 - ENO-NOPS005763-5764 - Email Thread (Top)
4/30/18 Pollard to Cragin, Guillot Sub:
14 Fwd: Media Request - The Lens 147

15 53 - Entergy Update - Opposition - Article

16 54 - ENO-NOPS005953-5955 - Email Thread (Top)
5/1/2018 Pollard to Huntley, Rice, Cragin,
17 Guillot, Freese Sub: UPDATED DETAILS -
18 MEDIA REQUEST: The Lens 151

19 55 - ENO-NOPS0000323 - Email Thread (Top)
5/3/2018 Raymond to Franklin Sub: RE:
20 Invoice Approval 151

21 56 - ENO-NOPS005947 - 5/4/2018 Email Thread
(Top) Rice to Ehrhardt Sub: Re: Lens:
22 Actors paid to attend council meeting re:
23 Power plant153

24 57 - ENO-NOPS005923-5924 - Email Thread (Top)
5/5/2018 Lagarde to Rice Sub: Statement to
25 Lens and WWL-TV 154

58 - ENO-NOPS005737 - Email Thread (Top) 5/5/2018
Rice to West, Brown, Lagarde, Pollard, Cragin
Sub: Fwd: Statement to Lens and WWL-TV 159

59 - ENO-NOPS005807-5808 - 5/5/2018 Email Rice to
West, Brown, Cragin, Pollard, Huntley,
Lagarde, Cavell Sub: C. Rice Statement re
Lens FINAL 5/4/18 With Attachment 161

60 - Hawthorn000456 - Hawthorn Invoice 9/21/2017164

61 - Hawthorn000458 - Hawthorn Invoice 1/19/2018165

62 - Photocopies of Color Photos (8 Pages) 167

1 Gail Freese, a Certified Court Reporter in and
2 for the State of Louisiana, officiated in administering the
3 oath to the herein-named witness, and recorded the
4 following:

5 YOLANDA POLLARD

6 639 Loyola Avenue

7 New Orleans, Louisiana

8 after having first been duly sworn, was examined, and
9 did testify as follows:

10 EXAMINATION BY MR. COMAN:

11 Q Ms. Pollard, please state your name and address
12 for the record.

13 A Yolanda Pollard, 639 Loyola Avenue, New Orleans,
14 Louisiana 70113.

15 Q And Ms. Pollard, my name is Matthew Coman, and
16 along with Judge Johnson and other attorneys associated with
17 Judge Johnson, we have been retained by the New Orleans City
18 Council to investigate certain allegations made concerning
19 your employer, Entergy. Do you understand that to be the
20 purpose for today's sworn statement?

21 A Yes.

22 Q And with that, as I said before we went onto the
23 record, if you want to take a break at any time please let
24 us know, and we can do that.

25 We have some questions for you today, and we

1 would like to ask you about certain documents. And with
2 that, we'll get started.

3 Where do you work currently?

4 A I work for Entergy.

5 Q Which particular entity?

6 A I work for Entergy Services, Inc.

7 Q How long have you worked at Entergy?

8 A I've worked for Entergy for over 21 years.

9 Q A what roles have you filled during your tenure
10 at Entergy?

11 A I have served as Communications Specialist,
12 Communications Manager, Communications Director.

13 Q And what is your current job title?

14 A My current job title is Communications Manager.

15 Q How long have you held that particular title?

16 A I have held that particular title since 2012.

17 Q Now, we understand you recently changed
18 positions; is that correct?

19 A I changed locations, office locations, that is
20 correct.

21 Q And from where to where? Where were you
22 originally?

23 A I was based at the Entergy New Orleans
24 headquarters building. I'm currently at the Entergy
25 Corporation headquarters building.

1 Q And when did that occur?

2 A During the last week of August I made that
3 lateral transition.

4 Q Why?

5 A There were some resource needs at our corporate
6 office within our Corporate Communications Department, and I
7 was asked to step in to cover some of those bases.

8 Q Who asked you to do that?

9 A I was asked by my immediate supervisor.

10 Q Which is whom?

11 A My immediate supervisor is Chanel Lagarde.

12 Q So same title but different location; is that
13 correct?

14 A That is correct.

15 Q And that was, you said, the last week of August,
16 this year, 2018?

17 A That is correct.

18 Q So before that transition, were you still
19 reporting to Mr. Lagarde?

20 A Yes, I was.

21 Q Who were you supervising, if anyone?

22 A I was supervising one Communications Specialist.

23 Q Which is who?

24 A The name of that employee is Charlotte Cavell.

25 Q Are you still supervising Ms. Cavell?

1 A No, I am not.

2 Q While in that -- in your original role, I'll call
3 it "original role," meaning prior to this transition, did
4 you work with Charles Rice?

5 A Yes, I worked with Charles Rice in that role.

6 Q Are you working with Charles Rice now?

7 A I'm not correctly working directly with Charles
8 Rice.

9 Q In that previous role, were you described and did
10 you fulfill the role as "project manager" for the NOPS Power
11 Station application?

12 A Yes, I did.

13 Q Do you still maintain that particular role?

14 A No, I do not.

15 Q Why not?

16 A I am currently working in our corporate office,
17 supporting general department needs and filling some
18 resources at that location.

19 Q Did that transition have anything to do, or
20 connected, or associated with the allegations that were
21 lodged against Entergy recently in May of this year, 2018?

22 A No, it did not.

23 Q Was your transition planned before it took place?

24 A I'm not aware of any discussions related to
25 planning the transition.

1 Q How did you find out?

2 A I was informed by Chanel Lagarde.

3 Q And tell us about that. What did he tell you and
4 where were you when that took place?

5 A I was actually traveling on business at that
6 point with Chanel, and I was informed at that point that
7 there were some resource needs in our corporate office that
8 he would like for me to cover.

9 Q And what was your transition period? How soon
10 did that take effect?

11 A I actually started working on some of those tasks
12 the very next day.

13 Q Okay. So fairly -- Would you describe that as
14 immediate?

15 A I would describe that as filling a need the very
16 next day.

17 Q When did you move offices? How soon after
18 Mr. Lagarde informed you that you would be doing something
19 different from what you had been doing?

20 A I reported to that office the following Monday,
21 and most of my belongings, or actually some of my belongings
22 were transitioned -- were just scheduled to be transitioned
23 over time.

24 Q And my question is real simple: When did you
25 move your stuff out of your office? That's really what I

1 meant.

2 A It probably occurred a week or so later.

3 Q You were out of town with Mr. Lagarde, he tells
4 you -- you correct me if I'm wrong -- he tells you you're
5 going to be doing something different. You come back into
6 town, back into New Orleans. You go back to your Entergy
7 New Orleans office?

8 A No, I did not go back to my Entergy New Orleans
9 office. I worked typically out of the corporate office for
10 the Entergy New Orleans office on a regular basis, so that's
11 not unusual.

12 Q Have you been back to your office at the Entergy
13 New Orleans building since your transfer?

14 A No, I have not.

15 Q You didn't go back to collect your own
16 belongings? Tell us about that.

17 A My belongings were actually transported through a
18 moving company. I had some belongings already packaged as
19 part of some painting that was done in the office, and those
20 boxes specifically were moved.

21 Q Someone else did it then?

22 A Yes, that's right. And that's not unusual as
23 part of our normal course of business.

24 Q How long were you officed, so to speak, at the
25 Entergy New Orleans building?

1 A I was located there since 2012.

2 Q And where did you come from before that, the
3 corporate office?

4 A Yes, I did. I worked there prior to that time,
5 over a period of 12 years.

6 Q So when you transitioned from the corporate
7 office to the Entergy New Orleans office back in 2012, was
8 it the same exact transition; where you were told one day
9 and then the next day you just never showed back up at your
10 old office again?

11 A Yes, it actually was.

12 Q Okay. And who told you about that transition?

13 A Chanel Lagarde did tell me at that time.

14 Q Did you have any -- For your Entergy New Orleans
15 building, did you have any security passes, or codes, or
16 anything like that?

17 A I do. I hold a security badge.

18 Q Does that work at both buildings, or is it just
19 isolated to one?

20 A I'm assuming that it still works, but I have
21 actually not tried to use the badge.

22 Q While you were located at the Entergy New Orleans
23 building, how close was your office to Mr. Rice's office?

24 A My office was just around the corner of a hallway
25 from Mr. Rice's office.

1 Q Did you work with Mr. Rice on a consistent basis?

2 A Yes, I did.

3 Q But that is no longer, correct?

4 A At this time I do not work directly with Charles
5 Rice.

6 Q Have you worked with him indirectly, or at all?

7 A I may have -- I may have participated in company
8 conference calls, where I have heard his voice, but I have
9 not worked directly with him.

10 Q What were the nature of those conference calls?

11 BY MR. CAHN:

12 I don't want you to talk about the
13 substance of any of those conference calls if
14 they involve non-public information.

15 BY THE WITNESS:

16 Those were based on internal company
17 initiatives.

18 EXAMINATION BY MR. COMAN:

19 Q Did it involve the NOPS Power Station campaign in
20 any fashion?

21 A No, it did not.

22 Q Have you received any documents evidencing this
23 change in your role? In other words, has the company given
24 you a piece of paper that says: Here, Ms. Pollard, here's
25 your change in role?

1 A No. Any changes are typically documented through
2 an electronic system.

3 Q And have you reviewed those?

4 A I have -- I have reviewed the placement of my
5 title under a different supervisor, not system.

6 Q I thought Mr. Lagarde was your original
7 supervisor and remains your supervisor. Is that incorrect?

8 A He was my supervisor. He is not my supervisor at
9 this time.

10 Q And who is?

11 A My immediate supervisor is Michelle Delery.

12 Q And what is her title?

13 A She is Director of Employee Communications and
14 Digital Media and Corporate Services, or something to that
15 extent.

16 Q And what type of work are you doing generally
17 now, as opposed to what you were doing before you
18 transitioned?

19 A I'm supporting internal company initiatives and
20 communication strategy around those company initiatives.

21 Q Like what? Just give us a for instance.

22 BY MR. CAHN:

23 I'm going to instruct her not to discuss internal
24 company initiatives on the record.

25 EXAMINATION BY MR. COMAN:

1 Q These are secret initiatives?

2 BY MR. CAHN:

3 They're non-public initiatives.

4 BY MR. COMAN:

5 Well, I'm asking her the question. So for
6 today you can either instruct her not to answer,
7 or she can answer the question; but for today,
8 it's her statement.

9 EXAMINATION BY MR. COMAN:

10 Q So my question was: Are these secret
11 initiatives?

12 BY MR. CAHN:

13 I'm going to instruct her not to answer
14 those questions.

15 EXAMINATION BY MR. COMAN:

16 Q Do any of those initiatives involve the NOPS
17 Power Station campaign?

18 A They do not.

19 Q Did you receive a reduction in pay as a result of
20 your transfer?

21 A No, I did not.

22 Q Any reduction of benefits?

23 A No, I did not.

24 Q What are your long-term prospects at Entergy?

25 A I will continue to work for Entergy in my

1 corporate communications role.

2 Q Have any Entergy executives or management
3 discussed your future at Entergy with you recently?

4 A No.

5 Q And you may have said this before, but I'll ask
6 you again. I apologize. Do you supervise anybody anymore?

7 A No, I do not at this time.

8 Q Before your removal -- I'm sorry, transfer, did
9 you work with Ms. Toni Green-Brown?

10 A Yes, I did.

11 Q And how about Demetric Mercadel?

12 A Yes.

13 Q You've already mentioned Mr. Lagarde,
14 Ms. Cavell. How about Gary Huntley?

15 A Yes.

16 Q You've been with Entergy 21 years. Where did you
17 work before Entergy?

18 A Prior to Entergy I worked for the University of
19 New Orleans; and prior to that First Commerce Corporation,
20 the parent company of First NBC in the past.

21 Q And you testified before that you were the
22 project manager for the NOPS campaign, so to speak?

23 A Yes.

24 Q What did that campaign involve? I know it took
25 place over a couple of years, so I'm not asking for every

1 daily event, but broad strokes and kind of categories, what
2 did that campaign involve?

3 A The campaign involved developing strategy to
4 communicate the project to the general public, which
5 entailed planning, customer meetings, media relations,
6 social media, advertising, career and supplier development
7 fairs, web communications; a number of matters.

8 Q And who at Entergy New Orleans was involved in
9 that effort -- in those efforts on a regular basis?

10 A On a regular basis, most of the Entergy
11 New Orleans lead team was involved in the New Orleans Power
12 Station effort.

13 Q And who would be members of that lead team, so to
14 speak?

15 A The key members involved in the strategy and
16 execution were: Gary Huntley, Tim Cragin, Charles Rice of
17 course, Brian Guillot, Toni Green-Brown, Seth Cureington.

18 Q At some stage, Ms. Mercadel and maybe Mr. Dunn
19 were involved, as well?

20 A Yes, they were part of the New Orleans Power
21 Station Strategy Team, and they participated in the
22 execution of those plans.

23 Q And would that Strategy Team also at some point
24 involve Kim Mitchell?

25 A Kim Mitchell was not a part of the Strategy Team.

1 She is actually a part of the Entergy New Orleans Lead Team.

2 Q And how about Patty Riddlebarger?

3 A Patty Riddlebarger is a vice president based at
4 our corporate office. She was not a part of the Entergy
5 New Orleans Lead Team or the New Orleans Power Station
6 Strategy Team.

7 Q At some point we do see, though, that she was
8 involved at some level, specifically I believe in dealing
9 with various community partners; is that correct?

10 A Yes, that is part of her role. And when called
11 upon, Patty worked with us to develop some plans around some
12 of the meetings.

13 Q What contractor and vendor did Entergy retain to
14 assist in this campaign?

15 A We had several vendors working with us, including
16 the Ramey Agency.

17 Q And that's R-A-M-E-Y?

18 A R-A-M-E-Y, yes.

19 Q Okay. What did they do?

20 A The Ramey Agency worked with us on advertising
21 and some social media, as well as developing some customer
22 information.

23 Q Okay, that's one. Who's the next one?

24 A We also had Bright Moments and the Ehrhardt
25 Group, a public relation firm -- or actually two public

1 relation firms that worked together as part of the Strategy
2 Team.

3 Q And what type of activity, let's start with
4 Bright Moments, did they undertake?

5 A Sure. Actually, on more of a combined basis,
6 they worked on supporting media relations, customer material
7 development, some limited outreach efforts, some development
8 of information in response to media inquiries, and strategy
9 around schedules for our community outreach meetings.

10 Q So you've got the Ramey Agency, Bright Moments,
11 Ehrhardt Group. Who else?

12 A We also worked with another group called Public
13 Strategies, Inc., and they were responsible for developing a
14 website where customers or the general public could actually
15 submit letters of support for New Orleans Power Station.

16 Q Who else?

17 A We worked with the Hawthorn Group, as you know.
18 They actually helped us to identify members of the general
19 public who would publicly speak in support of the plant.

20 Q Any other contractors or vendors that you can
21 think of at this point?

22 A Yes, there was -- There's another contractor that
23 Charles Rice worked more closely with, Green Pastures, and
24 they provided some public affairs strategy around the
25 New Orleans Power Station.

1 Q And on that point, what types of public relations
2 or affairs efforts were considered by Entergy in this
3 particular project?

4 A Well, we have an internal Public Affairs Team,
5 and that Public Affairs Team, actually based on people they
6 worked with on a regular basis, or people they knew or they
7 encountered, they worked to identify people who actually
8 understood the power plant proposal as well as supported the
9 power plant proposal. They also communicated with
10 neighborhood associations, community groups on a routine
11 basis. And that's as part of their regular jobs as well as
12 in addition to the New Orleans Power Station initiative.

13 Q Which particular items did you oversee, or did
14 you oversee all of them in some respects?

15 A I had oversight for all of the initiatives
16 related to the New Orleans Power Station.

17 Q And for the overall application effort, though,
18 Mr. Rice would be ultimately in charge; is that correct?

19 A Yes, that is correct.

20 Q So at a certain level you would be able to make
21 -- and correct me if I'm wrong -- you would be able to make
22 certain decisions, but on others you would seek his ultimate
23 approval; is that correct?

24 A On some decisions, particularly related to my
25 communications function, I made decisions. In some

1 instances he made decisions, and came to me and suggested or
2 directed me to carry out certain activities.

3 Q Okay. In the NOPS effort, was there involvement
4 from other Entergy entities; meaning Services, Inc. or
5 corporate?

6 A Yes. One of the examples I mentioned earlier was
7 Patty Riddlebarger, the Vice President of Corporate Social
8 Responsibilities; so Entergy employees covering areas such
9 as Patty's would have been involved.

10 Q Was generating public support an important
11 component of Entergy's campaign?

12 A Generating public understanding of the proposed
13 power station was the key focus.

14 Q Okay, let me ask it this way, let me know if you
15 agree or disagree with this statement: It was critical for
16 Entergy to show support to the New Orleans City Council.

17 A Yes, it was critical to show support, and that
18 was based on the public's understanding of the proposal.

19 Q Did Entergy ever recruit people to write letters
20 to the New Orleans City Council on behalf of the NOPS
21 application?

22 A We identified people who we understood supported
23 the New Orleans Power Station, and they in some instances
24 did submit letters of support.

25 Q Did Entergy, at any time, specifically request

1 those individuals, though, write letters?

2 A Yes, we did.

3 Q I'm going to show you what is marked as Exhibit
4 1.

5 BY MR. COMAN:

6 It is a two-page document with a Bates
7 number at the bottom. And I have a copy for you,
8 Mr. Cahn.

9 EXAMINATION BY MR. COMAN:

10 Q Take a moment to review that email communication.
11 If you want to start on Page 2 and come forward, and just
12 let me know when you're ready to answer a couple of
13 questions.

14 A Okay.

15 Q I see your name listed on here a couple of times
16 on these email threads, correct?

17 A Yes, that's correct.

18 Q And looks like both of them came from Ms. Toni
19 Green-Brown, correct?

20 A That's correct.

21 Q At the bottom of Page 1 it reads, correct me if
22 I'm wrong, "Please let us know if: You need speakers/letter
23 writers, etc. from Entergy supporters at the IRP public
24 hearing." So tell us about that.

25 A This is a request from Toni Green-Brown.

1 Specifically, to my knowledge, she's asking -- she is
2 broadly asking what are the needs that you envision for the
3 upcoming meeting.

4 Q Okay. I'll show you another email thread which I
5 have marked as Exhibit 2. There are Bates numbers at the
6 bottom. It's a little bit longer, so take your time and let
7 us know when you've had a chance to review that.

8 A Okay.

9 Q If we could start at the back.

10 A Sure.

11 Q I believe the timing works that way. So the last
12 two pages, starting at the bottom, this is an email that you
13 typed and sent on July 26, 2016, correct?

14 A Yes.

15 Q And the subject line reads: "Thursday's Council
16 Utility Committee Meeting -- Stakeholder Remarks"?

17 A That's correct.

18 Q In the following paragraph, without repeating it
19 verbatim, you discussed the need for people drafting -- or
20 identifying stakeholders and drafting two-minute remarks for
21 each, correct?

22 A That is correct.

23 Q And who are some of these stakeholders, for
24 instance?

25 A The stakeholders were, at the time, as I mention

1 here in this message, they were business owners, they were
2 nonprofit partners, they were consumer advocates; so they
3 were broad categories of stakeholders that we were looking
4 to identify.

5 Q And if we move to the previous page then, the
6 next email in the thread, this again is an email that you
7 would have drafted and sent the same day, just a few hours
8 later, correct?

9 A Um-hmm (AFFIRMATIVE RESPONSE). Okay.

10 Q And you address it to "Team," and you say:
11 "Please move forward with drafting of remarks, emphasizing
12 reliability, cost and environment, correct?"

13 A Yes.

14 Q And basically, in the last full paragraph at the
15 bottom there, before you sign off, you say: "Hope this gives
16 you some general direction for the various stakeholder
17 scripts and messengers to get drafts underway; Toni will
18 assign and provide scripts to the appropriate messengers.
19 Please let us know any questions." That's what it reads,
20 correct?

21 A That is correct, yes.

22 Q Who was drafting the scripts?

23 A This was directed to some of our support that we
24 had on the team, including the Bright Moments and the
25 Ehrhardt Group team.

1 Q If we turn basically to the third page, Bates
2 number 6755, at the bottom.

3 A Okay.

4 Q Do you see an email at the top from Mr. Rouselle?

5 A Yes, I do.

6 Q Where he attached: Two additional statements (a
7 single mother and Sassafras Restaurant)." Do you see that?

8 A Yes, I did do.

9 Q Who was the single mother?

10 A I don't recall.

11 Q From what I read in there, it appears that the
12 single mother is an unknown individual, and the script is
13 basically just written for someone of that profile in mind,
14 correct?

15 A That is correct.

16 Q If you'll look at Exhibit 3 --

17 BY MR. COMAN:

18 -- with a copy for you, Counsel.

19 EXAMINATION BY MR. COMAN:

20 Q In fact, I think this email is actually
21 self-contained in the previous one, correct?

22 BY MR. CAHN:

23 Right.

24 BY THE WITNESS:

25 Yes.

1 BY MR. COMAN:

2 Okay, we'll stick that on the side then.

3 One second, please.

4 EXAMINATION BY MR. COMAN:

5 Q I'll show you Exhibit 4.

6 A Okay.

7 Q As an overall, this email thread contains and
8 discusses various scripts for various individuals; is that
9 correct?

10 A That's correct.

11 Q And you were a party to those communications,
12 correct?

13 A Yes, I was.

14 Q And if we turn to Bates number 6357, the first
15 script that's kind of sideways on the paper?

16 A Um-hmm (AFFIRMATIVE RESPONSE).

17 Q It reads: "I'm a local resident who was displaced
18 after Hurricane Katrina." Who was that? Who was this
19 person?

20 A I don't recall.

21 Q In fact, from the overall email thread, and you
22 just let me know what you believe, but from the overall
23 email communication thread, which was a script that was
24 drafted for an unknown individual, for someone to use down
25 the road?

1 A I don't know if that individual was unknown, but
2 many customers were displaced after Hurricane Katrina, and
3 so the Public Affairs Team may have identified someone. I
4 don't know.

5 Q Is there any listing of an individual in that
6 email communication whatsoever?

7 A I don't see a name here.

8 Q Okay, let's turn to the next page, Bates number
9 6358, the next script. And here it reads at the top, after
10 "Entergy - New Orleans Power Station: "Customer from an
11 Environmental Position." It doesn't list who the customer
12 is; is that correct?

13 A No, it doesn't.

14 Q The first sentence reads: "I am an avid supporter
15 of the environment."

16 A That's correct.

17 Q And in this email communication, is this person
18 identified anywhere?

19 A I don't see a name on here.

20 Q Okay, if you turn to the next page there is
21 someone who's identified from Signs Now, Michelle --

22 A Michelle Gobert.

23 Q Do you know her?

24 A Yes.

25 Q What is Signs Now?

1 A Signs Now is a local graphics and sign business.

2 Q So someone drafted, I guess one of your vendors
3 drafted this script for her to use, correct?

4 A We drafted this script as some general ideas of
5 messages or points that she might consider as she stated her
6 own support for the plant.

7 Q Did she ever come and speak at any particular
8 meeting?

9 A I don't recall.

10 Q Is Signs Now a vendor for Entergy?

11 A Yes, they are.

12 Q So Entergy provides Signs Now with money,
13 correct?

14 A Entergy pays Signs Now for services provided.

15 Q All right. And the last page, Bates number 6360,
16 if you could turn to that one? That one reads, at the upper
17 left-hand corner: "Entergy - New Orleans Power Station, East
18 New Orleans Homeowner," correct?

19 A That's correct.

20 Q And what does the next sentence read, please?
21 Could you read that out loud for us?

22 A "I am" blank (address). I am a homeowner and
23 lifelong resident of New Orleans."

24 Q So again, an unknown person just to fill in the
25 blank, correct?

1 A This was a message that was developed to share
2 with someone so that they could state their own opinions or
3 thoughts about the New Orleans Power Station.

4 Q But that person is not listed or referenced
5 anywhere in that email communication, correct?

6 A There is no name here.

7 Q In fact, as you stated, there's a blank,
8 literally a line, correct?

9 A There is a line here.

10 Q Go ahead and take a look, if you could, at what's
11 marked as Exhibit 5.

12 Ready, Ms. Pollard?

13 A Yes.

14 Q You received this email on December 6, 2016,
15 correct?

16 A Yes.

17 Q And the "Attachments" reads: "List of
18 stakeholders for December 12th meeting," correct?

19 A Where are you?

20 Q The "Attachments" part (INDICATING), "List of the
21 stakeholders" at the top.

22 A Oh, the subject line, okay. I'm sorry, I thought
23 you were referring to the file name.

24 Q Right. And in this two-page attachment it has
25 basically a grid or a chart on the left-hand side that says,

1 "Potential Speakers," correct?

2 A Yes.

3 Q Looks like it may be in Alphabetical order; is
4 that right?

5 A Yes.

6 Q Here it looks, at least by the count, that
7 Entergy identified 44 potential speakers, correct?

8 A Yes, there are 44 listed.

9 Q And did you attend the December 2016 NOPS
10 meeting?

11 A I don't recall.

12 Q Do you recall if you ever missed any meetings
13 before the City Council?

14 A I have missed meetings before the City Council or
15 the Utility Committee.

16 Q For NOPS though?

17 A Yes, that was a possibility. I just don't
18 recall. We had multiple meetings. I don't recall if I
19 attended every meeting. I just don't recall at this point.

20 Q Okay. Well, as the project manager, though, of
21 these 44 potential speakers that you-all identified, how
22 many of those, ball park obviously, how many of those people
23 spoke on Entergy's behalf at that December meeting?

24 A I don't know.

25 Q When you look at the list, can you identify

1 anyone?

2 A The list in here shows who was confirmed. I have
3 see that column here.

4 Q Um-hmm (AFFIRMATIVE RESPONSE).

5 A I recognize a name here, Howard Rogers, with the
6 New Orleans Council on Aging.

7 Q Okay.

8 A Many of these speakers or some of these speakers
9 may have spoken at different meetings across the timeline,
10 so I'm not sure that I would actually confirm speakers tied
11 to specific dates.

12 Q How about just in general then? You mentioned
13 Mr. Rogers. In your mind, who can you picture speaking on
14 Entergy's behalf, or NOPS', at any City Council meeting?

15 A I remember Thelma French, Howard Rogers, Noah
16 Lewis, William Bickham, Sean Bruno, Tangee Wall. Those are
17 some that come to mind as I'm looking over the list.

18 Q So I counted six, correct?

19 A Yes.

20 Q You agree with that?

21 A Yes. Those are some names that come to mind at
22 this time.

23 Q William Bickham, who is he?

24 A William Bickham, as I recall, is someone who has
25 either lived in or worked in New Orleans East.

1 Q Does he have any other tie to Entergy?

2 A Not that I'm aware of.

3 Q How do you remember him, then, offhand?

4 A I remember that he approached us about he had
5 previously worked in New Orleans East, and he understood
6 kind of the mechanics behind a power station.

7 Q And how about Sean Bruno; who is that?

8 A Sean Bruno is a local community leader.

9 Q Is he part of any particular organization?

10 A He's a part of a number of organizations. I
11 don't recall any specific one at this point.

12 Q Okay. And how do you know him? Through working
13 through Entergy?

14 A I recall that, as a community leader, he's
15 someone that the Public Affairs Team knows, and he actually
16 supported us through remarks or potentially letters that we
17 may have worked with him on.

18 Q Thelma French, who is that?

19 A Thelma French is a local community partner. I
20 don't know her personally, but I do recognize the name.

21 Q Do you know what organization she's connected
22 with?

23 A I believe she is with -- she is one of the local
24 nonprofit partners that supports Entergy through the Power
25 to Care.

1 Q And Howard Rogers is Council on Aging?

2 A Yes, that's right.

3 Q And they were a community partner with Entergy,
4 correct?

5 A Yes, they are.

6 Q They apply for and receive funds from Entergy,
7 correct?

8 A Yes, they do.

9 Q Noah Lewis, who is that?

10 A Noah Lewis, I don't know him personally, but I do
11 recall that he is possibly a resident of New Orleans East or
12 somewhere nearby.

13 Q And Tangee Wall, who is that person?

14 A Tangee Wall, as I recall, is part of NORDC.

15 BY THE REPORTER:

16 I'm sorry --

17 BY THE WITNESS:

18 NORDC, that's an acronym.

19 BY THE REPORTER:

20 Thank you.

21 EXAMINATION BY MR. COMAN:

22 Q Are they also a community partner with Entergy?

23 A Yes, they are.

24 Q Let's kind of fast forward. I'm going in kind of
25 time order. My small brain gets lost, so I have to go in

1 time order just to keep up.

2 Moving forward to August of last year, 2017, in
3 the summer of that year. In August, Charles Rice asked
4 Chanel Lagarde to arrange a meeting with the Hawthorn Group,
5 correct?

6 A Yes, he did.

7 Q And that was an effort to seek the Hawthorn
8 Group's assistance with this NOPS campaign, correct?

9 A That is correct.

10 Q Do you know John Ashford?

11 A I have crossed paths with John Ashford
12 periodically, as a part of the New Orleans Power Station and
13 just in general meetings, but I don't know him personally or
14 did not know him personally.

15 Q You met him?

16 A I have met him, yes.

17 Q Before meeting him that day, had your paths
18 crossed?

19 A Yes, they had.

20 Q In what regard?

21 A John Ashford and the Hawthorn Group, they are
22 familiar with utility issues, and on occasion they have
23 provided just general industry issue overview presentations
24 to Entergy.

25 Q Presentations on what topics?

1 A A variety of utility topics. A variety of
2 general utility topics; everything from the future of
3 utilities to renewables; things of that nature.

4 Q How would you describe the Hawthorne Group? Are
5 they marketing, are they advertising, are they media
6 outreach communications? In the business, how would you
7 describe them?

8 A In the business I would describe them as a public
9 affairs, media relations, strategic communications
10 consultant group.

11 Q What would be involved, from a broad perspective,
12 to define the term "strategic communications"?

13 A Strategic communications might involve looking at
14 all of the possible communications tactics and steps that
15 they might either suggest or provide as a service.

16 Q Okay. And was it your understanding that
17 Mr. Lagarde had also known the Hawthorne Group, in
18 particular Mr. Ashford, before the NOPS campaign engagement?

19 A Yes.

20 Q Let me show you what I'll mark as Exhibit 6.
21 Take a moment to review that four-page document, please.

22 A Okay.

23 Q This is an email thread that you received on
24 August 13th of 2017; is that correct?

25 A Yes.

1 Q And I'll direct your attention towards the top of
2 that first page, Hawthorn0113. You received that from your
3 supervisor at the time, Mr. Lagarde; is that correct?

4 A That's correct.

5 Q It was actually a conversation that apparently
6 Mr. Lagarde and Mr. Ashford had had, and that Mr. Lagarde
7 forwarded on to you; is that correct?

8 A Yes, that's correct.

9 Q And Mr. Lagarde referred to you as that you were
10 running the campaign for Entergy New Orleans; is that
11 correct?

12 A Yes, that's correct.

13 Q At the bottom of that first page there,
14 Mr. Ashford writes a letter following, apparently, a
15 communication he had already had with Mr. Lagarde, where
16 Mr. Ashford references, "cut-outs." Do you see that?

17 A Yes, I do see that.

18 Q And is your understanding that Mr. Ashford was
19 the founder or cofounder, and is currently the CEO of the
20 Hawthorn Group? Is that correct?

21 A Yes, I understand that.

22 Q And do you know Ms. Hammelman; Suzanne Hammelman?

23 A Yes, I do.

24 Q Have you ever met her in person?

25 A It's possible I have, yes.

1 Q Is it correct, though, that most of your
2 communications either took place by the telephone or by
3 email?

4 A That is correct.

5 Q And just a couple of days later, if you could
6 take a look at Exhibit 7, I believe there was a conference
7 call scheduled, correct?

8 A Yes.

9 Q And you see yourself listed on that Outlook
10 entry?

11 A Yes, I'm listed.

12 Q And that's for August 15th of 2017, correct?

13 A Correct.

14 Q And who are the other individuals listed as other
15 attendees?

16 A Suzanne Hammelman, Bryant Kinney, Jefferson
17 Freeman, Larry Walsh, myself, Stephen Cohen.

18 Q And who of those individuals worked for Entergy
19 and who worked for the Hawthorne Group?

20 A All of the individuals listed there I believe may
21 work for the Hawthorne Group.

22 Q No other Entergy people besides yourself are
23 listed there, correct?

24 A I don't see any others.

25 Q What was discussed on this conference call?

1 A During this conference call I shared the timeline
2 of developments since the initial proposal of New Orleans
3 Power Station, the related communication strategies, some of
4 the issues around or surrounding the New Orleans Power
5 Station proposal.

6 Q Okay. Did Mr. Rice ever express, my word,
7 "frustration" with Entergy's in-house ability to produce a
8 show of support at the board meetings?

9 A Mr. Rice expressed concern about having the
10 resources in-house to continue to reach out to the public
11 over an extended period of time.

12 Q To result in that end show of support, correct?

13 A Yes, that is correct.

14 Q And so you hired a vendor, correct?

15 A And so we scheduled a meeting with, or a call and
16 eventually a meeting with the Hawthorne Group to explore
17 some of the services and suggestions that they might
18 provide.

19 Q And I'm going to get back to that in a second.
20 But since I'm staying on a timeline here, go ahead and take
21 a look at Exhibit 8.

22 A Okay.

23 Q Is this an email that you received from your
24 subordinate at the time, Ms. Cavell?

25 A Yes, that's correct.

1 Q And it's dated August 16, 2017; is that correct?

2 A Yes.

3 Q And in the subject line it reads: "Regarding:
4 Just FYI - Tweets From Last Night's Meeting." Did I read
5 that correctly?

6 A Yes.

7 Q And this references a man by the name of Danil
8 Faust; is that correct?

9 A That's correct.

10 Q And who is he?

11 A Now I am aware of and am familiar with the name
12 Daniel or Danil Faust as someone who attended some of the
13 New Orleans Power Station meetings.

14 Q Was anyone at Entergy concerned with his
15 opposition to the power station?

16 A I was really not familiar with him at that time.
17 Other than the brief background here, I did not know who he
18 was beyond the social media posts here.

19 Q Why was your subordinate circulating it and
20 basically bringing up for discussion this one individual's
21 opposition then?

22 A It was not uncommon for, in her role as part of
23 monitoring social media, for her to share information that
24 customers were posting or that maybe she had seen on social
25 media.

1 Q Have you ever discussed Mr. Faust with Charles
2 Rice?

3 A I may have mentioned Mr. Faust once or twice or
4 so with Charles Rice, but we have discussed many different
5 social media matters over time.

6 Q Did you and Mr. Rice ever discuss other
7 individuals or groups that were either interveners or that
8 were just opposed to the power station throughout this
9 process?

10 A Yes.

11 Q Like which ones?

12 A We probably -- We did talk about the Alliance for
13 Affordable Energy, who actually is an intervener in multiple
14 regulatory filings and matters before the City Council.

15 Q Besides the Alliance, who else?

16 A The Deep South Center for Environmental Justice
17 is another one

18 Q And let's go back to the Alliance. Is there a --
19 Logan Burke, are you familiar with that person?

20 A Yes, I am.

21 Q Have you ever discussed Ms. Burke with Mr. Rice?

22 A Yes.

23 Q And she's with the Alliance; is that correct?

24 A Yes.

25 Q and Deep south, who is that? Do they have an

1 individual that sticks out in your head as being --

2 A Yes. The leader of Deep South Center for
3 Environmental Justice is Dr. Beverly Wright, I believe.

4 Q How about Justice and Beyond, are you familiar
5 with that entity?

6 A Justice and Beyond, yes. I became familiar with
7 them much later in the timeline around the Power Station
8 proposal.

9 Q And who is their leader, so to speak?

10 A I don't recall the name right now.

11 Q Pat Bryant, does that ring a bell?

12 A Yes, that does ring a bell.

13 Q How about any other groups situated like that
14 that come to mind, that you-all would have discussed?

15 A Another individual was Monique Hardin. She
16 presented information and intervened in the Power Station
17 proceeding.

18 Q As a individual, or with a particular entity?

19 A I'm not sure.

20 Q Any other opposition group, so to speak, that you
21 can think of?

22 A Those are the groups that come to mind.

23 Q All right. Kind of moving back to the Hawthorn
24 Group, let me show you what is marked as Exhibit 9. This is
25 an Outlook calendar entry that you are a part of, correct?

1 A That's correct.

2 Q And the appointment title is what?

3 A The appointment title is "NOPS Update."

4 Q And the organizer is listed as Chanel Lagarde; is
5 that correct?

6 A Yes.

7 Q In addition to yourself, I see Mr. Rice's name
8 and Mr. Ashford; is that correct?

9 A Yes.

10 Q And this is setting a meeting for August 24,
11 2017, correct?

12 A That is correct.

13 Q This was the in-person meeting where Mr. Ashford
14 traveled from Virginia down to New Orleans to meet with
15 you-all; is that correct?

16 A Yes.

17 Q And who else was present besides those listed
18 here, if anyone?

19 A Those are the only individuals I recall
20 participating in the meeting.

21 Q What capabilities did the Hawthorne Group,
22 specifically at this meeting, discuss with you, or really
23 beyond this meeting? What did the Hawthorn Group possess
24 that local vendors that Entergy utilized did not possess?

25 A I don't think that there were any particular

1 services or areas of expertise that the local vendors did
2 not possess. The Hawthorne Group presented a proposal that
3 covered everything from media relations, to social media, to
4 outreach, polling. It was a broad spectrum of
5 possibilities.

6 Q That broad spectrum was -- would it be fair to
7 describe it is robust?

8 A Yes, very robust.

9 Q Compared to the offerings of some of the other
10 vendors that y'all were already using?

11 A I think some of the other vendors may have
12 provided some of those services. There was just -- This was
13 just a broader proposal that in some way outlined here were
14 the Hawthorn Group's capabilities. There may have been
15 some parallels or some commonalities there.

16 Q Because the other vendors, up to that point that
17 y'all were utilizing, Bright Moments, Ehrhardt Group, they
18 are local, correct?

19 A Yes, they are local.

20 Q And the Hawthorn Group doesn't even have an
21 office here, right?

22 A I don't know that.

23 Q If I told you they didn't, would you have any
24 reason to contest that assertion?

25 A I don't contest it, but I don't know all the

1 areas of their business.

2 Q You've never been to a Hawthorn Group office in
3 New Orleans, correct?

4 A No, I have not.

5 Q And Mr. Ashford lives in Virginia, or somewhere
6 up there; is that right?

7 A Yes.

8 Q I'll show you what I'll mark as Exhibit 10.

9 Are you ready?

10 A Yes.

11 Q This is another Outlook Calendar entry with the
12 Bates number of ENO-NOPS324. And you were a party to this
13 Outlook Calendar entry, correct?

14 A Yes.

15 Q And it says, "Appointment Title: Ellen and
16 Suzanne to call Yolanda," correct?

17 A Yes.

18 Q And Ms. Hammelman is listed there as the
19 organizer, correct?

20 A Yes.

21 Q And the date is for August 29th of 2017, correct?

22 A Correct.

23 Q The location, it lists a telephone number: [REDACTED]
24 [REDACTED]; is that correct?

25 A Yes.

1 Q Whose telephone number is that?

2 A That is my telephone number.

3 Q Your direct line or your cell number?

4 A Yes, that's my cell phone number.

5 Q And what was discussed on this call beyond what
6 you've already mentioned?

7 A So during the meeting with John Ashford, the
8 complete plan that they proposed was shared with us. And
9 the call that I had with the Hawthorne team here on this
10 date was to discuss -- to kind of brief them on that meeting
11 discussion, and also look at what may be the possible next
12 steps, if any, at that point.

13 Q Go ahead and take a look at Exhibit 11.

14 A Okay.

15 Q This is a memorandum that Ms. Hammelman drafted
16 and sent to you; is that correct?

17 A Yes.

18 Q And from the date and from the narrative in it,
19 it looks like it was not just the same day but probably
20 following your telephone call; is that correct?

21 A Yes.

22 Q In this proposal it lists a number of items. And
23 at the bottom of the first page, the last paragraph
24 starting, "First --." It states: "First, we believe that
25 starting the group as a Facebook community--" Did you-all

1 ever engage the Hawthorne Group to start a Facebook
2 community?

3 A No, we did not.

4 Q And I kind of skipped a couple of things, so let
5 me go back up.

6 The second paragraph is, after your
7 communications, Ms. Hammelman, in this particular memo,
8 states: The big idea is to build a sustainable, independent
9 organization," and it goes on. Did you-all ever engage the
10 Hawthorn Group to create a sustainable, independent
11 organization?

12 A No, we did not.

13 Q On Page 2, without going through each and every
14 particular item there, they make various offerings and
15 suggestions, correct?

16 A Yes, they do.

17 Q Did Entergy ever engage the Hawthorn Group to
18 conduct any of those activities?

19 A We did not engage them to support activities
20 based on this broader umbrella that they proposed here on
21 this page.

22 Q If you could turn to Page 3, at the top?
23 Ms. Hammelman writes: "Time is short, as we need to
24 organize a strong show of support for the October 16 public
25 hearing," and she moves on. Did I read that portion of that

1 sentence correctly?

2 A Yes, that's correct.

3 Q And in the maybe mid to bottom section of this
4 page as well as spilling over to Page 4, this is ENO-NOPS 10
5 and 11, she basically lays out various bullet points,
6 correct?

7 A Yes, she does.

8 Q Let's start with the one in about the middle of
9 the page, where it says -- For that, the time frame is
10 September of 2017; is that correct?

11 A That's correct.

12 Q And she also lists a dollar figure or dollar
13 figure range next to that, correct?

14 A Yes, sir.

15 Q And the first bullet point reads: "Identify and
16 recruit one or more GrassTops champions --" and so on and
17 so forth. Did Entergy engage the Hawthorne Group to conduct
18 that activity?

19 A No.

20 Q Secondly, "Settle on an organization name."
21 Well, there's no organization, there's no name, correct?

22 A That's correct.

23 Q "Incorporate as a non-profit 501(c)(4)." Entergy
24 did not engage the Hawthorn Group to conduct that activity,
25 correct?

1 A No.

2 Q They also reference, in the next bullet point,
3 "Research, polling, targeting"; things of that nature.
4 Again, did Entergy engage the Hawthorn Group to conduct that
5 activity?

6 A No.

7 Q And it also lists, "Set up and populate an
8 advocacy website and Facebook page." And I think you've
9 already addressed that, correct?

10 A That's correct. We did not engage them on that.

11 Q They also reference recruiting 3,000 to 5,000
12 members online, correct?

13 A They reference that. We did not engage that.

14 Q And basically the last one, "Hire a campaign
15 manager, political field operations director and media
16 relations person/firm." You did not engage them to conduct
17 that activity, correct?

18 A We did not.

19 Q And on the last page, without going through each
20 and every one of those particular items, did you-all engage
21 the Hawthorn Group to conduct any of those activities
22 listed?

23 A We asked them to identify and turn out
24 supporters.

25 Q And that's listed about what, the second bullet

1 point under "October-November" time frame; is that correct?

2 A Yes.

3 Q Anything else on the page besides that?

4 A The only other item may be, "Meet with your team
5 to review strategy," but those were general calls or
6 conversations related to the item that we just discussed.

7 Q What was --

8 A Which would be "identify, turn out supporters."

9 Q And it specifically reads: "Turn out supporters
10 in volume for hearings;" is that correct?

11 A That is correct.

12 Q Take a look at Exhibit 12, please. It's a
13 four-page email that I just have some questions about the
14 first page; but please feel free to review any part of it.

15 A Okay.

16 Q The second-to-last email on the first page, the
17 email that is written from Mr. Rice, could you take a look
18 at this particular email, please?

19 A Yes.

20 Q Were you a party to that conversation? Did he
21 send that email to you?

22 A Yes, I'm copied on that email message.

23 Q Read out loud, if you could, what Mr. Rice wrote
24 on that particular date.

25 A "We have to get a strategy around this. I am

1 going to work with Chanel to get an outside consultant, the
2 Hawthorn Group, to begin some type of campaign/strategy
3 against the Alliance."

4 Q Is that referencing the Alliance for Affordable
5 Energy?

6 A Yes.

7 Q What caused Mr. Rice to type that particular
8 email?

9 A I don't recall the specific scenario at this
10 time.

11 Q Can you tell from the email that precedes that?

12 A It looks like it was in reference to something
13 related to -- When I see the acronym here "NA," that stands
14 for neighborhood association, and it references also the
15 petition.

16 Q Was this activity that Mr. Rice was
17 contemplating, was this separate and apart from the
18 activities that you had discussed -- that you-all had
19 discussed with Mr. Ashford when he came into town?

20 A Yes.

21 Q What was Mr. Rice contemplating? Explain how
22 that worked.

23 A I'm not sure exactly what he was contemplating
24 here. I think he was looking at what are some ways that we
25 could communicate some of the things that the company was

1 doing here on a local level, as well as some of the
2 New Orleans Power Station plans. At that point, I don't
3 believe we had specifically narrowed down what type of
4 support the Hawthorn Group would exactly provide, so this
5 was a very general statement made by Mr. Rice.

6 Q And this was the same; I believe someone set up a
7 conference call for later that day. Is that correct?

8 A Someone set up a conference call.

9 BY MR. CAHN:

10 Is this a good time for a break?

11 BY MR. COMAN:

12 Yes, that's fine.

13 (BREAK TAKEN)

14 EXAMINATION BY MR. COMAN:

15 Q Let me go ahead and hand you 13. So I have just
16 handed you what I have marked as Exhibit 13. It appears to
17 be an Outlook Calendar entry. Is that right,
18 Ms. Pollard?

19 A Yes, that's correct.

20 Q And you are copied on this particular entry,
21 correct?

22 A Yes.

23 Q The appointment title reads: "Campaign/Strategy
24 Discussion," correct?

25 A Yes.

1 Q And among the attendees, including yourself, is
2 Mr. Ashford from the Hawthorne Group and Mr. Rice from
3 Entergy, correct?

4 A Yes.

5 Q And this was for August 31, 2017; is that
6 correct?

7 A That is correct.

8 Q And now, prior to that call, if you'll take a
9 look at Exhibit 14, it's an email with an attachment that is
10 a PowerPoint. Take your time and just let us know when
11 you've had a chance to review it.

12 A Okay.

13 Q On Exhibit 14, this appears to be an email that
14 you sent on August 31, 2017 to Mr. Rice and Mr. Lagarde,
15 correct?

16 A That is correct.

17 Q And this is entitled, "Hawthorn Follow-Up
18 Proposal"; is that correct?

19 A Yes.

20 Q And without reading it verbatim, did you
21 circulate this PowerPoint follow-up proposal that the
22 Hawthorn Group had written to both Mr. Rice and Mr. Lagarde
23 in order to educate you all on what they were offering
24 before the conference call?

25 A Yes.

1 Q And in last sentence of the email you wrote:
2 "The Hawthorn Group developed this proposal based on last
3 week's meeting and a follow-up conversation with their
4 team." Did I read that correctly?

5 A Yes.

6 Q This particular proposal, you correct me if I'm
7 wrong, was not something that the Hawthorne Group developed
8 on their own in a vacuum, correct?

9 A They developed this based on hearing some of the
10 issues and the environment that we explained to them.

11 Q And like the other bullet points that we've
12 looked at on the previous email, it appears that this
13 PowerPoint and slide deck proposal mirrors many of those
14 particular tasks; is that correct?

15 A It does mirror some. Yes, that's correct.

16 Q And without going through each and every item
17 offered on here, and the time frame and the budget, did
18 Entergy engage the Hawthorn Group to conduct any of the
19 activities listed in this follow-up proposal?

20 A This proposal focuses on the development of an
21 over-arching organization, for the most part, and we did not
22 engage them to conduct that activity.

23 Q If you could take a look at Exhibit 15, a
24 one-page email, ENO-NOPS12.

25 And before I ask you any questions about that

1 email, I'm sorry, you circulated the proposal that day?

2 A Yes.

3 Q That Ms. Hammelman had revised. And then y'all
4 were to have the call that same day. What was discussed on
5 that particular call?

6 A During that particular call, the items that were
7 discussed included more information about the general
8 landscape here around the New Orleans Power Station, some of
9 the recent media coverage, some of the recent community
10 feedback. It was, again, another opportunity to lay out
11 kind of the broader landscape.

12 Q Did Mr. Rice express, during this telephone
13 conversation, an urgency to produce a show of support from
14 the public to the City Council?

15 A He discussed that item among many other just
16 general scenarios across the year or so timeline.

17 Q If you had to rank those in order of emphasis
18 from Mr. Rice's perspective and/or Entergy's perspective,
19 was crowd building number one?

20 A Really, at this point in time I don't recall the
21 order of emphasis.

22 Q Okay. All right.

23 If you could look at Number 15 again? I'm sorry.
24 And let us know when you have had a chance to read that.

25 A Okay, yes. Okay.

1 Q So this email, ENO-NOPS 12, at the bottom here is
2 from Ms. Hammelman to yourself?

3 A Yes.

4 Q And it's the following week, September 5, 2017;
5 is that right?

6 A Yes.

7 Q And she state: "I have revised the attached
8 slightly to respond to what we heard Charles say last week.
9 So our immediate goal has changed a bit, and the urgency for
10 crowd building and response is reflected." Did I read that
11 correctly?

12 A Yes.

13 Q So from that conversation that we were just
14 referencing with that PowerPoint slide deck, August 31,
15 2017, Ms. Hammelman must have been a part of that
16 conversation.

17 A Yes.

18 Q Was Mr. Ashford, do you know?

19 A I don't recall.

20 Q And then fast forward here a week later, she
21 revises it and mentions that Charles, Mr. Rice, wanted -- he
22 had an urgency for crowd building. Is that a fair
23 statement?

24 A That is a fair statement.

25 Q And then you respond to Mr. Rice, saying -- I

1 guess you forwarded it on to him, and then say in the top
2 that they have also -- "they" being the Hawthorn Group,
3 "has revised their September budget up a bit." Why was
4 that?

5 A At that time the focus on the actual October
6 hearing was probably more of the emphasis. And given the
7 immediate focus and direction from Charles during that
8 conversation, they revised their budget based on the
9 resources they would need.

10 Q Let me show you what I'll mark as Exhibit 16. It
11 should be HAWTHORN 32 and 33. Take a moment to read that
12 two-page document, please.

13 A Okay.

14 Q This is an email exchange that you had with
15 Ms. Hammelman, correct?

16 A Yes.

17 Q And the first email is dated September 18, 2017
18 at 5:39 p.m.; is that correct?

19 A Yes.

20 Q This email appears to have followed a telephone
21 call; is that right?

22 A Yes.

23 Q Because Ms. Hammelman writes: "Yolanda, thanks
24 for calling."

25 A Yes.

1 Q "And the answer is 'YES,'" all caps, "we can
2 help turn people out for the Monday, October 16 hearing."

3 A That's correct.

4 Q Tell us about that October 16, 2017 hearing, and
5 obviously, beforehand, so to stay in time order. What was
6 that meeting set to be and why was there such a focus by
7 everyone?

8 A Sure. Sure. So the October 16, 2017 hearing was
9 focused on allowing the City Council members to hear the
10 general public's thoughts and opinions around New Orleans
11 Power Station. Up until that point, most of what they had
12 been hearing was opposition, either covered in the media, or
13 social media, or otherwise, and this gave everyone the
14 opportunity and the platform to do that.

15 The emphasis for Entergy New Orleans at that
16 point was, we needed the resources and place to help
17 identify support for the plant independently. We had gone
18 through a series of meetings over the course of more than a
19 year with community supporters speaking about the plant. At
20 this point, our immediate focus was to make sure those
21 voices were heard during that hearing.

22 Q And obviously Entergy spoke for itself, with its
23 own employees throughout the process, right?

24 A Yes.

25 Q And then I think you mentioned, I don't know if

1 you said "third party" or something to that effect. What do
2 you mean by that?

3 A If you're referencing the third-party firm or the
4 third-party supporters?

5 Q The supporters.

6 A Okay. In reference to the third-party firm, what
7 I'm referencing is an independent firm that's not exactly
8 tied to the community or to Entergy, but someone who could
9 reach out to potential supporters through the channels that
10 they indicated they had to speak publicly in support of the
11 meeting.

12 Q Where would these people come from?

13 A The people would come from the general public
14 here in New Orleans. They were customers, they were people
15 who had a stake in the future of the City.

16 Q At this point, so let's say beginning of October
17 of 2017, Entergy had, and specifically your department, had
18 been at this for several months, correct?

19 A Actually, we proposed New Orleans Power Station
20 in June 2016, so we had been supporting this for more than a
21 year.

22 Q More than a year, okay. And I believe you
23 referenced this earlier, had either Entergy on its own or
24 Entergy with its local vendors, lets say Bright Moments or
25 Ehrhardt, were you-all able to generate that public show of

1 support to kind of match the opposition that you referenced
2 earlier?

3 A Our internal team as well as some of the firms
4 that we had engaged had done a good job of generating that
5 support, but this had been a longer and more extended time
6 period than we anticipated. So at that point we felt the
7 need to engage someone who could really focus on that
8 specific effort.

9 Q Prior to that particular point -- and correct me
10 if I'm wrong, because you lived it and we did not -- Entergy
11 was able to convince community partners that Entergy had to
12 show up and express support?

13 A Based on our internal outreach, we had actually
14 reached out to some community partners, to some members of
15 the general public over a long period of time. Some of
16 those same people and some of these names that you saw
17 earlier actually spoke or they supported the plant.

18 Q Okay. And also, maybe with some trade
19 associations or organized labor, that particular category,
20 as well?

21 A Yes. There were members of the union, they were
22 retirees involved; any number of different types of people.
23 But again, those were the same individuals, for the most
24 part, who were taking time out of in days or evenings to
25 attend meetings; and this, again, was a longer than

1 anticipated effort.

2 Q So let's take it by category. The community
3 partners, Entergy's community partners, meaning nonprofits,
4 right?

5 A Some of those were -- Most of those were
6 nonprofits.

7 Q Entergy, your internal team, knew those folks,
8 correct?

9 A For the most part we knew those individuals, we
10 worked with them, our Public Affairs Team works with them,
11 has relationships with them.

12 Q Over time?

13 A Over time.

14 Q Same thing for the trade associations and
15 organized labor?

16 A That's correct.

17 Q And the Hawthorne Group is in Virginia?

18 A That is correct.

19 Q But we're all here, right?

20 A Their office is based in Virginia. As part of
21 conversations and even as part of email exchanges, they
22 indicated that they had local individuals plugged into
23 organizations and groups, and other initiatives here on a
24 local level.

25 Q And getting back to this particular email

1 communication here, Exhibit 16.

2 A Sure.

3 Q In addition to agreeing to "turn people out," for
4 this hearing, at the bottom, though, what did -- if you
5 could read out loud, what did Ms. Hammelman tell you in that
6 particular email thread?

7 A "I would caution you that we generally do not
8 recommend this type of stand-alone effort, and certainly
9 would not suggest doing it more than once. Questions will
10 be asked: Who are those people and why did they turn out?
11 Who got them here?"

12 Q Okay, let me stop you there.

13 A Okay.

14 Q When she wrote, "I would caution you that we --"
15 and she put the rest in bold, correct? "-- generally do not
16 recommend this type of stand-alone effort." What was the
17 stand-alone effort?

18 A The stand-alone effort was identifying speakers
19 who would publicly support to plant in different settings.

20 Q And then she followed that with: "Questions will
21 be asked -- who are those people? And in all caps, "WHY did
22 they turn out?"

23 A That's correct.

24 Q And also, the next sentence, "Who got them here?"

25 A Yes.

1 Q Then on the following page she provides, in
2 addition to some additional narrative, she provides what she
3 referred to as a "pricing menu," correct?

4 A Yes.

5 Q And that is listed on that piece of paper and
6 it's got various dollar figures next to bullet points. And
7 the third from the bottom reads: "Optional - Supporters to
8 sign in and speak (10), \$6,500"?

9 A Yes.

10 Q And right before that, it has. "Supporters for
11 the hearing (50 - 100) \$8,500 to \$14,000;" is that correct?

12 A Yes.

13 Q And then, following that, if you could flip back
14 to the first page, you wrote to her that: "I have reviewed
15 this approach with Charles." What did you discuss with
16 Mr. Rice?

17 A I discussed with Charles their revised proposal,
18 specifically the areas that he had requested and was
19 interested in, and that was in generating additional and
20 identifying additional supporters to appear before the
21 hearing. I discussed that with him.

22 And I also discussed some of the other items that
23 they had proposed, that we were either not interested in at
24 the time or were not in a position to actually cover from a
25 resource standpoint. And he agreed, again, after exploring

1 some of the things that he had asked me to explore.

2 Q We didn't see any documents where Entergy had
3 ever sent a roster, or potential speakers, or any type of
4 spreadsheet to the Hawthorn Group saying: Hey, here's what
5 we generated," or "Here's what we put together over the
6 past, what, more than a year. Here's maybe a starting point
7 for you guys up in Virginia to get started in finding people
8 down here in New Orleans to show up and speak." Y'all never
9 did that, correct?

10 A No, we did not. The goal here was to have the
11 Hawthorn Group independently reach out and identify
12 potential supporters for the plant.

13 Q And the first email exchange that we reviewed,
14 though, with the Hawthorn Group, which would be Exhibit 6,
15 that's where Mr. Ashford, when he's having that email
16 communication to Mr. Lagarde that gets forwarded on to you,
17 specifically referenced and used the term "cut-outs,"
18 correct?

19 A I saw that term in there. But I'm not familiar
20 with it, for the record.

21 Q You received that email, though, correct?

22 A Yes, I did.

23 Q And John Ashford is the CEO of the Hawthorn
24 Group, your vendor, correct?

25 A He is.

1 Q And he had that communication with your boss at
2 the time, Mr. Lagarde, correct?

3 A He did.

4 Q Take a look at Exhibit 17. And this is a
5 four-page email communication with Bates labels Hawthorne 34
6 through and including Hawthorne 37. So just let us know
7 when you've had a chance to review that.

8 A Okay.

9 Q If we could start toward the back, the
10 second-to-last page?

11 A Sure.

12 Q And the first email thread starts on September
13 20, 2017 from Ms. Hammelman to yourself, and then you must
14 respond and give her some reference point, maybe on the
15 website; is that right?

16 A Yes, I directed her to a website that was
17 populated with general public communications and materials.

18 Q And then right above that, in her response or
19 reply email she discusses: "100 supporters at the hearing,
20 (who won't sign up to speak but know why they are there and
21 can respond to questions), \$14,000; 10 supporters who signed
22 up to speak and have a 'prepared' statement about why they
23 support the power plant, \$6,500;" is that correct?

24 A Yes.

25 Q Who was going to prepare the statement, Hawthorn

1 Group?

2 A Based on their process, it was either the
3 Hawthorn Group or those individuals.

4 Q But she put the word "prepared" in quotation
5 marks, correct?

6 A Yes. "Prepared" I take to mean something drafted
7 in advance.

8 Q Sure. And she also referenced, as far as the 100
9 supporters, "Those people won't sign up to speak, but they
10 will know why they are there and can respond to questions";
11 is that correct?

12 A That's correct.

13 Q All right. And then if you could flip to the
14 previous page, then your response was: "Just talked with
15 Charles. We'll pass on the petition option on this one. We
16 would like to recruit 50 people and go with the t-shirts";
17 is that correct?

18 A That's correct.

19 Q And what was the petition options?

20 A We didn't fully explore that option, so I don't
21 know all the details. But apparently it involved having
22 their local people on the ground, securing signatures of
23 people who supported the plant. And that's really all I
24 know about it because we didn't fully explore it.

25 Q And in her response, the last part of her

1 response, still on that second page of Hawthorn35, she is
2 talking about price again, where it starts, "Plus --" Do
3 you see that?

4 A At the very top of the page?

5 Q I'm sorry, right here, Hawthorne 35 (INDICATING).

6 A Hawthorne 35, okay.

7 Q The sentence starting with, "Plus."

8 A I saw the plus sign.

9 Q "Plus the \$7,500 management fee." Then she
10 writes: We can bill you for just the \$9,500 that we need
11 quickly or the entire \$17,000 in one invoice, your choice."
12 Which option did you choose?

13 A We only received one invoice related to the
14 October engagement.

15 Q Okay. If you flip to the first page of this
16 particular exhibit, your response was to her? What was
17 that?

18 A The first page? There are two responses here.

19 Q Just the one at the bottom, please, at 8:07 a.m.

20 A Okay. "We'd like the 10 people to speak. What's
21 that total up front?"

22 Q And then she mentions the, "upfront," in the next
23 e-mail; is that correct?

24 A Yes.

25 Q What was her explanation about the upfront? What

1 was that money for?

2 A That Hawthorn would actually cover upfront costs,
3 so there was no need to worry about it.

4 Q What upfront costs was she referring to?

5 A I believe the upfront costs were associated with,
6 for instance, the t-shirts, and if there were any other
7 expenses associated with their time involved or other
8 matters.

9 Q Actually, in her e-mail she kind of breaks it
10 down, doesn't she, as far as her upfront? She says:

11 "Hawthorn has to pay our ground team upfront: \$8,500 for 50
12 supporters, \$6,500 for the 10 speakers, and \$1,000 for the
13 t-shirts," correct?

14 A Yes, that is stated there. And again, the ground
15 team costs I considered any labor or time involved in
16 identifying and speaking with those local individuals.

17 Q And then you write back that Charles commits to
18 making sure they are paid, right?

19 A That's correct.

20 Q Go ahead and take a look at Exhibit 18.

21 A Okay.

22 Q Were you a party to this particular email
23 communication?

24 A Yes.

25 Q And this is referencing, and I believe you may

1 have testified concerning this particular group earlier, the
2 public strategy group?

3 A That's right.

4 Q And who runs that? Who was your point of
5 contact?

6 A My main point of contact there was Al Maiorino.

7 Q Okay. And this references stakeholders'
8 spreadsheet?

9 A Yes.

10 Q Tell us about that. What was that?

11 A The stakeholder spreadsheet, as I recall, was a
12 list of people that Al Maiorino identified that he might
13 reach out to around the New Orleans Power Station issue.

14 Q And who maintained that particular list or that
15 spreadsheet?

16 A Actually, he generated that list based on
17 research.

18 Q And did you-all, I don't see any paperwork to
19 this effect, ever share that with the Hawthorn Group?

20 A No, we did not.

21 Q In the top email there, listed next to your name,
22 9/28 of '17, you reference someone, "sharing a script with
23 us for review." What was that referencing?

24 A Al discussed with me how he might go about some
25 of the outreach. He was not really as familiar with the

1 area. He didn't really have as many established channels,
2 and so I was interested in how he was going to go about it.

3 Q And so what occurred with that particular
4 activity?

5 A So what occurred with that particular activity
6 was, he generated a list of basically leaders and people
7 that he had identified in the community to make phone calls,
8 reach out to them in some different ways to share
9 information with them about New Orleans Power Station.

10 Q Was he and/or his group, the Public Strategy
11 Group, successful in turning those individuals out to speak
12 on Entergy's behalf?

13 A I don't know the outcome of that.

14 Q And again, you-all did not share that particular
15 list with the Hawthorn Group, correct?

16 A No, we did not. There's a possibility that any
17 member of the general public may have turned out as a
18 result, but I don't know the specific names of those
19 individuals.

20 Q Let me show what you I'll mark as Exhibit 19.
21 You've already testified to your particular cell number
22 that's listed.

23 A Yes.

24 Q What was Mr. Rice's cell phone number?

25 A What is his cell phone number? I don't know his

1 cell phone.

2 Q If I told you that records indicate it's
3 504-909-3404, would that be correct?

4 A That seems familiar.

5 Q And I'm assuming that at the time, and maybe to
6 this day, but while you worked with Mr. Rice, that you would
7 have his name saved in your phone, and vice versa.

8 A That's correct.

9 Q So when you received a text message or a phone
10 call from Mr. Rice, it would just appear, "Charles Rice,"
11 correct?

12 A Yes.

13 Q And I'm assuming the same thing on his side?

14 A Possibly.

15 Q Y'all worked together on a regular basis;
16 otherwise if you just see a number, you don't know what it
17 means, right?

18 A Right.

19 Q And this is a document that references and lists
20 out October 3, 2017 text message communication. And it
21 contains Rice on one side, as well as Pollard. Take a
22 moment to review those particular lines, please.

23 A Okay.

24 Q And just for the record, I'll play Mr. Rice and
25 you play yourself, okay? And at 7:58 a.m. Mr. Rice writes

1 to you: "How is Hawthorn looking getting people to the
2 hearing?" What was your response, two minutes later?

3 A "They've committed to securing 50 people and 10
4 speakers."

5 Q And one minute following that, at 8:01 a.m.,
6 Mr. Rice writes: "Hell, I would pay for more if they could
7 get them."

8 At 8:26 a.m. Mr. Rice writes again, "If Hawthorn
9 can get more people there, I will pay." What was your
10 response at 8:32 a.m.?

11 A "75? They've crunched numbers for contract and
12 t-shirt printing. Can check."

13 Q One minute later, 8:33 a.m., Mr. Rice wrote:
14 "Don't care if it's extra 25k. This is war, and we need all
15 the foot shoulders," I believe that was probably an
16 auto-correct, to "-- soldiers we can muster."

17 What was your response at 12:50 p.m.?

18 A "Hawthorn now securing 75 attendees and 10
19 speakers, all wearing t-shirts with supporting NOPS
20 messaging. Cost went from 23 to 29k."

21 Q And the "k" stands for thousands, correct?

22 A Yes.

23 Q And the last entry Mr. Rice wrote, at 1:30 p.m.
24 on that date, "Deal." Is that correct?

25 A That's correct.

1 Q You agree that this is a text message
2 communication that you had with Mr. Rice on October 3, 2017?

3 A That is correct.

4 Q When this -- I'm kind of jumping for a little
5 bit. But on the topic of text messages itself, when the
6 allegation surfaced in the media concerning the activity
7 that we're discussing here today, at some point did you go
8 back and search your phone to see if you had any text
9 message exchanges with Mr. Rice concerning the NOPS
10 application?

11 A No, I did not.

12 Q No one asked you to perform that particular
13 function?

14 BY MR. CAHN:

15 Are you asking her for communications
16 between her and Entergy's attorneys?

17 BY MR. COMAN:

18 No, I'm asking exactly what I asked her.

19 EXAMINATION BY MR. COMAN:

20 Q Did anyone ask you to perform that function, to
21 go back and look?

22 A No one asked me to perform that function and go
23 back and look at my text messages.

24 Q At some point, I'm assuming you turned your phone
25 in to someone; is that correct?

1 A Yes, I turned my phone in to our attorneys.

2 Q Did you get the phone back?

3 A Yes, I did receive my phone back.

4 And going back to your earlier point, I was asked
5 to look back for any related power station messages as I was
6 asked for my phone, if there were any, that I might need to
7 provide those.

8 Q And did you find any?

9 A I did. As a part of the phone scan, yes.

10 Q But I mean --

11 A But independently, I did not, if that's what
12 you're referring to.

13 Q Correct.

14 A Independently, I did not go back through my phone
15 to look for power station related messages.

16 Q Take a look at Exhibit 20. And it's just a
17 one-page document, Hawthorn 1.

18 A Okay.

19 Q And this is an email exchange that you had with
20 Ms. Hammelman from the Hawthorn Group, correct?

21 A Correct.

22 Q And it's dated the same day as the text messages,
23 October 23, 2017; is that correct?

24 A Yes.

25 Q And Ms. Hammelman, looks like she forwarded to

1 you a new article. Is that what it appears to be?

2 A Yes.

3 Q And on this piece of paper you see the name "Adam
4 Swart; adam@crowdsondemand.com"?

5 A Yes, I see that.

6 Q So this is an email that you received from
7 Ms. Hammelman that listed Crowds on Demand in conjunction
8 with the Hammelman Group, correct?

9 BY MR. CAHN:

10 I'm going to object. What do you mean when
11 you say, "in conjunction with the Hammelman
12 Group"?

13 EXAMINATION BY MR. COMAN:

14 Q The name "Crowds on Demand" is on this piece of
15 paper, correct?

16 BY MR. CAHN:

17 As a carbon copy on a prior e-mail.

18 BY MR. COMAN:

19 If you'd like to testify, Mr. Cahn --

20 BY MR. CAHN:

21 I just want to make sure that you're
22 accurately representing the record.

23 BY MR. COMAN:

24 My question is exactly that.

25 EXAMINATION BY MR. COMAN:

1 Q Are the words "Crowds on Demand" listed on this
2 document that you received on October 3, 2017?

3 A The words "Crowds on Demand" as part of an email
4 address down in the bottom of the email as a carbon copy is
5 actually listed here.

6 Q Correct.

7 A I recognized two names: Susan Hammelman and
8 Steven Cohen at that time. They both are employees of the
9 Hawthorn Group.

10 Q Right. And they were on the previous email,
11 correct; Mr. Cohen, who you do know, at least over the
12 telephone?

13 A I have had conversations with Mr. Cohen, and
14 Susan Hammelman, and those are the two email addresses or
15 names that I recognize on the email.

16 Q And within those same names, though, is listed
17 this other individual, Adam Swart, correct?

18 A There is this other individual, Adam Swart.

19 Q Right. And his email address is
20 Adam@crowdsondemand.com?

21 A Yes, that's what is listed here in the CC line.

22 Q Okay, Exhibit 21. Take a look at this two-page
23 email communication, please. And this is Hawthorn 44 and
24 45.

25 A Okay.

1 Q If we could -- I'm sorry, if you could take out
2 Exhibit 19, as well, and kind of stick it right next to it?

3 A Sure.

4 Q Now, this appears to be an email communication
5 that you had with Ms. Hammelman on that same date, October 3
6 of 2017?

7 A Yes.

8 Q And correct me if I'm wrong, but it looks like
9 when you juxtaposed the text message communications from
10 earlier that morning that you had with Mr. Rice, then
11 there's a break in time, and then there must have been a
12 telephone call that you made with Ms. Hammelman, and then
13 the email.

14 A Yes, that's correct.

15 Q And so in that particular email --

16 BY MR. COMAN:

17 Well, strike that.

18 EXAMINATION BY MR. COMAN:

19 Q What did you ask Ms. Hammelman following Mr.
20 Rice's directive?

21 A Following Mr. Rice's directive, I asked her to
22 identify and secure 75 attendees and 10 speakers. We
23 changed the numbers that we were initially requesting her
24 team to work on.

25 Q She writes back to you, following the

1 conversation, correct me if I'm wrong, in the last paragraph
2 of that first page: "We will turn out 75 supporters for the
3 hearing, and an additional 10 people who will sign up to
4 provide two to three minute testimony."

5 A That's correct.

6 Q And I guess she also quoted you a different
7 price; is that correct? An increase in price?

8 A Yes.

9 Q And then I think maybe she asked you to clarify
10 whether or not it was in addition to, and y'all had that
11 discussion; is that right?

12 A Yes, that's correct.

13 Q So more people, more money, correct?

14 A Based on whatever their calculation was, however
15 they come up with these numbers, this was her proposed fee.

16 Q And y'all agreed to that fee; is that correct?

17 A Yes, we did.

18 BY MR. COMAN:

19 One second here, I'm sorry.

20 EXAMINATION BY MR. COMAN:

21 Q Let me show you what's marked as Exhibit 22.
22 It's a three-page email communication starting with Hawthorn
23 148 through and including 150. Let us know when you've had
24 a chance to review it.

25 A Okay.

1 Q And this looks like it's a continuation of the
2 previous email we just looked at in Exhibit 21. But it
3 appears that on that same day at 3:26, starting on that
4 first page and spilling over to the second page, you asked
5 her about her opinion on whether union leaders should also
6 wear an orange t-shirt?

7 A Yes, I did. I asked that question because it
8 appeared that the union leaders may wear the same color
9 t-shirts, their own shirts.

10 Q And Ms. Hammelman, in response says, "Sounds
11 fine." And then in quotes she says, "That will lessen the
12 questions about 'Who are these people?'" She wrote that to
13 you on that same day, correct?

14 A Yes.

15 Q And what did you ask her in response?

16 A I asked her: "How do the participants you're
17 securing answer questions about their support and
18 affiliations if asked by the media?"

19 Q Did Ms. Hammelman, either in this email or
20 eventually, advise you that these, "additional supporters"
21 and/or speakers were to avoid the media. Was that the
22 general --

23 A The general idea and concern there was that I was
24 not sure or had not been provided an explanation around how
25 the speakers they identified would either be able to explain

1 Entergy's relationship with the Hawthorn Group or how they
2 were contacted. And I wanted to make sure any of those
3 speakers were comfortable explaining how they were
4 identified or why they were there.

5 Q Right. Because these were people that you didn't
6 know, correct?

7 A I did not know the individuals, and I wasn't sure
8 that they were in a position, other than explaining their
9 support for the plant, that they were in a position to
10 explain; well, who is the Hawthorn Group? The Hawthorn
11 Group works with Entergy, and this is how I was contacted
12 about supporting the plant.

13 Q And so that caused you concern even before the
14 hearing, correct?

15 A Well, it caused me concern because, again, if it
16 had not been explained to them or they did not clearly
17 understand it, then they may not be able to explain it as
18 part of a media response.

19 Q Right.

20 I'll show you what I'll mark as Exhibit 23.

21 BY MR. COMAN:

22 This is, for the record, ENO-NOPS6833
23 through and including 6836.

24 BY THE WITNESS:

25 Okay.

1 EXAMINATION BY MR. COMAN:

2 Q And this is an email, correct me if I'm wrong,
3 thread, communication that you were a part of, and it spans
4 both October 11th and October 12th of 2017; is that correct?

5 A That's correct.

6 Q And these are all, as evidenced by the subject
7 line, "NOPS support at October 16th Public Hearing on NOPS
8 Assignments"; is that correct?

9 A Yes.

10 Q So this is a communication in reference to
11 Entergy gathering and showing support for Entergy and/or the
12 NOPS plant at this upcoming meeting, correct?

13 A Yes.

14 Q And tell us about, just in general, what do you
15 recognize about this communication and what did it involve?

16 A What I see here is a list of some of the
17 organizations and individuals that our Public Affairs Team
18 was contacting.

19 Q For what purpose?

20 A As the subject line indicates, for New Orleans
21 Power Station support at the October 16th hearing.

22 Q And are these community partners, so to speak,
23 listed in this grid?

24 A Community partners and individuals; some I know,
25 some I recognize, some I'm not familiar with.

1 Q And if you could go to the last page of this
2 particular exhibit? You referenced Kim Mitchell previously
3 in your testimony, correct?

4 A Yes.

5 Q And on this email it says her title is Community
6 Development Program Representative. What does that entail?

7 A So as part of community development, she works on
8 a number of initiatives involving volunteerism, involving
9 charitable contributions, involving our Power to Care
10 initiatives to support customers and assist them with bill
11 payments.

12 Q And what role did she fulfill before that
13 particular title?

14 A Prior to that title she served as an executive
15 assistant to Charles Rice.

16 Q And on this last page, where it reads, "Dear
17 Community Partner:" What was the first sentence? Could you
18 read that out loud, please?

19 A "As a company that's been here for the community
20 for many years and contributed millions of dollars to
21 hundreds of non-profits to support their progress, we find
22 ourselves in need of your assistance."

23 Q And later on in this communication there was some
24 discussion about scripts and/or talking points, correct?

25 A Yes.

1 Q But in the last email that's listed here, you
2 advised against that; is that correct?

3 A Yes.

4 Q Do you know how many people, just offhand looking
5 at this, attended?

6 A I don't know a particular number. I recognize
7 maybe a few of the organization names.

8 Q Howard Rogers?

9 A I have already mentioned Howard Rogers, the Black
10 Chamber of Commerce, TCA or Total Community Action. I
11 recognize those names.

12 Q But of the people that you do recognize or don't,
13 but as far as wound up -- Who of these people, if any, wound
14 up attending that October 16th meeting and speaking on
15 Entergy's behalf?

16 A Again, all of the meetings sort of roll together
17 for me, so I can't pinpoint, necessarily, which individuals
18 attended which meetings. But the names that I just
19 mentioned, those individuals may have attended that
20 particular meeting or any of the other meetings.

21 Q And although in this particular instance you
22 advised Ms. Mercadel, I believe, "Hey, don't worry about
23 scripts and talking points, people are just on their own,"
24 that was a practice, though, that y'all had undertaken
25 previous to this, correct?

1 A We had provided some general messaging and some
2 general thoughts around New Orleans Power Station. At this
3 point in time, again, because we had exhausted resources
4 over so many meetings, and we were covering so many bases,
5 we did not have the resources to generate specific points
6 again for those individuals. And again, as they became more
7 familiar with the issue, they were in a position to
8 formulate their own ideas, thoughts, opinions in support of
9 the plant.

10 Q And we previously, we've reviewed some of those
11 scripts that Bright Moments had written, correct?

12 A Yes, those were scripts that were general
13 suggestions of here's some of the key areas that you may
14 want to address. Some used the scripts, some did not. Some
15 may have used some specific points in the scripts and added
16 their own thoughts.

17 Q And tell us about the October 16th meeting, then.
18 And I'll ask you to do one better than that. Let me show
19 you Exhibit 23-A.

20 A Okay.

21 Q This is an email, correct me if I'm wrong, that
22 you sent on October 16, 2017, at 10:36 a.m. to
23 Ms. Hammelman.

24 A Yes.

25 Q Did Ms. Hammelman and/or Mr. Ashford attended the

1 October 16 meeting?

2 A No, they did not.

3 Q And in this email you write: "Thanks for all
4 your help. We should be all set for tonight. Please know
5 that the AFL-CIO will also attend tonight and may try to
6 secure center area seats as they did last time." What "last
7 time" are you referencing there?

8 A They may have attended a previous Utility
9 Committee or other regulatory meeting, and voice their
10 support for the plant.

11 Q And is there a particular priority for center
12 area seats at City Council?

13 A From a general public standpoint, there is
14 sometimes a preference because you are actually seen in that
15 frame.

16 Q Or it could go either way; maybe you don't want
17 to be seen, right?

18 A Either way. It could go either way. But that
19 was their plan that they communicated to me.

20 Q "They" being the Hawthorn Group?

21 A Actually, the Union. The Union had their own
22 plans to attend and support the plant. And so they were
23 working with their membership, and this was a plan that they
24 communicated to me.

25 Q Okay. And then you write in that next sentence,

1 "I think there's room for both groups to sit in that center
2 section, maybe with some overflow (a good thing)." What are
3 you referencing there as far as "both groups"?

4 A "Both groups" meaning the union group based on
5 the plans that they had shared with our team as well as any
6 speakers that the Hawthorn Group had identified. There was
7 room for them to sit in that chamber.

8 Q And you continue on that same day, October 16th
9 at 4:35 p.m., Exhibit 24.

10 A Okay.

11 Q And this looks like just a continuation of the
12 email that we just looked at in 23-A?

13 A Um-hmm (AFFIRMATIVE RESPONSE).

14 Q And it appears that you wrote back to
15 Ms. Hammelman: "Hearing that the opposition is arriving at
16 the Council chambers with signs and going inside. Is our
17 group there yet?" Whose group are you referencing there?

18 A I'm referencing any of the individuals the
19 Hawthorn Group identified to speak in support of the plant.

20 Q And you wrote first that you were hearing
21 opposition is arriving. Who were you in contact with to
22 learn that information?

23 A A number of people who may have either walked
24 past, driven around, nearby. I was hearing from a number of
25 people that they were arriving, either outside or in the

1 vicinity.

2 Q And who is "they," the opposition groups, so to
3 speak?

4 A People who were clearly in opposition to the
5 plant, based on signs they were holding, maybe waiting
6 outside.

7 Q Groups that you-all had seen and heard from
8 previously, correct?

9 A Over a series of more than a year.

10 Q And that goes back to the concern that Mr. Rice
11 had, correct?

12 A That's correct.

13 Q And I believe you testified to this, but did you
14 attend that 10/16/2017 public hearing?

15 A I did attend the October 16th public hearing.

16 Q And who did you walk over with?

17 A I walked over with Al Maiorino.

18 Q Who did you sit with when you were at the
19 meeting?

20 A I sat next to Al Maiorino.

21 Q Did you see Mr. Rice at that particular hearing?

22 A I did see him walk into the hearing area.

23 Q What was your role that night, if any, besides
24 being there?

25 A I was covering multiple roles that night. There

1 was media activity, social media activity. In addition, all
2 of the Public Affairs Teams and all of the efforts that they
3 had made to identify and turn out speakers, so I was also
4 doing, as well just monitoring the overall comments when I
5 was in or around the room.

6 Q Did you wear an orange t-shirt?

7 A I did not.

8 Q I'll show you what I'll mark as Exhibit 25. It's
9 three photographs with no Bates number attached. Take a
10 look at all three, if you could.

11 A Okay.

12 Q In the first photograph -- I'm sorry, if I could
13 just step over here. So this is a view of the Council
14 chambers and the audience, correct?

15 A That's a view of a portion of the Council
16 chambers.

17 Q And just for reference, the City Council and the
18 dais would be to the left of the photograph?

19 A Yes, the City Council members are not pictured
20 here in the photograph.

21 Q The people depicted in this paragraph on the
22 first page of Exhibit 25, on the right-hand side in the
23 back, rear, with those orange t-shirts, do you recognize any
24 of those individuals?

25 A I do not recognize these individuals in this area

1 right here.

2 Q If we could turn to the second page? Do you
3 recognize Mr. Rogers from Council on Aging?

4 A Yes, I do recognize him.

5 Q And he's dressed in a suit, correct?

6 A Yes, he is.

7 Q And how about this gentleman here in this grey
8 suit, do you recognize him?

9 A I don't know him by name. No, I don't.

10 Q And how about these individuals in the orange
11 t-shirts, sitting behind Mr. Rogers, do you recognize any of
12 those individuals?

13 A I don't recognize the individuals immediately
14 behind Mr. Rogers.

15 Q Now, those individuals that are in orange
16 t-shirts, did anyone tell you who they were? Did you
17 suspect who they were? What did you think when you saw a
18 group of let's say 20, 30 people clad in orange t-shirts
19 that you had been a part of that particularized effort?
20 How did they get the t-shirts?

21 A The t-shirts were suggested by the Hawthorn
22 Group, and they provided the slogan and the color
23 suggestion, designed by the Hawthorn Group.

24 Q And those were shipped to you, correct?

25 A Actually, the t-shirts that were shipped to me,

1 we had a discussion that we would have employees, retirees
2 and other community members who were also attending, and
3 that they might wear the t-shirts, as well.

4 Q So how did these folks hear, that you did not
5 know, non-union, non-retirees that you just mentioned, how
6 did they get those t-shirts?

7 A I'm assuming they were provided by the Hawthorn
8 Group, based on our discussion.

9 Q But all t-shirts went to Entergy?

10 A No. Only a portion of the t-shirts went to
11 Entergy. The balance of the t-shirts were handled through
12 the Hawthorn Group based on their local outreach, and only a
13 certain amount of the overall order was shared with Entergy
14 to provide to their employees -- to our employees, retirees
15 and community members.

16 Q If you'll turn to that next page, the last page
17 of that exhibit, those two white males pictured there. Do
18 you know those individuals?

19 A No, I don't.

20 Q They're at the meeting though, correct?

21 A Yes, it looks like this is an image of the
22 meeting.

23 Q And if you would turn back one photograph?

24 A And I also see in this image, there are
25 employees. I do notice here one that's clear in the

1 picture. She's wearing an orange T-shirt. And that goes
2 back to my point earlier, we had employees also wearing the
3 orange t-shirts.

4 Q Sure. Sure.

5 A Okay.

6 Q And if we could go back to the first photograph,
7 the same white male with the lumberjack-type shirt is
8 standing in the back, correct?

9 A Yes.

10 Q How many, would you say, of the people clad in
11 the orange t-shirts, percentage-wise, would you have
12 recognized that night and wouldn't recognize?

13 A I don't actually have a clear percentage in mind,
14 but I do know that we had employees, and retirees, and other
15 community members wearing t-shirts, and some were not. I
16 recognized most of those individuals.

17 Q The people photographed in Exhibit 25, besides
18 that one individual in the orange t-shirt, the one employed,
19 you don't recognize those orange clad t-shirt members,
20 correct?

21 A Some individuals wearing the orange colored
22 t-shirts in the front row and second row, those are actually
23 union members I have seen before.

24 Q Okay. How about those individuals seated behind
25 Mr. Rogers on the second photographs in Exhibit 25?

1 A As indicated before, I don't recognize the
2 individuals seated behind Mr. Rogers.

3 And there's an area of the Council chambers here
4 that's not actually in view, and we did have some community
5 members, and employees and retirees on that end who were
6 wearing orange t-shirts or may not have been wearing orange
7 t-shirts, they're just not in this individual picture here.

8 Q Right. In fact, Mr. Rice, if I'm correct,
9 basically got three sizes -- three sections in that
10 audience: You've got the right-hand side, if I'm with my
11 back to the Council. The right-hand side is what's
12 photographed there, right?

13 A The right-hand side is in clear view. Some of
14 the middle section I can actually see, but most of the
15 entire third section I do not see here.

16 Q And the third selection, correct me if I'm wrong,
17 was where Mr. Rice and some of the team members were; is
18 that correct?

19 A I do know that Mr. Rice sat in that section.

20 Q And at that meeting during that time frame, take
21 a look at Exhibit 26. Take a look at this document here.

22 A Okay.

23 Q This purports to be and is a text message
24 communications between yourself and Mr. Rice, dated October
25 16 of 2017; is that correct?

1 A That's correct.

2 Q And let's do the same thing again. You play you
3 and I'll play Mr. Rice. What did you write to Mr. Rice at
4 5:30 p.m. that night?

5 A "What do you think?"

6 Q And not on this particular text message, but 5:30
7 was when the meeting started; is that correct?

8 A I don't recall the actual start time of that
9 meeting.

10 Q If I told you that it was to be 5:30 to 7:30, two
11 hours pretty much on the dot, does that sound familiar?

12 A That sounds familiar.

13 Q In fact, the video file online shows two hours
14 and two minutes, to be exact.

15 A Okay.

16 Q So, anyway, you said, "What do you think?" And
17 Mr. Rice wrote back one minute later, 5:31 p.m., "Looks
18 fabulous."

19 And then Mr. Rice wrote again a few minutes
20 later: "Hawthorn came through. Let's figure out how we can
21 further engage." What was he referencing there?

22 A At that time I did not know exactly what he was
23 referencing. We had no additional arrangements in place or
24 plans for arrangements in place with the Hawthorn Group.

25 Q He was impressed by the turnout. Fair statement?

1 A He was impressed by the turnout overall; we had
2 employees, retirees, community members, as well as it
3 appeared that we had some people attending identified by the
4 Hawthorn Group.

5 Q Right. Because he specifically mentioned in this
6 text message exchange the Hawthorn Group, correct?

7 A He mentioned the Hawthorn Group, also knowing
8 that the Hawthorn Group planned the t-shirts, and we also
9 had community members and employees with their presence
10 there in the t-shirts.

11 Q Right. The one difference, though, from what you
12 had already testified to and described as the, let's say,
13 pre-October 16 efforts at public hearings. Entergy
14 employees were involved previous, correct?

15 A Yes.

16 Q Retirees, correct?

17 A Yes.

18 Q Organized labor, correct?

19 A Yes.

20 Q Some community partners?

21 A That's correct.

22 Q And up to that point he was not overly pleased
23 with Entergy's efforts to garner and show support, correct?

24 A I would not characterize it is not being overly
25 pleased. I believe that he thought we needed to identify

1 additional people. It was not necessarily the same
2 employees or the same people supporting the effort, and so
3 this was just an extension of that effort.

4 Q So the concern that you testified to earlier, he
5 was not expressing, though, that night, correct?

6 A No, he was not expressing concern that night. We
7 had all worked really hard up to that point and over the
8 course of more than a year, so he would never have expressed
9 displeasure with that effort.

10 Q And in the text message, though, he did not
11 reference -- no offense to you, but he didn't say Yolanda,
12 you've done a great job? He didn't mention that, correct?

13 A No, he didn't. I didn't expect him to express
14 that.

15 Q He didn't say or state, man, Demetric really
16 killed it tonight. He didn't reference other Entergy
17 efforts. He referenced solely Hawthorn's efforts, correct?

18 A He referenced solely Hawthorn's efforts, which
19 actually we folded into Entergy's overall efforts for the
20 presence there that night.

21 Q Take a look at, if you could, Exhibit 27.

22 A Okay.

23 Q And this looks like, to me --

24 BY MR. COMAN:

25 And this is, for the record, Hawthorn 316

1 and 317.

2 EXAMINATION BY MR. COMAN:

3 Q It's two-page email communication, in additional
4 to a previous e-mail that we have already seen; is that
5 right?

6 A That's correct.

7 Q And the one addition was following the meeting
8 with Ms. Hammelman you wrote to her, "Great turnout tonight.
9 There was a supportive sea of orange. Many of our employees
10 and nonprofit partners also wore the t-shirts. Thanks for
11 all your support!!!" You wrote that, correct?

12 A Yes, I did.

13 Q All right. And take a look at what I'll mark as
14 Exhibit 28. This is a one-page document entitled "October
15 20, 2017 text message communications," again between
16 yourself and Mr. Rice; is that correct?

17 A That's correct.

18 Q And I'll play Mr. Rice one more time. At 10:15
19 a.m. he texted you, "Let's discuss Hawthorn getting people
20 there for December 13." And you wrote back what?

21 A "Okay."

22 Q One minute later, correct?

23 A Yes.

24 Q What's he referencing there. What's December
25 13th?

1 A He was referencing a meeting that may have been
2 on the Council's schedule for December. I don't recall the
3 specific agenda item, but that was what he was referencing.

4 Q Was that a City Council meeting, or was that --
5 Is he referencing the evidentiary hearing?

6 A I don't recall specifically which meeting it was,
7 but I do know that we did not engage the Hawthorn Group for
8 any December meetings.

9 Q You did contact them, though, correct, regarding
10 that additional December potential engagement?

11 A I may have mentioned the possibility to them, but
12 we did not engage them for any December meetings.

13 Q And what did Mr. Rice tell you about what he
14 wanted from the Hawthorn Group for this December meeting?
15 What was he contemplating?

16 A I'm not sure that we actually discussed any
17 specifics around -- I don't recall right now any specifics
18 that we discussed around a December meeting. This was just
19 something that he mentioned at this point, and I just don't
20 recall details of further discussion around it.

21 Q Okay, we'll go over some emails, and maybe it
22 will sound familiar to you.

23 I'm going to show you what's marked as Exhibit
24 28-A. It should be Hawthorn 56.

25 EXAMINATION BY MR. COMAN:

1 Q This is an email that you wrote on October 20th,
2 that same day, correct?

3 A Okay.

4 Q If we juxtapose the text message from the
5 morning, it was at 10:15 and 10:16 a.m., and then you were
6 emailing Ms. Hammelman: "Let's keep in touch about possible
7 need for turnout during a December meeting. I'll follow up
8 with details when confirmed."

9 So you reach out to her after he says, "Hey, --

10 A Yes.

11 Q -- Ms. Pollard, we may want them. Let's discuss
12 Hawthorn getting people there. You contacted her. What
13 other information were you able to provide or did you have
14 at that time to say, hey, this is what we're looking for,
15 besides what he wrote?

16 A I don't recall any specific plans that were
17 discussed immediately after this email. I just don't recall
18 those at that point. It was only a meeting date, and just
19 the possibility that I wanted to make her aware of at that
20 point.

21 Q Okay. Were you involved at the evidentiary
22 hearing at all? It would have been at the Pan Am Building?

23 A No, I did not attend.

24 Q Do you know who did on Entergy's behalf?

25 A We may have had some of our regulatory attorneys

1 attend, but I actually did not attend the -- the -- since
2 you're referencing that one now, no, I did not attend that
3 meeting, and for that reason I was not involved with the
4 Hawthorn Group on arranging any particular support or
5 speakers.

6 Q And that same day, I'll show you Exhibit 29.
7 Look at that.

8 BY MR. COMAN:

9 It should be ENO-NOPS6311-6312.

10 BY THE WITNESS:

11 Okay.

12 EXAMINATION BY MR. COMAN:

13 Q This is an email communication that you were part
14 of, correct?

15 A Yes, I'm copied on this email.

16 Q And it seems to have started with an October 20,
17 2017 email from Ms. Cavell, referencing an article in the
18 Lens NOLA, correct?

19 A Yes.

20 Q And I believe Ms. Cavell re-types a quote that
21 was attributed to Mr. Rice from the October 16 meeting,
22 correct?

23 A Yes, she did.

24 Q And that quote that was at least in the article
25 attributed to Mr. Rice was: "I think we've got them

1 outnumbered," correct?

2 A Yes.

3 Q Did Mr. Rice ever make any similar comments to
4 you or anyone else in your presence?

5 A I did not sit near Mr. Rice that night. As we
6 indicated earlier, he sat on the far side of the room, so I
7 was not there to actually hear this type of comment.

8 Q Was this comment consistent with his impression
9 after the meeting or at any time?

10 A His impression after the meeting was that we had
11 all done a good job, and so it was consistent with that.

12 Q Okay. Thank you.

13 (OFF RECORD DISCUSSION)

14 (LUNCH BREAK TAKEN)

15 EXAMINATION BY MR. COMAN:

16 Q Here I'm going to show you what I have marked as
17 Exhibit 30, with a copy of your counsel.

18 BY MR. COMAN:

19 It's a two-page email, Hawthorne 58 and 59.

20 EXAMINATION BY MR. COMAN:

21 Q And this is the email that you sent, correct,
22 Ms. Pollard?

23 A Yes, I sent this email.

24 Q Dated October 23, 2017, correct?

25 A That's correct.

1 Q And it says, "Here is the second tweet by the
2 same individual we discussed, with comments." What
3 individuals were you referencing there?

4 A The individual I was referencing was actually the
5 handle. I don't see it all right here.

6 Q And I believe that, even though it's hard to tell
7 from the second page, it's the same individual, Dan Faust.
8 Does that sound correct?

9 A That sounds correct. I wasn't really familiar
10 with Dan Faust beyond we have seen random tweets, but I
11 didn't really know him as an individual.

12 Q What caused you to send this to Ms. Hammelman?
13 What were the comments?

14 A I wanted her to be aware of -- There were -- I
15 don't see the actual tweet here, but there was someone who
16 was actually stating things about supporters and paid
17 supporters, or why those supporters were there. And if for
18 some reason this was associated with any of her group's
19 effort, I wanted her to be aware of it.

20 Q Let me show you Exhibit 31.

21 BY MR. COMAN:

22 And that's a three-page document starting
23 with ENO-NOPS 6573 through and including 6575.

24 BY THE WITNESS:

25 Okay.

1 EXAMINATION BY MR. COMAN:

2 Q And you are a party to this conversation,
3 correct?

4 A Yes, the email was sent to me.

5 Q By Ms. Cavell?

6 A Yes, the email was sent by Ms. Cavell to my
7 attention.

8 Q And on the first page of this email of October
9 23rd, seems to be something taken from the internet with the
10 words: "So I got the verbal confirmation I needed. There
11 were paid protesters for Entergy at City Council, \$60 paid
12 two hours later at Dave and Busters"; is that correct?

13 A Yes, that's what this reads here, and it seemed
14 to be just a random comment. I wasn't sure where that was
15 coming from or why anybody would say that.

16 Q But Ms. Cavell sent this to you, and this was the
17 same day that you were having a discussion with
18 Ms. Hammelman, correct?

19 A Yes. I brought this to her attention to let her
20 know this is what we're seeing here, why are we saying this.

21 Q And as discussed before lunch, this comes a
22 couple of days after the 10/16 meeting, correct?

23 A This was about a week or so after the 10/16
24 meeting.

25 Q So within that time frame, within a week, six

1 days to be exact, there are discussions, or allegations, or
2 noise, whatever you want to call it, in the atmosphere, so
3 to speak, that some of these supporters were paid to attend
4 and/or speak, correct?

5 A What I recall seeing at the time was some of the
6 social media posts, again random posts, among other things
7 that were stated about the meeting.

8 Q But specifically on Exhibit 31 at the bottom, it
9 alleges that Entergy paid protesters 60 bucks two hours
10 later at Dave & Busters, correct?

11 A This is an allegation stated here.

12 Q And did Entergy cancel the Hawthorn Group's
13 contract?

14 A No, we did not, because we had not confirmed
15 anything about how this was related to anything to do with
16 the Hawthorn contract, nor did we believe that the Hawthorne
17 Group had done anything like this, nor had we instructed
18 them to do anything like this.

19 Q Anywhere in the materials or emails did you ever
20 caution the Hawthorn Group to refrain from such activity?

21 A No, we never discussed payment to any one of the
22 speakers.

23 Q When these allegations surfaced in the particular
24 emails that we're looking at here, 30 and 31, you didn't
25 attempt to stop payment on Hawthorn's invoices, correct?

1 A No, I did not stop payment on the Hawthorn's
2 invoice because we had no reason to believe that any such
3 transaction had taken place. This was never part of the
4 arrangement. I never directed anyone to pay anyone, so we
5 never thought that this was part of any scenario that we
6 would be involved in.

7 Q Well, you brought it up to her in the email,
8 correct?

9 A I brought it up to her so that she was aware that
10 this was being said, and we did not believe that this was
11 actually part of their effort.

12 Q What discussions did y'all have, if any, beyond
13 the emails?

14 A The only discussions that we had was: Here's
15 what I'm seeing, is this anything that you have discussed
16 with your team? Is this anything that you typically do?
17 And she said no. And she thought that it was -- it was not
18 true, and she wasn't sure where it was coming from.

19 Q Is that conversation reflected in any document
20 that you can point us to?

21 A I am not sure. I don't recall the documents. I
22 mean, we had many email exchanges, many phone call
23 conversations. We may have had a phone conversation about
24 here's what I'm seeing, is this something that maybe you're
25 aware of or that your team may be aware of.

1 Q But the email, if you look at Number 30, if you
2 have it before you?

3 A Um-hmm (AFFIRMATIVE RESPONSE).

4 Q That's the extent of that email communication
5 (INDICATING)?

6 A Yes.

7 Q Just you sent it to her, and that's it?

8 A I sent it to her because I wanted her to be
9 aware, for some reason if she was not aware, that this was
10 actually some of the local chatter.

11 Q Following that October 16 meeting, did Entergy
12 basically track those individuals that had shown up both in
13 favor of and in opposition to the power plant?

14 A I learned that someone on the Entergy New Orleans
15 team had tracked it. It was not at my request or direction,
16 but someone was asked to track the individuals speaking.

17 Q Take a look at Exhibit 32, if you could. I think
18 that basically references it. You are part of that
19 communication, correct?

20 A Yes, this was -- The email was forwarded to me.

21 Q Right. And I think, as the attachment reads, it
22 says: "10/16/17 public hearing, cards of persons who did not
23 speak provided to parties," correct?

24 A Yes.

25 Q And there's a large number of people here. I'm

1 assuming it's people on the docket, because the docket is
2 listed. Is that a fair representation?

3 A I'm not familiar with all the docket
4 participants, but it's a fairly large list here.

5 Q Okay. And then what we did find and Entergy
6 produced to us, Exhibit 33 --

7 BY MR. COMAN:

8 Which, for the record, is ENO-NOPS 6564
9 through and including 6570.

10 EXAMINATION BY MR. COMAN:

11 Q And it's a document listing that I believe,
12 correct me if I'm wrong, originally came from the City for
13 that other email, possibly the Curo clerk or Curo staff.
14 And then Entergy, or someone at Entergy, to your earlier
15 testimony, basically gave a color-coded scheme to it: Green
16 for support, red for opposed and yellow not listed; is that
17 correct?

18 A This document appears to be color coded, and it
19 lists speakers.

20 Q And in the upper right-hand corner you see a kind
21 of legend there, where green is for support, red for
22 opposition; is that correct?

23 A Yes, I see the list or the key.

24 Q Key, correct. That's a better term.

25 And following the -- We've got the 10/16/17

1 public hearing that we have already discussed, and then
2 there was an evidentiary hearing in December, which we have
3 discussed, as well.

4 Following that, it appears from the records that
5 the next public hearing date is the Curo meeting or hearing
6 set for February 21st of 2018; is that correct?

7 A That is correct.

8 Q And so, safe to assume that, with those same
9 efforts that Entergy undertook for the October 16th meeting,
10 you-all at Entergy were looking to replicate that for the
11 next meeting?

12 A At the request and direction of Charles Rice, I
13 reached out to the Hawthorne Group to support our outreach
14 efforts.

15 Q And let me show you, to your point, Exhibit 34.

16 BY MR. COMAN:

17 And for the record, this is a one-page
18 document with Bates label Hawthorne 4.

19 EXAMINATION BY MR. COMAN:

20 Q Is this where you communicated by e-mail with
21 Ms. Hammelman in anticipation of that 2/21 hearing?

22 A I don't recall the specific reason for the
23 communication on January 11th. It may or may not have been
24 related, I'm not sure.

25 Q Well, was the Hawthorn Group and Ms. Hammelman

1 performing any other functions for Entergy?

2 A No, not at the time.

3 Q And this is dated January 11th of 2018, correct?

4 A Yes, it is.

5 Q All right. Let me show you what is marked as
6 34-A.

7 BY MR. COMAN:

8 And for the record, this is a document
9 dated January 11, 2018 with that title, "Text
10 message communications."

11 EXAMINATION BY MR. COMAN:

12 Q These are text messages that you had with
13 Mr. Rice; is that correct?

14 A Yes.

15 Q And I'll play Mr. Rice again, one more time. So
16 at 11:25 a.m. Mr. Rice texted you: " Think we can get
17 Hawthorn to get us 20 people?" What was your response?

18 A "Will check."

19 Q And at 11:37 a.m. Mr. Rice said, "Make it 30."
20 What was your response?

21 A "Got it."

22 Q Then, if we look back at Exhibit 34, as far as
23 the timing, side by side, you spoke to her at -- Were you
24 having conversations with her at some point in that
25 afternoon? Is that correct?

1 A According to this I said, "Talked to Hawthorn at
2 5:51."

3 Q But I'm staying with the email. We're talking
4 about the same date, same communications, right?

5 A Yes. So I asked her to call me, and that was
6 following the text exchange with Mr. Rice requesting the
7 services of the Hawthorn Group.

8 Q And pursuant to his directive, you spoke to
9 Ms. Hammelman, and then you got back to him at 5:51 p.m.,
10 where you said, "Talked to Hawthorn. They will send us cost
11 estimate"; is that correct?

12 A That's correct.

13 Q I'm going to show you Exhibit 35.

14 BY MR. COMAN:

15 For the record, this is a two-page email
16 communication Bates labeled Hawthorne 5 and 6.

17 BY THE WITNESS:

18 Hold on a second, there's one more page
19 here.

20 EXAMINATION BY MR. COMAN:

21 Q Sure, take your time.

22 A Okay.

23 Q And the record appears to state that January 12,
24 2018 is the beginning part of this conversation where
25 Ms. Hammelman provided you with, again, "a pricing menu," to

1 borrow her term, correct?

2 A Yes.

3 Q And in fact, the subject line reads: "February
4 21 Hearing Options," correct?

5 A Yes.

6 Q And again she lists out so many supporters, so
7 many speakers with a price relative to those particular
8 items, correct?

9 A That is correct.

10 Q And then in response, on the first page, the
11 bottom paragraph, the middle part, you state: "I discussed
12 with Charles --" A few days later, "I discussed with
13 Charles, let's go with 30 supporters and 10 speakers for the
14 February 21 Utility Committee meeting," correct?

15 A Yes. I took a while to get back to her because I
16 manage communicates around multiple issue, and at the time
17 we had several things going on, but I did follow-up with her
18 at some point to confirm.

19 Q And then on the second page it's got a different
20 monetary amount; one for 5 speakers is \$4,600 and for 10,
21 \$6,700, correct?

22 A That is correct. This is a calculation based on
23 how they conduct their outreach.

24 Q For the February 21st meeting, anticipation of
25 that, did Entergy also seek assistance from nonprofit

1 entities as you-all did for that 10/16 meeting?

2 A We -- We were to identify support in the
3 community just as we did before; employees, retirees, other
4 community members.

5 Q But specifically for community partners, so to
6 speak, did you-all make an effort to obtain the assistance
7 of those entities or someone on behalf of those entities to
8 show up and say nice things about Entergy?

9 A We asked some of our community partners to show
10 up and speak in support.

11 Q For example, which ones that you recall?

12 A For example, it was some of the same community
13 partners that we talked about earlier. Some may have had
14 time, some may have not. Over time, many of the same
15 individuals -- I mentioned Howard Rogers earlier, I
16 mentioned Tangee Wall with Joe Brown Park/NORDC. Those are
17 individuals that we invite, but not everyone is always
18 available.

19 Q And how many of those, approximately, wound up
20 showing up and spoke on Entergy's behalf?

21 A I don't really know an approximate number.

22 Q Did you contact any of those entities personally,
23 or was that more Ms. Mercadel, Mr. Dunn?

24 A That was actually more of the Public Affairs
25 Team's role.

1 Q Who is on that team, again?

2 A That is Toni Green-Brown, Demetric Mercadel and
3 Alex Dunn.

4 Q I've got what I'm going to show you as 36.

5 BY MR. COMAN:

6 I'll put a sticker. I'm missing my copies,
7 so I apologize in advance.

8 EXAMINATION BY MR. COMAN:

9 Q Take a look at that email dated at the top
10 February 15th of 2018.

11 BY MR. BECKER:

12 What's the Bates on that?

13 BY MR. COMAN:

14 Bates number Hawthorne 14 and 15. Is that
15 what it says, Cory?

16 BY MR. CAHN:

17 Yes.

18 EXAMINATION BY MR. COMAN:

19 Q And my question is this: On the 15th, about the
20 middle on that first page, you were contacting Ms. Hammelman
21 and Mr. Cohen and giving them the arrival time; is that
22 correct?

23 A That is correct.

24 Q And you specifically state: "It may be best to
25 arrive before 9:00, since there may be a line of people

1 waiting for doors to open. Thoughts?"

2 Where did you get that information about the
3 start time?

4 A At that point, I believe the information would
5 have come through -- There were public notices or agendas
6 out there, as well as there was discussion among the Entergy
7 New Orleans Team, so that everyone was on the same page
8 about arrival times.

9 Q Was there a change in the arrival time at some
10 point, or some discussion of that?

11 A I believe there was a change in the arrival time
12 or in the timing of when the doors would open. There may
13 have been a change.

14 Q Let me show you Exhibit 37. Take a look at that
15 one-page email communication, Bates labeled Hawthorne 16.

16 A Okay.

17 Q At the bottom email, it's dated February 20, 2018
18 from Mr. Huntley at 6:04 p.m., correct?

19 A Correct.

20 Q And he stated: "I've received confirmation that
21 the room will open at 8:30 a.m. Let's get as many of our
22 folks there ahead of the bus from NO East."

23 First, where would you have received this
24 information that the room would open at 8:30 a.m., as
25 opposed to 9:00?

1 A I don't know where he would have received that
2 information from.

3 Q And what bus is he referencing, if you know?

4 A I don't know about specifics around a bus, but I
5 saw information here, and I saw that there was an intent to
6 open the room at a different time.

7 Q But you don't know what bus he's talking about or
8 who's on that bus?

9 A I don't know about any specific details around a
10 bus. We do know that there were plans for some of the
11 protesters or opposition to arrive from New Orleans East,
12 but I don't know any specific details about a bus.

13 Q From what you saw and heard, was Entergy
14 concerned with having its supporters arrive before and ahead
15 of the opponents for the Power Plant?

16 A We just wanted to make sure that supporters in
17 the room had an opportunity to express their comments about
18 the Power Station, just as anyone else would.

19 Q But what do the supporters have to do with the
20 opponents in the room?

21 A Well, everyone, whether they supported the plant
22 or opposed the plant, would be seated in the room, and we
23 wanted to make sure that everyone had an opportunity to
24 express their thoughts around the power station.

25 Q You were concerned with supporters, not the

1 opponents. That's someone else's job, correct?

2 A I was concerned with just making sure, or our
3 team wanted to make sure that everyone was aware of the time
4 the doors would open; so that our team members, anyone who
5 was actually attending the meeting would actually be able
6 to enter the meeting.

7 Q But your concern was focused on supporters of
8 Entergy and the power station, not on other people, correct?

9 A I was not in direct communication with the other
10 people, so there was no way that I could communicate a time
11 to those individuals.

12 Q Correct. And did you attend that meeting?

13 A Yes, I did.

14 Q Who did you sit with?

15 A I sat with some of the individuals associated
16 with the Ehrhardt Group.

17 Q Like whom?

18 A Malcolm Ehrhardt, Erin Doucette and team.

19 Q And that was a long meeting, much different than

20 --

21 A It was a very long meeting.

22 Q Right. 6 hours and 29 minutes, at least video.

23 A Yes.

24 Q Were you able to come and go in and out of that
25 auditorium room?

1 A Yes, I did. On that day I was actually handling
2 media interviews. I actually stepped out to -- for breaks.
3 I actually came in and went out of the room as I needed to.

4 Q At any point outside of that room, did you see a
5 line of people waiting to get in, trying to get in?

6 A I saw a line of people as we were arriving that
7 morning. And this was prior to the doors opening, there was
8 a line of people. I saw people -- At periods during the day
9 I saw people sitting and not necessarily in line, but
10 outside of the door; and also people who were standing there
11 making comments, shouting different things. I observed
12 those things as I was in and out handling media interviews.

13 Q And from the video, though, it does appear, not
14 that the video screen is perfect, because it's a big room
15 and it's only from one particular vantage point, it did
16 appear that there were a number of empty seats inside.
17 Is that your recollection?

18 A There were a number of empty seats inside. I
19 recall as some individuals, even employees, came and filled
20 in, sat down, there were other supporters who came in and
21 sat down on both sides; some people who oppose the plant,
22 some people who supported the plant.

23 Q Was there security outside of the room that was
24 managing people coming and going?

25 A There was security standing at the door, managing

1 the number of people due to safety reasons, yes.

2 Q Did you see anyone with like a clicker or
3 something, or some kind of person counter?

4 A No, I don't recall if someone was using a
5 clicker.

6 Q Now, that room has doors on both sides, left and
7 right?

8 A I'm not very familiar with that room, it was
9 probably my first time in that room, but I believe there may
10 have been a second door.

11 Q Did you see security outside the room at both
12 entrances?

13 A There may have been security at both entrances,
14 yes.

15 Q And how were you able to come and go if there was
16 a line then?

17 A During the times when I typically stepped in and
18 out, there was not always a line. There were some people
19 who were just standing around outside, and it was not
20 necessarily a line preventing me from entering. So the door
21 was open, and the entranceway was open at some points when I
22 stepped out.

23 Q And where did those security personnel, where did
24 they appear to be from? Were they from the building or from
25 a law enforcement agency? Did they have uniforms on?

1 A They wore uniforms, and it was my understanding
2 they may have been tied to the actual building, but I'm not
3 sure.

4 Q Okay.

5 A I didn't understand them to be Entergy security
6 officers.

7 Q Were they NOPD or --

8 A I don't recall that they were NOPD.

9 Q I'll show you what's marked as Exhibit 38.

10 BY MR. COMAN:

11 For the record, Exhibit 38 is Bates labeled
12 Hawthorne 198 and 199.

13 EXAMINATION BY MR. COMAN:

14 Q Are you ready, Ms. Pollard?

15 A Yes.

16 Q You were a party to these conversations, correct?

17 A I was a party to conversations with Susan
18 Hammelman here on this email.

19 Q And if we can start going back in time with the
20 second page, February 22nd, she sends you an email -- so
21 it's the following day. Again, did Ms. Hammelman come down
22 to New Orleans for that meeting?

23 A No, she did not.

24 Q Same thing for Mr. Ashford, correct?

25 A No, he did not.

1 Q And the following day, though, she's asking --
2 the subject line is "Last night," and she is asking about
3 feedback for turnout/speakers, correct?

4 A Yes.

5 Q And in your response, which is on the first page,
6 Hawthorne 198, in part you stated: "I was a little surprised
7 that some," italicized "folks wore the orange t-shirts
8 again. An opponent wore a marked-up orange shirt and
9 commented about paid supporters."

10 So let's take them one at a time.

11 What was your concern with the orange t-shirts?

12 A Specifically, as part of our discussion for the
13 February 21st meeting, we had discussed that individuals
14 would not wear the orange t-shirts again, because we had
15 already made that statement during the October meeting, and
16 there was no reason, really, for them to do the same thing
17 or repeat that again. And so I was surprised that there
18 were a couple of people who actually wore the orange T-shirt
19 again. That was not the intent.

20 Q Were you concerned when you saw the orange
21 t-shirts a second time?

22 A Well, I was only concerned that this was not part
23 of the discussion or agreement with the Hawthorn Group, and
24 so somehow there was a miscommunication about that point.

25 Q And during the meeting, you make reference to it

1 in this email, this Dan Faust individual appeared and spoke
2 at the microphone, correct?

3 A I knew that there was an individual who had
4 spoken at the microphone wearing an orange shirt. At the
5 time I did not realize, or actually hear, there was a lot of
6 noise in the room, that it was Dan Faust; I just knew that
7 it was an individual wearing an orange shirt.

8 Q When you saw him speak at that meeting, he made
9 reference in the beginning of his remarks to a friend of his
10 having been paid for the October 16th meeting, to attend?

11 A Yes, he did make some remarks to that extent.

12 Q Okay. Now, that matches the internet chatter
13 that you-all had circulated on October 23rd, correct?

14 A To some extent, it did reference some of those
15 comments.

16 Q When you hear him make these comments now, live
17 and in person, did that cause you any concern?

18 A Yes, it did. And I went back to Suzanne
19 Hammelman to ask about it, because I said, "Well, this is
20 coming up again, and I know this was not part of our
21 discussion. We're not aware of any payments."

22 Q Where is that in this email thread?

23 A I don't think it's in the email thread. I seem
24 to recall a conversation that we had around that particular
25 issue.

1 Q Because on this email thread, correct me if I'm
2 wrong, you bring up two issues: One, the t-shirts --

3 A Um-hmm (Affirmative Response).

4 Q -- and then two, the comment about paid
5 supporters.

6 A Yes.

7 Q But the rest of the conversation does not discuss
8 the accusation of any paid supporters, but y'all do discuss
9 the t-shirts, correct?

10 A Yes, we discuss the t-shirts here.

11 And also, it appears that in this email she
12 forwards the information to an individual named Adam Swart.
13 And I was not aware that she was sharing this information
14 with Adam Swart. I did not know who he was.

15 Q You were on the email thread with him, though,
16 previously, that we discussed.

17 A But I did not know that individual, I did not
18 recall that email or the name. I was only familiar with the
19 individuals associated with the Hawthorn Group.

20 Q And as to the t-shirts in her relay to you that
21 same day, February 22nd, she says in part: "I expect it was
22 an individual decision - based on the fact that we wanted to
23 make sure some of the same people showed up, because that is
24 what would happen organically." Do you see that?

25 A Yes, I do.

1 Q And I read that correctly?

2 A You read that correctly. And she -- She appeared
3 to suggest that someone might just happen to wear a t-shirt
4 again just because they wanted to, just by choice, and
5 perhaps that they had no specific control over it.

6 Q And your response to her was: "No action needed
7 at this point." Did I read that correctly?

8 A That's correct.

9 Q Take a look, if you can, at Exhibit 39.

10 BY MR. COMAN:

11 And for the record, it's Bates labeled --
12 It's a two-page document, ENO-NOPS5839 and 5840,
13 without the attachment.

14 EXAMINATION BY MR. COMAN:

15 Q Were you a party to this email communication,
16 Ms. Pollard?

17 A Yes, I'm listed here.

18 Q And my only point in this is just to bring up
19 that Entergy continued, as they did with the 10/16 meeting,
20 as far as the 2/21 meeting, tracking those speakers that
21 supported Entergy, correct?

22 A Some members of the team tracked the individuals
23 speaking during the meeting.

24 Q Because that's what both the subject and
25 attachment lines reference, correct?

1 A That is correct.

2 Q And this email is dated February 23, 2018, two
3 days later, correct?

4 A Yes.

5 Q As part of the NOPS overall power station effort,
6 did Entergy either monitor personally or pay anyone to
7 monitor opposition groups?

8 A We had, in addition to our own effort to monitor
9 the opposition, we also had some of the members of our team
10 who were monitoring as just part of our overall strategy.

11 Q I'll show you Exhibit 40.

12 BY MR. COMAN:

13 Which for the record is Bates labeled
14 ENO-NOPS 6106 through and including 6127.

15 And it's a larger packet, but I just have a
16 couple of basic question, so let me know when
17 you're comfortable.

18 BY THE WITNESS:

19 Okay.

20 EXAMINATION BY MR. COMAN:

21 Q And this is just an example. And I believe the
22 email is dated 2/27/2018. You are a party to this
23 communication, correct?

24 A Yes.

25 Q In fact, it was sent to you by Erin Doucette that

1 you referenced earlier in your testimony from the Ehrhardt
2 Group, correct?

3 A Yes.

4 Q And this is an example of the, "Opposition group
5 monitoring"; is that correct?

6 A This is an example of monitoring, not only
7 opposition groups, but also industry and other related
8 issues in general.

9 Q What does the subject line, though, read
10 specifically on the first page of this email?

11 A The subject says: "ENO Opposition Group
12 Monitoring." What was provided to us covered a variety of
13 industry issues, in addition to the opposition group
14 monitoring.

15 Q In addition to the reports on the internet, or
16 tweets, or a combination thereof back in October of 2017,
17 reports began surfacing on the internet again in March of
18 2018 that Entergy had paid people to attend and/or speak on
19 Entergy's behalf, correct?

20 A There were some news reports or questions around
21 that time, correct.

22 Q And I'll show you what is marked as Exhibit 41.

23 BY MR. COMAN:

24 It's a one-page document, Bates labeled
25 Hawthorne 248.

1 BY THE WITNESS:

2 Okay.

3 EXAMINATION BY MR. COMAN:

4 Q And this is an email, at least the bottom portion
5 of this page is an email that you drafted and sent, is that
6 correct, to Ms. Hammelman?

7 A The bottom portion of the email comes from
8 Ms. Hammelman. The top portion of the email is sent by
9 Ms. Hammelman to Adam Swart, who I now know was associated
10 with Crowds on Demand, but did not know that at the time.

11 Q But Exhibit 6 shows you were on that email,
12 correct?

13 A I was on an email, but did not scroll down to see
14 his name or association with the project.

15 Q And this e-mail that I'm referencing is the one
16 in this particular document, Exhibit 41, that you drafted
17 Monday, March 5, 2018 at 6:57 p.m. Do you see that?

18 A Yes.

19 Q And the subject line -- What did you write in the
20 subject line?

21 A I wrote, "Request for Key Points."

22 Q And in this e-mail, correct me if I'm wrong, at
23 least the portion that's shaded in below, this is something
24 that you saw on the internet somewhere?

25 A This was -- I saw this somewhere out there. It

1 was shared with me, yes.

2 Q How was it? Because I don't see it on there.

3 A And I don't recall. There was so much chatter
4 and things coming in from different places, I don't remember
5 where it was specifically from.

6 Q But the shaded-in area is not your words, this is
7 something that you saw?

8 A This is something that I saw somewhere.

9 Q And that shaded-in portion reads: "Entergy pays
10 \$120 to people to come to City Council meetings and say that
11 they support Entergy's request for rate increases and plant
12 approvals. We have proof of this that will be presented at
13 the City Council meeting March 8th if community people are
14 allowed to speak." Did I read that correctly?

15 A Yes, you did.

16 Q And then you forwarded this on to Ms. Hammelman
17 and said: "Hi Suzanne, this statement below is circulating
18 in an email distributed by some opponents," and you continue
19 on. "Could you share with me by Wednesday some key points
20 that our leadership could have on hand for this issue? The
21 response points would be used to address questions from City
22 Council members or others, only if asked. For background,
23 one of the opponents wore a marked-up orange t-shirt to the
24 February 21st Utility Committee vote. He also referenced
25 signed non-disclosure agreements and a meeting at Dave &

1 Busters to pay people I think \$60 as part of his comments."

2 that's what you wrote and sent to Ms. Hammelman,
3 correct?

4 A I wrote that because I was concerned that we were
5 seeing this again, and we may potentially get questions.

6 And I needed to understand what was happening, why were we
7 hearing this again? And I needed our leadership to

8 understand that we did not make any arrangements to pay
9 anybody, and I needed the Hawthorn Group to explain that.

10 Q But you didn't ask her in the email if it was
11 true or not, you simply asked her for response points if
12 Council members were to ask the question. You didn't
13 confront her and say, "Is this true?"

14 A I actually had conversations with her about what
15 is this, why are we seeing this? And that's why this was
16 about key points. This continued to surface. You have said
17 that this did not happen. I need to be able to explain to
18 my leadership why they are continuing to see this.

19 Q Is what you just said anywhere in this email?

20 A It is not in the email. I don't consider Emails
21 an entire record of everything that has been said.

22 Q And let me show you, later that night, Exhibit
23 42.

24 BY MR. COMAN:

25 And for the record, it's a multi-page

1 document Bates labeled Hawthorne 20 through and
2 including 23.

3 BY THE WITNESS:

4 Okay.

5 EXAMINATION BY MR. COMAN:

6 Q In response to your request, Ms. Hammelman went
7 ahead and sent you response points, correct?

8 A She provided response points, including the
9 statement that Entergy did not pay anyone for their support.

10 Q Was that in the response point, or it's actually
11 in the "For your background" part?

12 A I consider it a response point, because I know
13 that to be the truth, and my leadership team knew that was
14 the case. And so she confirmed Entergy did not pay anyone
15 for their support, which was what we actually said; that
16 there was no arrangement that anyone would pay someone for
17 their support.

18 Q Right. But Entergy's not paying anyone, because
19 Entergy is paying the Hawthorn Group, correct?

20 A That's correct. We paid the Hawthorn Group to
21 identify speakers. What she confirms here, again, is that
22 Entergy did not pay anyone for their support; which we knew,
23 and I needed to make sure that there was an understanding on
24 their end, that none of this payment issue was happening.

25 Q Take a look at Exhibits 43 --

1 BY MR. COMAN:

2 -- which is a two-page document Bates
3 labeled ENO-NOPS 548 and 549.

4 EXAMINATION BY MR. COMAN:

5 Q And it looks like a continuation of a previous
6 email that we have already seen.

7 A Okay.

8 Q So this is an email exchange that occurred on
9 March 5th and March 6th of 2018, following the accusation,
10 correct?

11 A Yes.

12 Q And we have already seen the accusation part on a
13 previous email. And her top response there at 1:05 a.m.
14 was: "The Dave & Busters and disclosure statements are from
15 previous hearings, remember? I'll dig up my response on
16 those." She sent that email to you, correct?

17 A Yes, she sent that email. And what she's stating
18 there is that the rumors or allegations around Dave &
19 Busters and references to disclosure statements was
20 something that we had previously seen.

21 Q Um-hmm (AFFIRMATIVE RESPONSE)?

22 A And so it was the same -- From her perspective,
23 it was the same rumor that's coming up again.

24 Q And she's referencing that she had discussed this
25 rumor with you?

1 A She's referencing that we had discussed, as we
2 pointed out earlier, that we discussed these rumors and they
3 were not true, and they are coming up again.

4 Q But what she wrote was this -- correct me if I'm
5 wrong -- that Dave & Busters and disclosure statements are
6 from previous hearings, remember. I'll dig up my response
7 on those."

8 A What she's stating here is that I've seen these
9 same rumors before.

10 Q My question is: Did I read that correctly?

11 A You read that. And my response is she is
12 stating, she's referencing the previously posted social
13 media post, and she's asking me to recall that this has been
14 posted on social media before; and that she cleared up that
15 those were rumors.

16 Q Is that listed -- What you just said, is that
17 listed in her email?

18 A It was part of our conversation.

19 Q Part of the email conversation or part of a
20 separate conversation?

21 A It was part of a separate conversation.

22 Q Is that in writing or is that something verbal?

23 A It was something verbal.

24 Q I'll show you Exhibit 44.

25 BY MR. COMAN:

1 For the record, it's a one-page document,
2 Bates labeled ENO-NOPS 519.

3 BY THE WITNESS:

4 Okay.

5 EXAMINATION BY MR. COMAN:

6 Q And this is -- I'm assuming this is following the
7 full City Council vote on the NOPS Power Station; is that
8 correct?

9 A Yes.

10 Q And you are basically informing her yes, it
11 passed; is that correct?

12 A Yes, I did.

13 Q And she states, in response at some point: "It
14 sounds like they didn't ask the questions," correct?

15 A She states that there, and she is asking me if
16 the issue has come up again, because she knew that we were
17 concern about being associated with some of the rumors that
18 were out there.

19 Q And what was your response to her, if any?

20 A I said no, they didn't go there. They didn't ask
21 the questions. And we were concerned that we were being
22 associated with something that we had not arranged.

23 Q In one of the documents that we reviewed there,
24 was there a reference to an allegation, an assertion that
25 Entergy reduced financial support for WBOK because of its

1 coverage of the NOPS Power Station campaign: Is that
2 correct?

3 A That is not correct.

4 Q You've heard that before.

5 BY MR. CAHN:

6 Which document are you referring to?

7 BY MR. COMAN:

8 I think it's in the opposition monitoring
9 at some point; maybe a Facebook screen shot or
10 something like that.

11 EXAMINATION BY MR. COMAN:

12 Q You've seen or heard of that before?

13 A I've seen or heard of that issue. We had some
14 issues with WBOK and their coverage of Entergy in general,
15 and some statements that were made about many issues, not
16 solely about the power station.

17 Q I'm going to show you Exhibit 45 --

18 BY MR. COMAN:

19 -- being a one-page document, Bates numbered
20 ENO-NOPS 133.

21 BY THE WITNESS:

22 Okay.

23 EXAMINATION BY MR. COMAN:

24 Q You were a party to this communication, correct?

25 A Yes. I actually wrote this communication to

1 submit the Hawthorn Group invoice.

2 Q And this was on March 23 of 2018, correct?

3 A That is correct.

4 Q So despite the rumors and despite the
5 allegations, despite the concern that we have already talked
6 about at length here, you did not stop any payment to the
7 Hawthorn Group. In fact, you helped facilitate that with
8 accounts payable, correct?

9 A I provided the invoice for processing because
10 these were rumors. I was told under no certain
11 circumstances that the Hawthorn Group or anyone had paid
12 someone to attend. So under -- under those circumstances,
13 I moved forward with processing the invoice. There was no
14 reason to believe, based on what the Hawthorn Group had
15 shared and had confirmed, and actually denied doing, that I
16 should hold up any type of payment to the Hawthorn Group.

17 Q And those particular assurances, I'll call them,
18 that you're referencing in your testimony, you're
19 referencing claiming that those took place verbally, because
20 we don't see those in the documents.

21 BY MR. CAHN:

22 I'm going to object, Counsel. In Exhibit
23 forty --

24 BY MR. COMAN:

25 You can ask your questions separately, but

1 --

2 BY MR. CAHN:

3 -- Exhibit 42 it specifically statements what
4 Ms. Pollard previously said, which is contrary to
5 your statement.

6 EXAMINATION BY MR. COMAN:

7 Q And I'm talking about the conversations that you
8 had with her where you allege that you confronted her with
9 these allegations and asked her, is that anywhere like in an
10 email communication?

11 A Yes, it is.

12 Q Where?

13 A The Hawthorn Group denied paying anyone. And
14 when I did say to them, "Well, we're still seeing these
15 rumors out here," they said that these individuals were
16 delirious or lying. And so based on their reassurances that
17 these payments had not occurred, we moved forward with
18 processing the invoices.

19 Q Where did you think these people were coming
20 from?

21 A The Hawthorn Group indicated that they were
22 identifying -- Are you referencing the supporters?

23 Q Yes, the people in the orange t-shirts.

24 A Okay. The Hawthorn Group committed to
25 identifying speakers based on their local contacts, based on

1 the channels that they had established with local groups,
2 and organizations and grassroots efforts.

3 Q From Virginia?

4 A They indicated in writing that they had local
5 people on the ground working with local organizations.

6 Q And they were able to do that in two weeks time,
7 correct?

8 A Because they had established channels to carry
9 out that activity.

10 Q But my point is, the time frame was two to three
11 weeks, correct?

12 BY MR. CAHN:

13 Object. That's not accurate.

14 EXAMINATION BY MR. COMAN:

15 Q Well, what was the time frame?

16 A I don't recall the exact time frame, but they
17 indicated on the very front end that they had established
18 channels, local people on the ground who worked with local
19 organizations in grassroots efforts, so it would have taken
20 very little time to actually use their existing channels to
21 identify those individuals.

22 Q And those e-mail threads -- I'm sorry, those text
23 message threads that we earlier covered were on October 3,
24 2017, and the meeting was October 16th; October 16, 2017,
25 correct?

1 BY MR. CAHN:

2 Wait, which emails?

3 EXAMINATION BY MR. COMAN:

4 Q Text messages were October 3rd, between you and
5 Mr. Rice, and the meeting was October 16th?

6 A And during meetings and discussions even prior to
7 October 3rd, there was discussion about their local channels
8 and established contacts here in New Orleans and local
9 people on the ground, so those were already in place. And
10 that would have even given them an opportunity to start
11 thinking about what those resources and what those
12 activities might look like.

13 Q So following the two meetings in that April 2018
14 time frame, did you participate in a revision of a contract
15 change order with the Hawthorn Group?

16 A I participated in finalizing a contract change
17 order with my Supply Chain Team.

18 Q I'll show you what is marked as Exhibit 46.

19 BY MR. COMAN:

20 And it looks like it's four pages in
21 length; Bates labeled ENO-NOPS319 through 322.

22 BY THE WITNESS:

23 Yes. This is -- Yes. So it references
24 Bright Moments invoices, but it's also
25 referencing the Hawthorn invoice.

1 EXAMINATION BY MR. COMAN:

2 Q And tell us about this process. I think we
3 understand part of it, but tell us about the invoicing, and
4 payment, and contract process of Entergy and what we're
5 looking at here.

6 A So the Hawthorn Group had an initial contract
7 with a set scope of work that was associated with the
8 October engagement. As part of the subsequent engagement
9 for the February meeting, the process entailed working with
10 our supply chain group to basically replicate that document
11 but extend the date or the timeline of the service. That is
12 a process that works through a system that I don't work in
13 every day, but I work with someone who actually uploads or
14 provides the details around the contract in that system.

15 Q And in basic form, this is you trying to get
16 Hawthorn paid, correct?

17 A This is the process that covers payment for
18 Hawthorn or any vendor.

19 Q Right. And this is dated, at least the front of
20 it, is April 12th of 2018, correct?

21 A Yes, it is.

22 Q All right. Let's look at Exhibit 47. It's a
23 three-page document.

24 (OFF RECORD DISCUSSION)

25 (BREAK TAKEN)

1 EXAMINATION BY MR. COMAN:

2 Q Looking at Exhibit 47, if we could, please,
3 Ms. Pollard, it's an email that's kind of printed off
4 sideways. And really, any questions are on the first page
5 here. At the bottom of the page you sent an email on
6 Friday, April 27, 2018 to Tanner Guidroz and cc'ing
7 Ms. Franklin; is that correct?

8 A Yes, I did.

9 Q And the preamble to this was a contract change
10 order that Mr. Guidroz -- who is I believe a procurement
11 specialist. Does that sound accurate?

12 A Yes.

13 Q -- that Mr. Guidroz had forwarded on after it had
14 been populated, and he had forwarded it on to Ms. Hammelman
15 for her signature, and I think she signed it?

16 A Yes, she did.

17 Q And then there was a change that took place to
18 that previously executed contract; is that correct?

19 A Yes. Upon review of the scope of work, I noticed
20 that there was just a random question in there that actually
21 wasn't a part of the original scope of work, and really was
22 not intended to be in there. And there was also an
23 additional statement in their that did not need to be in
24 there, because it was not included in the original scope of
25 work, and we were only extending the original contract.

1 Q And what line did you request to be deleted from
2 the contract change order?

3 A There was a line in here -- There were two lines,
4 actually: One was just a random comment or question that
5 was not meant for the final contract scope of work language;
6 and that was -- I don't see the actual line here.

7 Q It's on the front page on that bottom email,
8 where it begins, "Thanks, Tanner."

9 A So included in the attachment and reflected in
10 the attachment, which I don't see here, there was one
11 statement that asked about confirming if the plans for the
12 arrival time were okay, and that was just a question that
13 Suzanne was asking me, that was not part of the scope of
14 work; and that was just a random question that needed to be
15 deleted.

16 The second item was also a statement about talk
17 point and testimony will be vetted. And again, that was not
18 included in the original contract scope of work, and for
19 whatever reason it was in this statement. And it was just
20 discussion that Suzanne and I had been having over the
21 course of a number of months, it was not intended for the
22 final scope of work.

23 Q And let me show you these two different contract
24 change orders. One is Exhibit 48, and the other as listed
25 as 49.

1 A Yes.

2 Q Okay.

3 BY MR. CAHN:

4 Wait, which one is 48?

5 BY MR. COMAN:

6 48 is ENO-NOPS 492 to 493. And Exhibit 49,
7 for the record, is ENO-NOPS 496 and 497.

8 EXAMINATION BY MR. COMAN:

9 Q And my questions are really just as to what is
10 contained in Section 1A, and the difference between the two.

11 A Yes.

12 Q And in keeping with your email, just so we're on
13 the same page, which is marked as 47, you first see talk
14 point and testimony will be vetted, and it's actually on 48
15 listed as, "Talking points and testimony will be vetted,"
16 then it goes on to talk about signs.

17 So Exhibit 48 was the first version, correct?

18 A Yes.

19 Q And then Exhibit 49, though, is the next version
20 following your request to Mr. Guidroz, correct?

21 A Yes, that was the final version. Again, the
22 statement, "Talking points and testimony will be vetted,"
23 was not in the original contract, and it was actually
24 unclear or vague what that actually meant, so I was just
25 trying to make sure that it was consistent with the scope of

1 work that we were extending into the second contract.

2 Q And that's the specific line that you wanted
3 deleted, correct?

4 A This is the specific line, as well as the line
5 where it was actually just a question, "Please let us know
6 if this is not enough time." And so there were just
7 statements in there that was not considered official scope
8 of work language.

9 Q Take a look, if you could, at Exhibit 50, 5-0 --
10 BY MR. COMAN:

11 Which is a multi-page document starting
12 with ENO-NOP6009 through and including 6013.

13 BY THE WITNESS:

14 Okay.

15 EXAMINATION BY MR. COMAN:

16 Q Let's start with the first page here, 6009. This
17 narrative at the top as well as the grid, along with the
18 prices and the total of \$32,142, who drafted this particular
19 document?

20 A This was drafted by the Hawthorn Group.

21 Q And how does it wind up within Entergy's system,
22 so to speak?

23 A The statement was used by our administrative
24 assistant to place into the Entergy system.

25 Q Do you have access to AssetSuite?

1 A I do, but I don't work in it every day. It's not
2 part of -- It's not part of my regular routine. We
3 typically rely on those who work in that system every day to
4 go into that system.

5 Q And on the following pages here, this looks like
6 screen shots, so to speak. On 6010 it has a screen shot for
7 -- it says "Contract" for the Hawthorn Group, correct?

8 A Which page? I'm sorry.

9 Q 6010, the second page. See at the top where it
10 says "Contract" in the upper left-hand corner?

11 A Yes.

12 Q And then the following is requisition?

13 A Yes.

14 Q And then the following is approval, then followed
15 by change request, then change request screen. And then on
16 the second-to-last page it has typed in, "Scope." Do you
17 see that?

18 A Okay.

19 Q Who would type these letters, these words on this
20 piece of paper?

21 A The words typed in would have been the
22 administrative assistant, who has access, or who goes into
23 that system on a regular basis.

24 Q And then on the last page it contains a
25 description at the top of the screen shot with management

1 fee, supporters, signs, speakers, with monetary items right
2 next to it, correct?

3 A That is correct.

4 Q And then do you see on this screen who is the
5 ultimate approver, who ultimately approved this particular
6 expenditure?

7 A Let's see.

8 Q I see three names. Correct me if I'm wrong:
9 Tanner Guidroz, do you see that?

10 A Yes.

11 Q And that would have been an action date. Now,
12 procurement, he doesn't have the authority to approve an
13 expenditure; is that correct?

14 A No, he's does not.

15 Q And then your name is listed underneath
16 Mr. Guidroz's, "Yolanda Pollard," but you don't have access
17 to AssetSuite, correct?

18 A I have access, but I don't work with it on a
19 regular basis.

20 Q Why was your name listed then in there? Is it
21 just because you were the project manager?

22 A Just as the project manager, and to move the
23 project or to move the request along, but I'm not the
24 ultimate approver.

25 Q And Mr. Rice approved this particular

1 expenditure; is that correct?

2 A Is this associated with the February meeting?

3 Q I believe it is, because it says, "601 Poydras
4 Street" on the second-to-last page.

5 A Okay, and the amount for this specific one. I'm
6 just trying to make sure --

7 Q Right.

8 A Mr. Rice approved the invoice associated with the
9 October hearing. He did not approve the invoice associated
10 with the February hearing.

11 Q Why not?

12 A He did not approve it because at that point we
13 were made aware of the situation, the situation around
14 potential payments or possible payments to supporters, and
15 so he did not approve the February invoice. The Hawthorn
16 Group was not paid for that service, and they actually were
17 directed to -- or they were directed to return to money for
18 services associated with the October hearing.

19 Q Go back one page.

20 A Okay.

21 Q To the second-to-last page and the typed-in
22 scope.

23 A Okay.

24 Q In the narrative it says, "For an upcoming
25 New Orleans City Council Utility Committee meeting to be

1 held at 601 Poydras Street." That's the Pan Am Building.

2 A Yes.

3 Q So this is in reference to 2/21?

4 A Yes, this is in reference to 2/21, and that
5 invoice was never approved.

6 Q Take a look at Exhibit 51, if you could.

7 So on April 27, 2018, Mr. Stein, from The Lens NOLA, sent an
8 email to Ms. Cavell that she forwarded on to you, correct?

9 A Yes, he sent an email at 4:09 p.m. on Friday,
10 April 27th.

11 Q And he writes in that email: " I'm writing a
12 story for The Lens about people allegedly being paid to show
13 up to Utility Committee meetings to show support for
14 Entergy's proposed power plant," correct?

15 A Yes, that's what it reads.

16 Q And she forwarded it to you at some point; is
17 that correct?

18 A She forwarded the email to me at some point
19 during that day, and -- I'm looking.

20 Q So that's the 27th?

21 A At some point, after she received the email at
22 4:09 p.m., she forwarded it to me.

23 Q Right. And you responded to him, asking him what
24 his deadline was?

25 A I responded at 9:35 p.m., asking what's his

1 deadline.

2 Q That's probably 10:09 and 35 seconds, but it
3 doesn't make a difference.

4 A I responded to him at 10:09 --

5 Q That's fine.

6 A -- p.m, and asked him what is his deadline.

7 Q All right. And take a look at Exhibit 52,
8 please? 52.

9 A 52?

10 Q Yes, ma'am. It's a two-page document.

11 BY MR. COMAN:

12 And for the record, it's Bates labeled
13 ENO-NOPS 5763 and '64.

14 BY THE WITNESS:

15 Okay.

16 EXAMINATION BY MR. COMAN:

17 Q And this looks like a continuation of that email
18 prompted or originated by Mr. Stein concerning allegations
19 that Entergy paid people. Mr. Rice did not want to respond
20 to that invite, correct?

21 A He said that he was not wanting to respond
22 because he wanted to see more details, and we didn't have
23 details to address specifically what was being said in that
24 media inquiry.

25 Q Well, he continued on, and he said: "And then I

1 still don't know if we should." He wrote that, as well,
2 correct?

3 A Well, because at that point, you know, we had
4 actually involved our legal team and others who were looking
5 into this. And so we needed to find out more from not only
6 -- not only through our legal team, but also through the
7 Hawthorn Group. Because we were -- Again, the Hawthorn
8 Group had denied paying anything to anyone.

9 Q Did you have discussions with Mr. Rice at this
10 time in addition to and separate from these email
11 communications?

12 BY MR. CAHN:

13 Let me just caution you about disclosing
14 communications where legal members were present.

15 BY THE WITNESS:

16 I may have had some discussions around that
17 time as a team with Mr. Rice.

18 EXAMINATION BY MR. COMAN:

19 Q And what did he say?

20 A During that time we would have had some of our
21 legal team members there, and so those are attorney-client
22 privileged discussions.

23 Q And you-all do not wish to waive any particular
24 privilege that y'all are claiming then; is that correct?

25 A No, we don't.

1 BY MR. CAHN:

2 Let me just say, Matt, that it's Entergy's
3 position that we are not waiving attorney-client
4 privilege at this time.

5 BY MR. COMAN:

6 Right.

7 EXAMINATION BY MR. COMAN:

8 Q Look at Exhibit 53. If you could review those
9 documents, please?

10 BY MR. COMAN:

11 For the record, they are ENO-NOPS 5960
12 through and including 5964.

13 BY THE WITNESS:

14 Okay.

15 EXAMINATION BY MR. COMAN:

16 Q So at the top left-hand corner of the first page
17 of 53 it says, "Entergy Update," and it says, "Opposition -
18 Article," and has a website address. What is this? What
19 are these documents here?

20 A These are documents based on some of our media
21 and social media monitoring that we actually do every day as
22 just a part of our daily process.

23 Q This event, this incident, though, was out of the
24 ordinary, correct?

25 A Which incident are you referring to?

1 Q These allegations that are contained in this
2 particular document here (INDICATING).

3 A It was out of the ordinary in that we have never
4 been through anything like this before, and we never would
5 have been involved in anything like it.

6 Q But you would agree this was not a run of the
7 mill opposition article that is referenced in this
8 particular document, correct? This is paid actors to
9 support their gas plant. This was something that, fair
10 statement, caused you-all concern?

11 A Of course we were concerned, because it was not
12 something that we would either condone or participate in.

13 Q Take a look at 54, please.

14 BY MR. COMAN:

15 Which for the record is ENO-NOPS Bates
16 number 5953 through 5955.

17 BY THE WITNESS:

18 Okay.

19 EXAMINATION BY MR. COMAN:

20 Q On the first part of this, actually the first
21 page, this is a May 1, 2018 email from Mr. Stein to
22 yourself, correct?

23 A Yes.

24 Q And he wrote: "I few --" he may have meant an
25 "A"; but it says, "I few more details about the story: We

1 have three people who spoke to us, saying that they were
2 paid to show support for and make speeches in favor of
3 Entergy's gas plant in New Orleans East. They say two men,
4 Garrett Wilkerson and Daniel Taylor, hired them. We have
5 screenshots of Facebook messages confirming much of what
6 these people told us."

7 Let me ask you a question: "Were these men hired
8 or involved with Entergy in any way? Best, Michael Stein."

9 And you then received this and circulated this to
10 other people at Entergy, correct?

11 A That is correct. I circulated it to members of
12 my lead team as well as our legal team, which was handling
13 this matter at that time.

14 Q You never forwarded this to Ms. Hammelman,
15 correct?

16 A I don't recall forwarding this to Ms. Hammelman
17 or having additional contact with her at this point.

18 Q Let me show you Exhibit 55.

19 A Okay.

20 BY MR. COMAN:

21 And this is, for the record, ENO_NOPS 323.

22 EXAMINATION BY MR. COMAN:

23 Q This starts with an email from Ms. Franklin on
24 May 1st of 2018, correct?

25 A Yes, this is on May 1st.

1 Q And she says: "Hi Tara. The invoice for the
2 Hawthorn Group is ready for Charles' approval in AssetSuite.
3 Thank you, Didara." How do you pronounce her name? I'm
4 sorry.

5 A She pronounces it Dee-a-dra.

6 Q Okay, Dee-a-dra. That's easy. I can remember
7 that.

8 And then Ms. Raymond, who is Charles Rice's
9 executive assistant, correct?

10 A That's correct.

11 Q -- writes back: "Thanks for the heads up -
12 Charles is out of town but I will get him to review when he
13 returns on Monday!" Did I read that correctly?

14 A That's correct. And I forwarded -- or the
15 invoice was forwarded through the system. It's kind of an
16 automatic process. And at that point the invoice is sitting
17 there for approval or to decline. Any action taken in
18 there, including the decline, is noted in the system. And
19 that was part of the process at this point. We needed to
20 make sure that the process was closed out.

21 Q Is there an email traffic or record that shows --
22 Did you send an email to anyone saying stop the presses?

23 A I did not send an email. I had a conversation
24 with Charles Rice, indicating that he should not approve the
25 invoice for the Hawthorn Group.

1 Q When was that, ball park?

2 A When was that conversation?

3 Q Yes, ma'am.

4 A I don't remember the exact date, but -- I was
5 actually traveling at that point, but I did reach out to
6 him, and I told him that the invoice was in the system but
7 that he should not approve the Hawthorn invoice.

8 Q That was a telephone conversation?

9 A That was a telephone conversation.

10 Q Take a look at 56, please. This appears to be an
11 email from Mr. Ehrhardt, where he copied a hyperlink and
12 sent it to Mr. Rice regarding an article; is that correct?

13 A That's correct.

14 Q And he said, "Didn't want you to be surprised by
15 this"; is that correct?

16 A Yes.

17 Q And Mr. Rice responded, and you were copied on
18 it: "Saw it, thanks."

19 A Yes.

20 Q And that's May 24th of '18?

21 A That's correct.

22 Q And that was -- What's the timing of Mr. Rice's
23 email at the top? What's the time?

24 A The time of his email was at 9:31 p.m.

25 Q Look at Exhibit 57.

1 BY MR. COMAN:

2 For the record, this is Bates labeled
3 ENO-NOPS 5923 and 5924.

4 BY THE WITNESS:

5 Okay.

6 EXAMINATION BY MR. COMAN:

7 Q And before I ask you questions about 57, if you
8 could look again at 56, I'm sorry, where Mr. Ehrhardt sends
9 that NOLA link about the article, and Charles Rice says,
10 "Saw it, thanks," at 9:31 p.m. Did you have any
11 communications with Mr. Rice following that news article,
12 and specifically about the news article?

13 A I was talking to multiple people that day:
14 Chanel, I may have had a conversation with Charles. I don't
15 recall if it was before or after he may have seen that
16 article.

17 Q Would that have been on the telephone verbally,
18 or through text, or who knows?

19 A I don't recall.

20 Q Did you continue to exchange text messages with
21 Mr. Rice throughout the spring of 2018?

22 A Throughout the spring of 2018? I would consider
23 that the April through June time, or March through June time
24 frame.

25 Q Sure. Yes, ma'am.

1 A Yes, I did.

2 Q Why didn't we receive those text messages? Did
3 you change phones?

4 A I actually had -- I had a previous phone that I
5 used, as well as a current phone. It was a very old phone
6 that I had. I don't know what text messages you have or
7 don't have.

8 Q Well, you've seen the ones that you've testified
9 to today. Those are the ones we have.
10 When did you change phones?

11 A I changed phones during the February time frame.

12 Q So the number, you kept the same number?

13 A Yes, I still have the same number.

14 Q But different device?

15 A Different device. A very old device, and I
16 changed phones to upgrade to a newer phone.

17 Q So which phones did you turn in to Entergy as
18 part of this investigation?

19 A I turned in both phones, and that was a legal
20 matter that was handled from there. That's all I know about
21 it.

22 Q But physically, and that's the part I'm asking
23 you, you turned in two phones?

24 A I turned in two phones.

25 Q The old one?

1 A Yes.

2 Q And the new one?

3 A Yes, I did.

4 Q Same phone number?

5 A Same phone number.

6 Q What was the old one, like a 4, 5, 6 or
7 something?

8 A It was either a 4 or 5.

9 Q And now what's the new one?

10 A It's a new one, yes.

11 Q Not that I remember. Is it 9, or 10, or what are
12 they up to now?

13 A I think it's an 8.

14 Q Okay, fair enough.

15 So when you get this new phone, you exchanged
16 text messages with Mr. Rice from time to time?

17 A Yes, I did.

18 Q And during the spring you had the -- When I say
19 "spring," maybe a little earlier, you had the 2/21 meeting?

20 A Yes, I did.

21 Q That was a large event, correct?

22 A I had the February 21st meeting took place, yes.

23 Q I know it took place. We all know it took place.
24 Would you consider that a prominent event in the NOPS Power
25 Station application process?

1 A That was the Utility Committee meeting in
2 consideration of the proposal.

3 Q So that would be a yes?

4 A Yes.

5 Q And then following, a couple of weeks later, the
6 full vote before the Council, correct?

7 A Yes, that is correct. March.

8 Q Another large event?

9 A In March. Yes, that's correct.

10 Q In a long-running project that you pointed out
11 earlier that you were the project manager for?

12 A (SHAKES HEAD AFFIRMATIVELY)

13 Q So we would expect to see some text message
14 communications between yourself, and Mr. Rice and others,
15 correct?

16 A I don't know what you would see. I do know that
17 I changed phones during that time. My previous phone had,
18 at that point, a corrupt battery, and it no longer held a
19 charge.

20 Q Right. But the new phone is good to go, correct?

21 A There's nothing wrong with it. There's nothing
22 wrong with my new phone. It was a phone that I turned over
23 to my legal team.

24 Q At the time that all these allegation surfaced
25 that we just looked at with Mr. Stein, The Lens, and the

1 other episodes there, you had the new phone at that time?

2 A I changed phones in February.

3 Q Okay.

4 A So in late February I believe, or early March,
5 and so that would have been prior to the time frame of The
6 Lens article surfacing.

7 Q Let me show you 57. You have that in front of
8 you?

9 A Yes.

10 Q All right. Have you had a chance to look at it,
11 or did I interrupt you?

12 A Yes, I did look at this one.

13 Q Now, you were a party to this conversation,
14 correct?

15 A Yes.

16 Q And the bottom email is dated May 4th of 2018,
17 correct?

18 A That is correct.

19 Q Copying you and sent to Mr. Rice; is that
20 correct?

21 A Yes.

22 Q This is a proposed statement; is that right?

23 A This is a proposed statement.

24 Q Or it's a statement, either way.

25 A Um-hmm (AFFIRMATIVE RESPONSE).

1 Q Go ahead and turn to the second page, if you
2 could. The beginning sentence in the last paragraph, tell
3 me if I have read it correctly: "Entergy New Orleans had no
4 knowledge of individuals or organizers of an effort to seed
5 an audience." Did I read that correctly?

6 A Yes, that is correct.

7 Q And then Mr. Rice, if you flip to the first page,
8 Mr. Rice forwarded this to your supervisor, Mr. Lagarde,
9 correct?

10 A Yes. Yes.

11 Q And Mr. Lagarde responded -- What was his
12 response, if any?

13 A Mr. Lagarde?

14 Q At the top, yes, ma'am.

15 A Mr. Lagarde said, "I like it."

16 Q Now let me show you 58. Let me know --

17 A Okay.

18 Q Go back to 57, if you could just for a moment,
19 I'm sorry. The sentence that I read out on the second page:
20 "Entergy New Orleans had no knowledge of individuals or
21 organizers of an effort to seed an audience." Is that
22 statement true or false?

23 A I don't believe that statement is true based on
24 my -- Well, let me step back. I believe that statement is
25 true based on my understanding of what "seed an audience"

1 is. "Seed an audience" is -- I don't use it in my everyday
2 work, but it's -- It's not something that we use just kind
3 of in our everyday language.

4 Q What do you take it to mean?

5 A "Seed," based on what I have heard of that term
6 nationally, but I don't use it often, so it's not part of my
7 everyday lingo, means that someone would intentionally pay
8 someone or arrange for -- make arrangements for people to be
9 paid to be there, or to participate in something; and it's
10 not something that we would do or that we would participate
11 in.

12 Q Just so I can get this straight, you believe that
13 -- You received the word "seed" to equal payment in some
14 fashion?

15 A It's -- Again, it's not a term that I use in my
16 everyday work. But based on my limited knowledge of the
17 term "seed," it means that someone did something
18 intentionally in terms of paying someone or making
19 arrangements, or something that is even -- I associate the
20 word "seed" with something that's possibly unethical.

21 Q Does it say anything about payment in this
22 particular statement?

23 A No.

24 Q It uses the words "seed an audience," correct?

25 A Yes.

1 Q And it uses the word "audience"; in other words,
2 to produce an audience?

3 A It says what it says. It says "seed," and I take
4 "seed" to mean something different.

5 Q So "seed" somehow means payment, not produce, in
6 your mind?

7 A In my mind, because it's not a term that I use in
8 my typical daily work. It's part of, you know, maybe public
9 affairs lingo, but not mine.

10 Q Then in 58, I think you should have that in front
11 of you, as well?

12 A Okay.

13 Q This is that same morning, it's May 5 at 12:25
14 a.m.. Mr. Rice is then, what, circulating this to others in
15 the group listed, correct?

16 A Yes.

17 Q And if you turn to the second page of this
18 document, 5738, it's got that same "seed an audience"
19 sentence. Do you see that?

20 A Yes.

21 Q And then look at Exhibit 59.

22 A Yes, okay.

23 Q And this, again, is now May 5, 2018, same morning
24 but now a few minutes later, 1:11 a.m.; Is that correct?

25 A Yes, this is 1:11 a.m.

1 Q And it's an email sent by Mr. Rice to several
2 individuals, including yourself; is that correct?

3 A Yes, he shared this email with me as part of the
4 group that received the email at that time.

5 Q If you turn to the second page there?

6 A Um-hmm (AFFIRMATIVE RESPONSE).

7 Q The "Seeding an audience" sentence now was
8 changed to: "As we have stated previously, Entergy
9 New Orleans did not pay anyone to attend the Council
10 meetings or direct anyone to attend public meetings."
11 That's the change, is that correct, between the two
12 statements?

13 A There is a change right there. As I indicated
14 previously, "seed an audience" is not something that we
15 typically use in our everyday business or in things that we
16 handle on a routine basis. And so I believe the effort here
17 was to explain our perspective of what "seeding an audience"
18 is. As I said earlier, I know of "seeding an audience" as
19 paying someone, and this is what is defined here in the
20 statement.

21 Q Who changed the statement?

22 A I don't know. I was not involved in the
23 discussions at that time, or at that time of morning. I was
24 not involved directly in the discussions among our upper
25 management team members.

1 Q Who was involved in changing the statement?

2 A I don't know.

3 Q You never had a conversation with Charles Rice
4 regarding the change in statement?

5 A I did not.

6 Q This statement listed on 5808, in that particular
7 line, the last portion of it says: " Entergy New Orleans did
8 not pay anyone to attend the Council meetings or direct
9 anyone to attend public meetings." In that last clause,
10 Entergy is denying directing anyone to attend public
11 meetings. Is that true or false?

12 BY MR. CAHN:

13 I think you need to read the rest of the
14 paragraph and put it into context.

15 BY MR. COMAN:

16 I'm asking my questions.

17 EXAMINATION BY MR. COMAN:

18 Q So I'm asking you about that. Does that clause,
19 "-- direct anyone to attend public meetings," is that true
20 or false?

21 A That is true. We did not direct anyone. We
22 invited people to speak in support of the plant. Some had
23 time or interest, some did not. Some attended, some did
24 not. As we indicate in the rest of that paragraph, we
25 encouraged our supporters to take time from their workday,

1 from their evenings, from their routines. Some people were
2 able to do that, some did not. Some said that, "I may not
3 be able to attend, but I will be happy to submit a letter to
4 the City Council." But that is a true statement, we did
5 not direct anyone to attend the public meetings.

6 Q Go ahead and take a look at Exhibit 60.

7 BY MR. COMAN:

8 This is a one-page document, Bates labeled
9 Hawthorn 456, and addressed to you.

10 EXAMINATION BY MR. COMAN:

11 Q It's an invoice from the Hawthorn Group, correct?

12 A Yes.

13 Q And listed here, it says first the invoice date
14 is 9/21 of '17; is that correct?

15 A That's correct.

16 Q And listed under the word "Invoice" it says:
17 "Services for September 20, 2017 to October 20, 2017.
18 Hawthorn management fee, \$7,500. Out of pocket expenses,
19 \$24,530." Did I read that correctly?

20 A That is correct.

21 Q What were the out of pocket expenses?

22 A The out of pocket expenses would have been those
23 items associated with the effort, the time, the labor
24 associated with identifying and reaching out to individuals
25 in the community.

1 Q Do you know what that consisted of besides what
2 you just testified to?

3 A That is part of the Hawthorn Group's proprietary
4 process, and it's part of their service that they provide to
5 clients.

6 Q Take a look at 61.

7 BY MR. COMAN:

8 Bates labeled Hawthorn 458.

9 EXAMINATION BY MR. COMAN:

10 Q Same question. That's a second invoice; is that
11 correct?

12 A Yes.

13 Q And this Hawthorn managing fee is listed as
14 \$5,000, and communication expenses listed at \$17,400; is
15 that correct?

16 A That is correct.

17 Q And specifically, the invoice references,
18 "Services for February 21, 2018 event"; is that correct?

19 A That's correct.

20 Q Ms. Pollard, were you interviewed as part of an
21 investigation that Entergy itself conducted?

22 A Yes, I was.

23 Q And who interviewed you?

24 A Members of my legal team interviewed me.

25 Q What were their names?

1 A Karen Freese, Wendy Robertson and Cory Cahn.

2 Q And when did that occur?

3 A That occurred during the second week of May.

4 Q Do you know if that interview was recorded,
5 either audio, video or both?

6 A I don't.

7 Q Are you aware that HBO ran a segment on the John
8 Oliver show regarding, quote, "Entergy's Astroturfing"?

9 A Yes.

10 Q Did you watch it?

11 A Yes.

12 Q Was Charles Rice transferred or removed as
13 President of Entergy New Orleans?

14 A I don't know.

15 Q Did you ever ask him?

16 A No.

17 Q Where does he work now?

18 A He works at the Entergy corporate headquarters
19 building.

20 Q Same building you're in now?

21 A Yes.

22 Q When was the last time you saw him?

23 A Probably a couple of weeks ago, just walking
24 towards the elevator. I don't believe he saw me at that
25 time.

1 Q Have you had any discussions with Mr. Rice
2 following his transfer, re-assignment? Regarding NOPS, not
3 personal matters.

4 A No.

5 Q Has anyone at Entergy told you what will happened
6 to you, from a personal standpoint, following this
7 investigation?

8 A No.

9 Q Have any other Entergy employees involved in this
10 matter been re-assigned?

11 A I don't know.

12 Q Would you agree, do you agree or disagree with
13 the following statement; that this episode was an unforced
14 error or Entergy's part?

15 A I agree. It was nothing that we planned or
16 intended.

17 BY MR. COMAN:

18 Can we go off the record?

19 (BREAK TAKEN)

20 EXAMINATION BY MR. COMAN:

21 Q I want to show you what I'll mark as Exhibit 62,
22 and that's eight pieces of paper, eight photographs. And I
23 only have one copy. Take a moment and scroll through those,
24 if you could. I just have a couple of questions.

25 A Okay.

1 Q Do you know any of those particular individuals
2 depicted in those photographs?

3 A I don't know these individuals personally, no.

4 Q And those photographs were taken from, or they're
5 still shots from a video from the 10/16/17 meeting, okay?

6 A Okay.

7 Q And those are the same t-shirts that we were
8 discussing previously, correct?

9 A Yes, they are.

10 BY MR. CAHN:

11 I don't think so. I think one of them --

12 BY MR. COMAN:

13 One of them does not, that's correct.

14 EXAMINATION BY MR. COMAN:

15 Q And so let me ask you, besides that one, any of
16 those individuals, even the man who doesn't have the orange
17 t-shirt on, do you know him?

18 A I don't believe I know that individual.

19 Q Okay. And from the NOPS perspective, the power
20 plant itself, is it going to -- We understand it will have
21 nothing to do with anyone in Jefferson Parish, let's say;
22 anyone outside of Orleans Parish. Is that correct?

23 A I would say it does have something to do with the
24 region, because the power station provides grid stability
25 for the region.

1 Q That's opposite of what we have heard from other
2 Entergy witnesses. Is there some cause for that difference
3 of opinion?

4 A It's not a project that is directly tied to
5 Jefferson Parish from a regulatory perspective, but I
6 believe that the New Orleans Power Station benefits the
7 region.

8 Q Is the power that's generated from the
9 New Orleans power station that's going to be built or that's
10 slated to be built, will that supply Jefferson Parish or any
11 other parishes outside of Orleans Parish whatsoever?

12 A It provides power in general that is spread
13 across or it's put on the grid. I believe the project also
14 benefits the region because if New Orleans and its residents
15 do well and benefits from the economic development, the
16 region benefits.

17 Q Right. And for an economic development, I get
18 that part, so put that aside. I'm talking about I'm a
19 household in River Ridge, let's say, for instance. Is the
20 NOPS Power Station going to help my power?

21 A I believe the power station generates power for
22 the grid in general, and so it benefits the region.

23 Q We've been told the exact opposite though.

24 A That's my belief; that it benefits the region.

25 Q If Toni Green-Brown, or Ms. Mercadel, or somebody

1 in that position would have the exact opposite statement
2 from what you just said, can you explain the difference?

3 A No, I can't explain the difference.

4 Q Okay. And so those individuals, though, that
5 spoke at the October 16, 2017 meeting. You were present for
6 those speakers, correct?

7 A Yes.

8 Q And you watched and heard the comments that they
9 offered, correct?

10 A Yes. I heard some, not all. Again, I was
11 handling multiple responsibilities over the course of those
12 two meetings, so I may not have heard all of the comments.

13 Q Did you notice that those individuals
14 photographed there had all been reading statements that were
15 either typed or on their telephones?

16 A I didn't take notice of it in particular because
17 a number of individuals, either supporting the plant or
18 opposing the plant, were reading comments that they had
19 either on their phones or written out.

20 Q When you saw those particular individuals listed
21 there -- or photographed, I'm sorry, in Exhibit 62, did you
22 either comment to anyone or did you have the personal
23 thought internally, geez, I wonder who these people are?

24 A I did not comment to anyone questioning who they
25 were, no.

1 Q None of the comments that those particular
2 individuals made stuck out in your mind as being odd in any
3 fashion?

4 A These were people expressing their opinions about
5 the plant, and I was not calling or labeling those comments
6 in any way that particular evening. These were people who
7 took their time, from my understanding, to come out and
8 express their thoughts and opinions about the power station.

9 Q You understand that those people have admitted,
10 at least some, that they have been paid for their services?

11 A I understand that some have admitted that, yes.

12 BY MR. COMAN:

13 I don't have any further questions.

14 BY JUDGE JOHNSON:

15 Ms. Pollard, again, you really are
16 impressive. I mean that.

17 BY THE WITNESS:

18 Thank you.

19 BY JUDGE JOHNSON:

20 I mean that sincerely.

21 BY THE WITNESS:

22 Thank you.

23 EXAMINATION BY JUDGE JOHNSON:

24 Q You've been with Entergy 21 or 22 years?

25 A About 21 years.

1 Q 21. And Charles Rice has been with them how many
2 years?

3 A I don't know the exact number, but I know he's
4 been with Entergy in various capacities for, I don't know, 9
5 or 10 years or so.

6 Q And if Ms. Mercadel, and Mr. Dunn and
7 Ms. Green-Brown and you, the four of you, you add up the
8 number of years you've been with Entergy, you would get well
9 over 150.

10 BY MR. LAWRENCE:

11 Don't be offended.

12 EXAMINATION BY JUDGE JOHNSON:

13 Q Dunn is at 40; 40 years; and I think
14 Ms. Green-Brown, 37 or 36 years, you see? And that math
15 plays out. So the group of you have really been with
16 Entergy. But Charles Rice hasn't, not in terms of years,
17 the kind of years that you have collectively or individually
18 been with Entergy; Charles Rice just simply hasn't.

19 A Charles Rice has been with Entergy for a shorter
20 period of time than some of these individuals you have
21 named.

22 Q Absolutely.

23 One of the things that we have learned, at least
24 I have learned about Entergy in this process is that Entergy
25 has the capacity to maintain documents for certain kinds of

1 projects, in terms of historical information. So Entergy
2 collects, I'll use that word, and therefore maintains
3 historical documents?

4 A Yes, we do to some extent. Based on guidelines,
5 yes.

6 Q And those guidelines center around something that
7 is significant. This is something significant and, as a
8 historical record of Entergy, because these are historical
9 documents.

10 A They are historical documents. That was your
11 word, "significant." I don't know if I could rate any one
12 matter or case significant over another.

13 Q But the entity called Entergy would want to
14 maintain its own history.

15 A That is correct.

16 Q Sure. And so a project as significant as NOPS,
17 and my words again, "significant as NOPS," would be a thing
18 to maintain a record of. Would that be accurate?

19 A You know, there were so many documents, emails,
20 materials produced, I don't know the guidelines around every
21 piece of information that was produced over now a two-year
22 period. I can't say that they would actually maintain every
23 piece of information.

24 Q But they obviously would maintain some?

25 A They might maintain some.

1 Q And because of the nature of the project, and the
2 fact that the entity called Entergy would want to maintain
3 its own history of things itself. This is its history of
4 itself.

5 A Sure, we might maintain some. Again, there are
6 guidelines in place. I don't know all the specific
7 guidelines, but they might maintain some documents.

8 Q Who would know the guidelines?

9 A Any number of people in the company, I'm just not
10 familiar with the specific guidelines at this time.

11 Q Give me -- Can you just give me a guess in terms
12 of the hierarchy at Entergy, who would know the guidelines
13 for maintaining historical documents?

14 A Our legal team might.

15 Q Can I ask him?

16 A He may or may not know. That may not be his
17 direct line of work every day.

18 BY JUDGE JOHNSON:

19 I'll ask him later.

20 (OFF RECORD DISCUSSION)

21 EXAMINATION BY JUDGE JOHNSON:

22 Q Again, involved in the NOPS project going back to
23 '16, when the NOPS project actually formalized and started
24 to the end of it, which is '18 --

25 A Um-hmm (AFFIRMATIVE RESPONSE).

1 Q -- Ms. Mercadel was involved in some aspects,
2 Mr. Dunn was involved. And you're shaking your head, but
3 the answer is yes?

4 A Yes. I was listening for the list, I'm sorry.

5 Q Ms. Green-Brown was involved?

6 A Yes.

7 Q You were involved?

8 A Yes.

9 Q Chanel Lagarde was involved?

10 A Chanel Lagarde is my supervisor.

11 Q Sure.

12 A But the actual Strategy Team was primarily based
13 at Entergy New Orleans.

14 Q And again, the Strategy Team was made up of?

15 A Made up of Public Affairs, Legal, Regulatory.

16 Q Give me the people. Public Affairs?

17 A Public Affairs, you just mentioned a few of those
18 individuals: Toni Green-Brown, Demetric Mercadel, Alex
19 Dunn. It was also made up of some of our Legal and
20 Regulatory Team members: Tim Cragin, Brian Guillot, Gary
21 Huntley. Those are just some examples of those individuals.

22 Q And in terms of the need to inform the public
23 around it, the need to inform the public around NOPS and the
24 need that New Orleans had for NOPS, that need was mainly
25 with Ms. Mercadel, Mr. Dunn, Ms. Toni Green-Brown, you, but

1 also Bright Moments?

2 A Yes, we engaged the support and services of
3 Bright Moments and the Ehrhardt Group as part of our efforts
4 to inform the public.

5 Q Also DMM?

6 A DMM not as part of the regular Strategy Team, but
7 they provided a service like setting up some refreshments
8 for meetings, things of that nature.

9 Q They also were engaged in the effort around -- I
10 think, the effort to fix some aspects of problems Entergy
11 was having on the street, and informing neighborhoods about
12 those efforts that Entergy would engage in on the streets of
13 New Orleans in terms of fixing things.

14 A Yes, DMM has been engaged in providing updates or
15 reaching out to customers as we've done some distribution
16 and transmission service work.

17 Q Is a part of that effort, DMM would hire people
18 to assist in that?

19 A Yes, they employ certain individuals who actually
20 help with that effort.

21 Q Fact is, they employed lots of them over the
22 course of time. In just the two-year period we were talking
23 about, they employed lots.

24 A They have actually grown their business over
25 time.

1 Q Sure.

2 A Since I was introduced to DMM, probably two or
3 three years ago, they have grown their business.

4 Q From around 2015 to 2018, when you say "those
5 three years" --

6 A That probably covers the time frame over which I
7 have actually known of DMM. I don't know every aspect of
8 their business, but I have become familiar with them.

9 Q Green Pastures, how were they involved in the
10 effort?

11 A Green Pastures was engaged by Charles Rice, and
12 they provided some public strategy, public affairs strategy
13 guidance to specifically Charles Rice; and over time to some
14 of the NOPS Strategy Team.

15 Q And was part of their effort lobbying City
16 Council members?

17 A I know that they had some conversation with City
18 Council members to provide them with background, just as we
19 were trying to inform the public about the project, as well.

20 Q One of the things that Entergy does as a matter
21 of course is engage with the City Council members.

22 A That is correct.

23 Q And actually, Entergy has a team whose purpose is
24 to engage itself with City Council members; is that
25 accurate?

1 A That is accurate. We have several members of our
2 team who engage with the City Council or staff at any
3 particular time on topics ranging from hurricane prep to
4 power care, customer bill, or support, or donations; things
5 like that.

6 Q Now, those entities, Green Pastures, is an entity
7 operated by Bob Tucker.

8 A Yes, I know the name Bob Tucker.

9 Q And DMM is Dotty Reese and Margaret Montgomery?

10 A Yes, I'm familiar with Dotty Reese and Margaret
11 Montgomery.

12 Q And those three individuals are individuals who
13 are very imbedded in the City of New Orleans. Would that be
14 an accurate statement?

15 A I have probably worked more closely with Dotty
16 Reese and Margaret Montgomery as part of previous Entergy
17 projects, or just in the community in general. I only
18 became familiar with Bob Tucker as part of his work on the
19 New Orleans Power Station, and Charles Rice interacted with
20 him as part of that engagement.

21 Q And Bright Moments is Bill Rouselle?

22 A Bright Moments is led by Bill Rouselle.

23 Q And he and it is another entity that is very
24 imbedded in the City of New Orleans?

25 A Yes, I think that's an accurate assessment.

1 Q Those groups are imbedded in the City of
2 New Orleans, very connected to the City of New Orleans; and
3 you have Ms. Antoinette Green-Brown imbedded in the City of
4 New Orleans. Part of that embedment is her job for Entergy.
5 Would that be accurate?

6 A That is accurate.

7 Q The same applies to Alex Dunn?

8 A That is accurate.

9 Q Because his job is truly to be as engaged in the
10 City of New Orleans, people in the City of New Orleans.
11 That's just part of his chief responsibilities; is that
12 correct?

13 A That is one of his responsibilities, one of Toni
14 Green-Brown's responsibilities. They also handle customer
15 service matters. They are stretched across many, many
16 different roles and responsibilities as a small team.

17 Q One of the things that I have learned is how much
18 they love Entergy. I mean that sincerely, how much they
19 love Entergy, how committed they are to Entergy and how much
20 they want Entergy to be all that it can be for the City of
21 New Orleans. I'm impressed with that. I'm not just saying
22 these words, I'm impressed with that. I mean that
23 sincerely.

24 But they were not good enough to get people
25 engaged for the October 16th hearing of the City Council

1 separately or collectively, they were not engaged
2 sufficiently in the City of New Orleans to be able to do
3 what Hawthorn arguably could do. They were not. Is that
4 accurate?

5 A I probably wouldn't characterize it as not being
6 good enough.

7 Q Able enough?

8 A They are imbedded in the City of New Orleans, but
9 they are very small team that had basically carried most of
10 this outreach on this project for a much longer extended
11 period of time than anticipated, and they needed the
12 additional resources and support to reach more members of
13 the community.

14 Q So the stack of cards that Ms. Mercadel produced
15 that was handed over to the City Council, that was obtained
16 from people who had attended meetings that Ms. Mercadel,
17 Mr. Dunn and Ms. Toni Green-Brown had attended, that wasn't
18 sufficient enough to get people's butts in those seats for
19 October 16th. That wasn't sufficient?

20 A These were people who signed cards during a
21 variety or in a variety of settings, ranging from evening
22 meetings, community events. But all of those individuals
23 could not necessarily make the time to attend meetings
24 during the day, during the workday or during the evenings
25 when we participated in hearings.

1 Q And you asked them that, and they said to you,
2 no, they couldn't? You asked them that? What you just
3 said, you asked them that and they said to you no, they
4 couldn't?

5 A I didn't necessarily ask them that directly. I
6 just knew that it was a very difficult task to have three
7 individuals cover an entire city footprint.

8 Q I didn't just say three, I said Bill Rouselle,
9 Dotty Reese and Margaret Montgomery. I didn't just say
10 three. I said Bob Tucker. I didn't just say three, I said
11 all of them collectively were not sufficient to be engaged
12 by Entergy to get 60 people in a room. All of them were not
13 sufficient?

14 A All of them -- All of them had their plates full.
15 The people that they typically would connect with were
16 people they may have known or may have been introduced to.
17 The effort to have the Hawthorn Group support this
18 initiative was based on having someone independent to reach
19 out to other members of the community.

20 Q So Hawthorn -- From your thought process in
21 August of '17, Hawthorn would be sufficient to do that?

22 A Hawthorne would be sufficient to supplement the
23 efforts of the individuals that you just mentioned.

24 Q The individuals I just mentioned were not
25 equipped, and I'm going to use the term "weaponized" to get

1 people in the seats on October 16th?

2 A In addition to all of their other roles and
3 continuing to support New Orleans Power Station, they did
4 not have the extra time to pursue additional people,
5 different people than we had already seen in the previous
6 meetings. We wanted to have someone independently identify
7 additional people, because we were seeing, or having, or
8 inviting some of the same people to participate.

9 Q So they were not weaponized with money to get
10 people in the seats; weaponized with money to get people to
11 the microphone to talk. They were not? Yes or no?

12 A I would never say that money was involved. This
13 was their -- This was their --

14 Q Yes or no to my question, though? Were they
15 given money to achieve that result?

16 BY MR. CAHN:

17 I'm going to object, Judge. What do you
18 mean, "given money"?

19 EXAMINATION BY JUDGE JOHNSON:

20 Q Were they given resources to achieve that result,
21 called money?

22 A It was part of their compensation as an employee
23 to do their jobs.

24 Q So let me turn on this side. So Hawthorn was
25 weaponized to do that. Hawthorn was given money to do that.

1 Is that an accurate statement?

2 A Hawthorn was paid to provide a service to
3 identify people who could publicly support the plant. This
4 was part of the resources available above and beyond the
5 standard number of people that we had on this ongoing
6 extended project.

7 Q Matt asked a question and you answered it in
8 terms of did you ever actually tell Suzanne Hammelman that
9 no one was actually to be paid or receive money to do any of
10 those activities you were paying Hawthorn to achieve. See,
11 I'm trying to state the question correctly, because we know
12 the ultimate result; people did receive money, right?

13 A We know that now, yes.

14 Q You know that?

15 A Yes, we know that.

16 Q And Matt asked the question was Suzanne Hammelman
17 at Hawthorn ever told specifically no one was actually to
18 receive money to achieve that result. No one was actually
19 supposed to receive money to achieve that result?

20 A I never did address that directly with her
21 because it was never any of my expectation that that would
22 happen. I never even considered that as part of the
23 scenario to address that directly with her as we were
24 discussing contracts, proposals. That was never part of the
25 scenario that I considered to even address that with her.

1 Q And so after the 16th of October of '17, and
2 before the December 13 of '17 meeting, you at least had
3 heard something, I'm going to use the vernacular, "in the
4 wind" that people were paid to be at that meeting on the
5 16th? That you heard something about it?

6 A Yes, I heard or saw rumors.

7 Q Rumors or something about that.

8 A Yes.

9 Q And then you asked or told Ms. Hammelman at
10 Hawthorn: That ain't ever going to happen in my house.
11 Don't do that. That should never happen. I don't want to
12 hear any words from you or anyone at Entergy to that thing
13 called Hawthorn, that Hawthorn, this is not the way we roll.
14 We don't pay people to come, we don't pay people to speak.
15 Did you say that to Suzanne?

16 A I said to her that our arrangements -- I
17 reiterated: This is what we asked you to do. I need you to
18 explain to me why am I seeing this, because this was never
19 part of our agreement.

20 Q And at that point you said: And it will not be,
21 because I'm telling you now, don't do that?

22 A My understanding was that they were not.

23 Q But did you tell her that?

24 A Yes, I did.

25 Q Did you tell her don't do that?

1 A Well, I told her don't do that, but I said it in
2 a way that it is my expectation of you that this will not
3 happen, it's not the way that Entergy does business. But I
4 don't think it was -- At that time they were rumors. And so
5 I don't think it was necessary to emphasize that in the
6 conversation, because they were rumors, as so many other
7 things were rumors at that time. And she had already said
8 that she checked with her people here locally, and that it
9 had not happened.

10 Q There were a couple of instances, at least one I
11 remember, maybe more, when Matt was asking questions about
12 phone calls or conferences, phone calls that you had, and
13 whether in fact you made notes of the calls. He asked that
14 question.

15 A Okay. Maybe it was in reference to the
16 conference calls that I had when I was actually on the phone
17 explaining and laying out for them: Here is what this year
18 or so timeline has looked like. I laid out the issues for
19 them, and so I was basically doing the talking. They may
20 have been doing the note taking, because they in turn were
21 coming up with some ideas and proposals.

22 Q Did you memorialize that conversation, though,
23 for your own purposes?

24 A I did not. Again, I was basically telling a
25 story across a timeline. To the extent that it was

1 memorialized, it was in my words in explaining to them
2 here's the environment that we're dealing with.

3 Q There were questions by Matt about the proposal
4 that Hawthorn made, the proposal that would have been a
5 healthy six figures if implemented, and those questions also
6 included the fact that Hawthorn said: This is a better idea
7 than what Entergy actually agreed upon. That's an accurate
8 statement, right? Hawthorn, in essence, in writing, said to
9 you this is a better idea than doing it the way Entergy
10 chose to do it?

11 A The Hawthorn Group proposed a broad spectrum of
12 possible approaches that we didn't necessarily ask of them.
13 It was their broader proposal that was very costly, and we
14 did not engage them to handle all of those different
15 activities.

16 Q Whose decision was it not to accept that
17 proposal? Whose decision was that?

18 A I acted based on the request and direction of
19 Charles Rice. He identified the specific need to have
20 Hawthorn work with us to identify public speakers.

21 Q So it was Charles Rice's decision to go with what
22 eventually happened, not yours?

23 A It was not my decision. He approached me in
24 preparation for both meetings, and suggested that we ask
25 Hawthorn to work with us to identify supporters.

1 A Again, the decision to go with what actually
2 happened was Charles Rice's decision?

3 A Yes.

4 Q We can just get to, now, the spring of '18. And
5 again, you are engaging with Ms. Hammelman around what had
6 taken place in '16; that is the October 16th hearing, what
7 had taken place, and engaging her in conversations around
8 what potentially can happen in the 21st of February meeting?

9 A Yes.

10 Q That's where we are now.

11 A Okay.

12 Q And at that point in time, again, the same old
13 question again: Was there then a point made by you or
14 anyone at Entergy to Hawthorn, what the parameters of your
15 agreement with Hawthorn was as regards getting people in the
16 seats and getting people to speak; what those parameters did
17 include and what they didn't include?

18 A Yes. We reviewed what those parameters were as
19 per the scope of work that they had outlined and committed
20 to.

21 Q And you also engaged them, at that point, what
22 the parameters didn't include?

23 A We talked about some of the issues that we had
24 seen with the October meeting, and I was reassured at that
25 time that there were no issues, those were rumors, she had

1 confirmed it with her staff, and so we moved forward with
2 plans for the February meeting.

3 Q So you didn't feel the need, even then, to say to
4 Ms. Hammelman or anyone at Hawthorn, we are not paying for
5 people to come, and we're not paying for people to speak?

6 A Again, this was not part of the scenario or the
7 expectation, and so they were advised or directed to stick
8 with what they had outlined as part of their scope of work.

9 Q So there wasn't any need to remind them of that?

10 A They were well aware of the rumors that were out
11 there, and -- and -- and had denied that anything like that
12 was occurring.

13 Q And there wasn't any need on your part, or
14 Charles' part, or anyone's part at Entergy to just be
15 straight up and tell them?

16 A We weren't straight up -- We did not even
17 envision this as part of the scenario because we knew what
18 we had engaged them to do.

19 Q Did you ever -- Did you ever work with Suzanne
20 Hammelman before this particular project?

21 A I worked with her as part of the solar project
22 that we have out in New Orleans East, on a very limited
23 basis, across maybe a few days or so.

24 Q And did you ever work with her on anything else?

25 A She has worked or she and the Hawthorne Group

1 have worked with Entergy over, you know, over times in the
2 past. I don't know the details of those, but I had been a
3 part of discussions or just mentions of, okay, and so we're
4 looking at what you're doing in New Orleans as a part of all
5 of this. But I had never worked with her as a part of a
6 contractual agreement prior to the New Orleans Power
7 Station.

8 Q And did you ever work with Hawthorn, not
9 necessarily her but any other individuals at Hawthorn around
10 any other projects?

11 A I have never worked with any of the other
12 Hawthorn Group employees.

13 John Ashford presented kind of a utility industry
14 overview during one of my department meetings, but that did
15 not entail working with him. I sat and listened.

16 Q Did you Google Hawthorn?

17 A I did not.

18 Q While sitting here, I put just a Google search
19 in, and the Google search was, "Astroturfing and Hawthorn."
20 And what came up was a 2009 article. It's "Astroturf King
21 Bonner's long history of deceitful grassroots lobbying," and
22 it has and he was an entity that was hired by Hawthorn. And
23 that's what I was reading here.

24 BY MR. CAHN:

25 What did you Google?

1 BY JUDGE JOHNSON:

2 I Googled "Astroturfing Hawthorn."

3 And he was hired by Hawthorn. That's what came
4 up on the Google search. I can show it to you if
5 you want to see it (INDICATING).

6 BY MR. CAHN:

7 No.

8 BY THE WITNESS:

9 I did not associate the Hawthorn Group with
10 astroturfing. I wasn't really familiar enough
11 with the term to actually type "Hawthorn
12 astroturfing." That was not an expectation, it
13 was not part of the arrangement.

14 EXAMINATION BY JUDGE JOHNSON:

15 Q I understand.

16 A It was not part of the arrangement.

17 BY JUDGE JOHNSON:

18 I don't have anything else.

19 BY MR. LAWRENCE:

20 Let me say that you are a consummate
21 professional. You and your team really have done
22 great work.

23 BY THE WITNESS:

24 Thank you.

25 BY MR. LAWRENCE:

1 That you-all approached this thing in a
2 workman-like fashion, from your perspective, for
3 sure.

4 EXAMINATION BY MR. LAWRENCE:

5 Q Now, you are from the City?

6 A I was not born here.

7 Q But you're familiar with the City?

8 A Yes, I have worked in the City, I have lived in
9 the City for a period of time, over my many years in the
10 area.

11 Q You were at UNO, you were there for how long?

12 A At Entergy New Orleans?

13 Q No, University of New Orleans.

14 A A very short period of time. Across 1999 to
15 2000, but most of career has been in corporate
16 communications.

17 Q You're familiar with the area east of 510 and
18 south of Lakeforest Boulevard?

19 A Yes, I am.

20 Q 510 would be where the expressway or where a
21 portion of that crosses Chef Highway and passes by your
22 facility at Michoud; am I right?

23 A Yes.

24 Q And are you familiar with the population there?

25 A I actually lived in the Michoud area. Upon my

1 initial arrival to New Orleans I had relatives who lived in
2 that area, and lived with them for a period.

3 Q You mentioned that you-all encouraged supporters
4 and did things with supporters. I think you mentioned
5 business people, community groups. How many community
6 groups and businesses did you-all reach out to in that area
7 having to do with this project?

8 A I really don't know specific numbers.

9 Q Can you tell me of any that you reached out to in
10 that area?

11 A I know that we have worked with the East
12 New Orleans Business Group, East New Orleans -- I don't know
13 the exact name right now, but there's a commission that's
14 based there, we have worked with them. We've worked with
15 community partners like Joe Brown Park.

16 Q That wouldn't be in that area.

17 A I'm sorry?

18 Q They wouldn't be in that area.

19 A Okay. I was just thinking of New Orleans East,
20 I'm sorry.

21 Q I'm thinking about the area surrounding the
22 facility.

23 A I don't know the specific details on that. Our
24 Public Affairs Team actually tracked more of the specific
25 areas and addresses than I did. I'm sorry, I just don't

1 know.

2 Q You lived in the area, am I correct?

3 A Yes, many years ago, actually going back to 1990.

4 Q It was predominately Vietnamese, the Michoud
5 area?

6 A At the time I'm really not sure. I know that
7 there was Vietnamese, African American population, Caucasian
8 population. It has changed in terms of demographics over
9 the years, so I'm not sure exactly what it was at that time.

10 Q I think it's a little more Hispanic right now.

11 A And it has changed and evolved over time.

12 Q But you cannot name any community organizations
13 that you-all reached out to in that area; am I correct?

14 A I didn't specifically track those names of
15 community organizations because our Public Affairs Team
16 actually did.

17 Q That means that you cannot name any of those
18 organizations right now.

19 A Just at this moment, I can't.

20 Q There's a church out there, all right? Mary
21 Queen of VietNam.

22 A Yes.

23 Q And there's a priest out there who's probably
24 very active on this issue. Did any of you-all reach out to
25 them?

1 A Yes. We actually held community meetings at a
2 number of locations in New Orleans East, in the vicinity of
3 the proposed plant, and Mary Queen of Vietnam was one of
4 those churches.

5 Q And Buddhist Temple, did you-all communicate with

6 7 A If we did, our Public Affairs Team would have
8 tracked that information, as well.

9 Q So not to your knowledge?

10 A If our Public Affairs Team engaged that group,
11 then they would have documented it. That was their specific
12 role.

13 Q You cannot tell me that you did?

14 A I did not specifically contact them.

15 Q Now, in your conversations with Mr. Rice about
16 taking on Hawthorn and having them do -- What is it that
17 they were going to do for you?

18 A We were asking them to help us identify people
19 who might speak in support of the plant.

20 Q Ultimately, you were asking them to have people
21 come to the City Council and speak?

22 A Yes.

23 Q And fill seats?

24 A I would assume that they would have a seat.

25 Q Well, I mean, basically the 75 people plus the 10

1 that you spoke of, that you spoke to them about, that you
2 spoke to Suzanne Hammelman about, they were going to come to
3 the Council meeting and fill seats?

4 A They were going to come to the Council meeting,
5 and speak and have a seat, yes.

6 Q Okay. You-all understood that there was only a
7 certain amount of room in that Council meeting; am I
8 correct?

9 A Yes, I know that any public space like that has a
10 capacity.

11 Q And we know it's important to get your people
12 there on time and in the room; am I right?

13 A Yes, we suggested that all of the people we had
14 made contact with arrive within a sufficient time.

15 Q To fill the seats?

16 A To have a seat, to wait their turn to speak or to
17 be present.

18 Q So you're talking about the 75 people that
19 Mr. Rice requested, right? Plus the 10 people; that's 85;
20 am I correct?

21 A That's right.

22 Q And you knew that AF of L was coming with their
23 people; am I right?

24 A Yes.

25 Q And you had your own contingency of individuals

1 who had t-shirts, and they were going to be there; am I
2 right?

3 A Yes, we did. And all of those listed were people
4 we had invited to speak, including even the Hawthorn Group,
5 the people that they identified. That was considered a
6 target. There was no guaranty from our perspective that
7 those individuals that they contacted would be there.

8 Q And you had some idea about the capacity of this
9 room; am I right?

10 A I had a general idea. I did not actually have a
11 number in mind in terms of the capacity at that time.

12 Q And you understood that there was going to be a
13 limit as far as capacity?

14 A Sure. Out top priority is safety, and we would
15 always want anyone in that room to be safe.

16 Q And you-all strove to make sure that your people
17 got there in time to get seats; am I right?

18 A We wanted to make sure that they were there in
19 time to have a seat or to sign up to speak, yes.

20 Q And you wanted them to get there before the bus
21 came from the east; am I right?

22 A We wanted them to get there in time to sign up to
23 speak, or to stand in line so there would not be a lengthy
24 wait for them.

25 Q There was some mention within the emails about

1 the bus coming from the east.

2 A Yes, there was a mention by one of our vice
3 presidents about a bus, yes.

4 Q And the need to get your people there before they
5 arrived?

6 A Yes, he did mention that.

7 BY MR. LAWRENCE:

8 Thank you.

9 EXAMINATION BY MR. IBERT:

10 Q Ms. Pollard, the contracts that we were talking
11 about with Hawthorn, those are Exhibits 48 and 49, right?

12 A I don't know the numbers, but I'm familiar with
13 the contracts.

14 BY MR. CAHN:

15 No, what you're referring to are change
16 orders.

17 BY MR. IBERT:

18 Excuse me.

19 EXAMINATION BY MR. IBERT:

20 Q The contracts with Hawthorn, and I'm looking at a
21 change order with the modification 1-A, the modified scope
22 of work. Would you look at that in 48 and 49?

23 A Okay.

24 Q And 1-A describes exactly what you were asking
25 Hawthorn to do, correct?

1 A I'm sorry, 1-A? Yes, that is the scope of work
2 that we had primarily used since the initial contract in
3 October.

4 Q How you were going to check those numbers; the 30
5 supporters and the additional 10 people?

6 A As I just mentioned, the numbers were intended as
7 targets, from my perspective. Based on our experience with
8 inviting people to meetings, they may or may not be there
9 based on their schedules or based on any conflicts. And so
10 I didn't actually intend to check the numbers. I was
11 handling many things that evening: Media, social media, a
12 number of responsibilities, so I did not specifically count
13 those numbers.

14 Q Who was going to do that?

15 A I did not ask anyone to do that.

16 Q So you were going to give Hawthorne 70-some
17 thousand dollars in this contract and no one was going to
18 check it?

19 BY MR. CAHN:

20 Let me stop you. I think you're doing the
21 math wrong.

22 EXAMINATION BY MR. IBERT:

23 Q Someone was going to give Hawthorn money, but
24 know one was going to check?

25 A I could tell, based on -- I knew that there were

1 people who were planning to attend, and they were wearing
2 the orange shirts. I did not count them one by one, but the
3 combination of those individuals who I did not know and I
4 assumed were participating based on their interacting with
5 the Hawthorn Group, along with the other people in the
6 community that I was familiar with. We had speakers, and we
7 had supporters there, so I did not count those individuals
8 one-by-one.

9 Q What is your normal fall-off rate at that kind of
10 meeting?

11 A I don't know a specific fall-off rate.

12 Q You don't keep track of that?

13 A It's not something that I track or actually I'm
14 aware of in my regular daily work, so I don't know a
15 fall-off rate.

16 Q So you wouldn't know that for every 100 -- I'll
17 make the math a little bit easier -- for every 100 calls,
18 communications that you solicit to show up at one of these
19 meetings, that only 30% or 30 would come? You have no idea
20 what that rate would be?

21 A That's a possibility, I just don't know any
22 specific figure. Again, this is public affairs and
23 grassroots outreach, not something that I handle all the
24 time.

25 Q Within those contracts with Hawthorn, did you or

1 at no point in time did anyone specifically tell them how to
2 do that work, correct?

3 A No, I did not tell them how to -- I did not tell
4 them how to do their work. They approached us and indicated
5 that they had the expertise to handle this type of work.

6 Q And y'all certainly never prevented them from
7 paying anyone?

8 A We did not discuss payments to anyone because we
9 did not envision that as part of their process.

10 Q And they told you in their process, early on,
11 that it was to establish a Facebook group online, an online
12 presence, and to grow organically a group in favor of the
13 plant?

14 A The group that you are referencing is a group
15 that they proposed, but we did not ultimately move forward
16 with that service.

17 Q That's what they told you initially was how they
18 would do it if given enough leadup time; is that correct?

19 A This is a group that they proposed as part of
20 another process. We did not move forward with that process,
21 and I did not associate that Facebook outreach with
22 necessarily the service that they did ultimately provide to
23 us.

24 Q And your Public Affairs Team, your strategy group
25 that you were working with, kept records as to its community

1 partners that it was contacting, correct?

2 A My Public Affairs Team did keep notes or keep
3 lists of people that they were working with.

4 Q And a couple of times today you referred to two
5 separate phrases and seemed to be using them differently,
6 and it's confusing me. One was a public understanding and
7 public support of the plant. Could you explain that
8 distinction?

9 A Sure. A public understanding is understanding
10 the general proposal, what it entailed, when we would start
11 the project, the intent behind generating additional power
12 to support the City's needs. And then, based on that
13 understanding the public, members of the public might
14 actually support the power station construction.

15 Q What do you mean when you say "support"?

16 A When I say "support," first of all, as a
17 foundation, they understand the project; and second, that
18 they agree that it is a good thing for the City.

19 Q But they don't necessarily have to attend
20 meetings to demonstrate that, do they?

21 A Not everyone who supported the meetings attended
22 the meetings.

23 Q And when you use the term "community partners,
24 what exactly do you mean?

25 A Community partners, I broadly describe those

1 individuals as people who we interact with on a regular
2 basis. It can involve people who participate in volunteer
3 efforts with us, people who work with us over many, many,
4 many decades of work contributing to and supporting the
5 community. And so as a partner, we all work together.

6 Q Do you or Entergy distinguish between a partner
7 as someone who's a paid contractor for Entergy or a charity
8 that Entergy is affiliated with, or a customer? Are there
9 distinctions between those three categories? Or would all
10 three of those be lumped into "community partners"?

11 A They are all considered community partners
12 because community partners work to support the City. And so
13 that could range from a customer to someone associated with
14 a non-profit organization.

15 Q You mentioned that you were concerned with the
16 Public Affairs Team, that Hawthorn was not going to
17 duplicate their efforts, correct?

18 A I'm sorry, could you please repeat that?

19 Q You were concerned that the Public Affairs Team,
20 the people that they were getting to meetings, you didn't
21 want Hawthorn to duplicate their effort, correct?

22 A I don't think that the Hawthorn Group would
23 necessarily duplicate their efforts, because the Hawthorn
24 Group was independently identifying people. And for the
25 most part, they were general members of the public. Quite a

1 few of the people that our Public Affairs Team interacted
2 with were in leadership roles with organizations.

3 Q So those lists that the Public Affairs Team
4 generated, how did you envision Hawthorn knowing that those
5 people had already been contacted and were supporting the
6 plant?

7 A Our Public Affairs Team interacted with
8 leadership of many of the local organizations. My
9 understanding of the Hawthorn Group's process is that they
10 would have contacted or connected with general membership of
11 groups; not necessarily those leaders who Entergy had
12 conversations or relationships with.

13 Q And how would Hawthorn have known the difference
14 between those people?

15 A There may have been some duplication, but I
16 believe that, based on the relationships that our Public
17 Affairs Team had, those leader of those organizations that
18 they were working with on a regular basis would have let
19 them know. The intent was for Hawthorn to touch general
20 membership, grassroots organizations, and so I don't think
21 there was a real likelihood of duplication there.

22 Q So public affairs contacting an organization and
23 asking him or her to reach out to the members of their
24 organization down to the very lowest-level member, and turn
25 out in public support --

1 A So Public Affairs interacted with leaders,
2 primarily, the Hawthorn Group was interacting, based on my
3 understanding, with more of the general public or general
4 membership of many, many different groups.

5 Q So Hawthorn was going, instead of going through
6 leaders to get to the membership, they were going straight
7 to membership somehow?

8 A They might, or they might not.

9 Q But you had no idea as to what their process was?

10 A That was there proprietary process.

11 Q And it wasn't based upon any polling that you're
12 aware of, because Entergy was not paying for the polling
13 option, right?

14 A We were not paying for the polling. Or they also
15 proposed a petition. We did not move forward with those
16 options.

17 Q And they proposed a website and you were not
18 paying for that option, right?

19 A We were not, because we already he had resources
20 covering those areas.

21 Q And you weren't paying for the Facebook because
22 -- you just weren't paying for Facebook, correct?

23 A We were not interested in that option.

24 Q You weren't paying for 501(C)(4), right?

25 A No.

1 Q The orange t-shirts, those were shipped directly
2 to Entergy, or some of them were shipped directly to
3 Entergy, correct?

4 A A portion of those t-shirts were shipped to
5 directly Entergy.

6 Q And those came from Hawthorn?

7 A Those came from Hawthorn.

8 Q How were they disseminated by Entergy?

9 A I did not personally disseminate those, but our
10 Public Affairs Team shared the t-shirts.

11 Q And you said earlier today that the emails and
12 documents you were provided weren't the entire record of
13 what had been said involving this incident. Would you agree
14 with that statement?

15 A I would agree. There were multiple conversations
16 around this initiative.

17 Q With regard to those conversations regarding the
18 initiative, were minutes taken of any of those meetings?

19 A I don't have minutes of those meetings. I was
20 typically running the meeting itself; and so "running"
21 meaning hosting. It was typically a conference call, and so
22 I was basically directing and hosting the conversation, I
23 was not taking notes.

24 Q Did someone take notes?

25 A Not to my knowledge. And if they did, I don't

1 have those notes.

2 Q So you had these meetings setting up this plan
3 with Hawthorn, and no one took minutes of the meetings or
4 the calls?

5 A No. And just to clarify, I was referencing our
6 strategy calls. Those were the calls that I typically
7 hosted and directed. The discussions with the Hawthorn
8 Group were primarily based on -- they were sharing their
9 proposal and walking us through it, and so the notes were
10 actually outlined in their proposal.

11 Q I'm just trying to grasp exactly what the
12 distinction here was that was made, but these contracts
13 reference supporters versus speakers. What was the
14 distinction?

15 A Supporters were -- I believe that, in general,
16 supporters could describe all of them, because if they were
17 speaking they were speaking in support. If they were
18 attending, they were attending in support of the power
19 station.

20 Q And was anyone paid specifically for support?

21 A No.

22 Q What were the anticipated expenses in getting the
23 supporters?

24 A Which supporters are you referencing?

25 Q The ones that Hawthorn was getting for you. Did

1 they mention to you there would be expenses for the
2 supporters, and then you agreed that there would be
3 expenses, and they outlined what their percentage of what
4 the pay was, and then there was a larger chunk of money that
5 was going to expenses? What was your understanding of what
6 the expenses were?

7 A My understanding of the expenses was associated
8 with time and labor tied to conducting that outreach.

9 Q Did you ever request an invoice for that time and
10 labor conducting the outreach?

11 A We talked about the types of things that they
12 would be doing, reaching out to those organizations. We had
13 conversations, and agreements and discussions around that,
14 that was part of the documentation about -- around what they
15 would be doing as part of those fees.

16 Q So you never requested an invoice?

17 A I did receive an invoice.

18 Q Did it, in that invoice, in any invoice that you
19 saw, did it ever mentioned providing labor?

20 A It did not. Again, this was their proprietary
21 calculation. I did not request it of them, because we had
22 had conversations that documented the types of things that
23 they would be doing as part of their local outreach. And
24 this was not an hourly type of fee structure, it was the
25 one-time fee associated with it.

1 Q So it was a lump-sum?

2 A Yes, it was a lump-sum.

3 Q And it was not itemized?

4 A It was itemized during our conversations in terms
5 of they would be conducting local outreach through their
6 local employees here on the ground.

7 Q And with regard to those employees, you made no
8 attempt to understand who those employees were conducting
9 that outreach, correct?

10 A They indicated in writing that they had local
11 people on the ground, and I understood that to be employees
12 of the Hawthorn Group.

13 Q And in one of the early emails, Mr. Swart was
14 cc'ed, correct?

15 A He was CC'ed in an email that was noted down
16 below; an email that was ultimately forwarded to me, and he
17 did not appear in that email directed to me specifically.

18 Q And I have noticed on the emails, they result in
19 a -- it's a warning, for lack of a better word, from the IT
20 Department, not to click on external links; is that fair?

21 A There is such language there.

22 Q And you have been reluctant to talk about certain
23 communications that you have been engaged with with Entergy
24 with regard to your current assignments. It seems to me
25 that Entergy takes very great care to make sure that only

1 people who are supposed to be in on a discussion are in on
2 the discussion. When you saw Mr. Swart was part of that
3 email but was not using a Hawthorn or Entergy email address,
4 that did not cause you any concern?

5 A I had no point of reference for that name or that
6 email address appearing in there. And looking back on it
7 now, at that point in time it wasn't an email -- I receive
8 hundreds of emails a day. I did not focus on every detail
9 of that e-mail, and did not necessarily pay attention to the
10 fact that that name or that company name appeared in that
11 email that was directed to someone else, not directly to me.

12 Q So it was not a concern for you at that time that
13 someone outside of the approved contractor was receiving
14 sensitive communications regarding the Entergy Power
15 Station?

16 A Again, I had no point of reference for who that
17 entity or that individual was.

18 Q And at no time was Hawthorn given the cards or a
19 list of the cards that Green-Brown and Public Affairs had
20 showing support to ensure they weren't generating --

21 BY THE REPORTER:

22 I'm sorry, I couldn't hear. We had a
23 little noise.

24 EXAMINATION BY MR. IBERT:

25 Q At no point in time were the cards or the list of

1 the people on the cards that Ms. Green-Brown and Public
2 Affairs generated, none of those were ever shared with
3 Hawthorn to make sure that no duplication resulted?

4 A We did not provide those cards to the Hawthorn
5 Group.

6 Q Not even a list of the people who were on the
7 cards?

8 A No, the list was not provided. The cards were
9 not provided. The Hawthorn Group's effort was intended to
10 be an entirely independent effort that was not driven by
11 Entergy.

12 Q How did you plan to deal with overlap of Hawthorn
13 efforts and Public Affairs' efforts?

14 A I don't think overlap would have necessarily been
15 a major issue. If someone supported the plant, they
16 supported it and they would have taken it upon themselves to
17 attend the meeting and express that support.

18 BY MR. IBERT:

19 Thank you.

20 Mr. Coman?

21 BY MR. COMAN:

22 I just have a couple more, if I could.

23 BY JUDGE JOHNSON:

24 If I could?

25 BY MR. COMAN:

1 Sure, go ahead.

2 EXAMINATION BY JUDGE JOHNSON:

3 Q Prior to your engaging Hawthorn in this effort,
4 you had no independent knowledge of Hawthorn's ability to do
5 the job you were contracting with them to do?

6 A I was not familiar with Hawthorn's grassroots
7 outreach efforts as part of any interaction with them. I
8 was aware of their awareness of industry issues, and
9 familiarity with Entergy.

10 Q And you did not research their ability to engage
11 in this grassroots effort?

12 A I did not research the Hawthorn Group because I
13 knew that Entergy had worked with them, and also I have been
14 a part of presentations that they have done before Entergy.

15 Q But those presentations did not include this kind
16 of engagement?

17 A No, it did not.

18 EXAMINATION BY MR. COMAN:

19 Q Ms. Pollard, do you agree or disagree with the
20 following statement as far as turning out support for
21 Entergy during this process? No one wants to take time out
22 of their day to show support, so we had to produce support.

23 A I disagree.

24 BY MR. COMAN:

25 I don't think I have anything else.

1 BY MR. CAHN:

2 I have some questions.

3 Do you need a break, or are you ready to
4 go?

5 BY THE WITNESS:

6 Yeah, I'm ready to go.

7 BY MR. COMAN:

8 Off the record.

9 (OFF RECORD DISCUSSION)

10 BY MR. CAHN:

11 I would like to add one thing, if I might.
12 This is all about trying to get all of the facts
13 out.

14 Matt, we are here today. I think we're all
15 in search of the truth.

16 BY MR. COMAN:

17 A hundred percent.

18 BY MR. CAHN:

19 I have some questions that I'm going to ask
20 Ms. Pollard on the record, and if you have an
21 objection you can state your objection.

22 BY MR. COMAN:

23 And here's our position: We have all been
24 retained by the New Orleans City Council to
25 conduct an independent investigation. You-all

1 are parties to a docket, and subject of
2 this particular investigation. And unlike a
3 deposition, where there's multiple parties
4 involved, we are not a party that is adverse to
5 anyone.

6 You-all conducted your own investigation,
7 you are free to conduct whatever investigation
8 you want to continue to conduct. But this is a
9 sworn statement that we intended to take, and we
10 did take, so we were concluding that statement at
11 this point.

12 BY MR. BECKER:

13 I would like to add one thing, if I might.
14 This is all about trying to get all the facts
15 out, and there are certain questions that you-all
16 didn't ask and certain documents you did not
17 show. So for the purpose of completeness, so the
18 City Council can see all of the facts, we are
19 asking to submit some limited questions so that
20 we can supplement the record with all the facts.

21 BY MR. COMAN:

22 And I don't -- Go ahead, Judge.

23 BY JUDGE JOHNSON:

24 The only point that I have in this is
25 that, and this is for the record, that Entergy

1 has provided us every aspect of information as
2 regards this particular incident; every aspect of
3 information. There is no thing that Entergy has
4 that we haven't seen that deals with this
5 particular investigation.

6 Let me also add that Entergy never provided
7 us documents as regards text messages that we
8 actually have in our hand. Entergy chose not to
9 do so. Please.

10 BY MR. CAHN:

11 Sure.

12 BY MR. COMAN:

13 With that, we're concluding the sworn
14 statement.

15 BY MR. CAHN:

16 No, we're not.

17 BY MR. COMAN:

18 So i am going to instruct Ms. Freese to end
19 the sworn statement. You are free to do what you
20 want however you want to do it.

21 BY JUDGE JOHNSON:

22 With all respect to this, Cory --

23 BY MR. CAHN:

24 No, let me say my peace. Matt, no, we're
25 not going off the record. There are a number of

1 documents that you have chosen not to show this
2 witness. My understanding was that this was
3 going to be an independent, objective
4 investigation. You represented at the outset
5 that this would be a fair investigation. What I
6 have heard today and through witness interviews,
7 it's not a fair investigation.

8 BY MR. COMAN:

9 I object to your narrative.

10 BY MR. CAHN:

11 What I've heard --

12 BY MR. COMAN:

13 This statement is over. Ms. Freese,
14 please go off the record.

15 (WHEREUPON THE SWORN STATEMENT WAS CONCLUDED)

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C E R T I F I C A T E

This certification is valid only for a transcript with my original signature and original required seal on this page.

I, GAIL FREESE, Certified Court Reporter in and for the State of Louisiana, the "Officer" before whom this sworn testimony was taken, do hereby certify:

That YOLANDA POLLARD, to whom oath was administered by me upon authority of R.S. 37:2554, did testify as herein set forth in the foregoing 211 pages;

That this testimony was reported by me in stenotype method, was prepared and transcribed by me or under my personal direction and supervision, and is a true and correct transcript to the best of my ability and understanding;

That this transcript has been prepared in compliance with transcript format guidelines required by statute or rules of the Board, and I am informed about the complete arrangement, financial or otherwise, with the person or entity making arrangements for deposition services;

That I have acted in compliance with the prohibition on contractual relationships as defined by Louisiana Code of Civil Procedure Article 1434 and in rules and advisory opinions of the Board;

That I have no actual knowledge of any prohibited employment or contractual relationship, direct or indirect, between a court reporting firm and any party litigant in this matter, nor is there any such relationship between myself and a party litigant in this matter;

That I am not related to counsel or to the parties herein, nor am I otherwise interested in the outcome of this matter.

GAIL G. FREESE, CCR
Cert. No. 81013