

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,	:	
	:	Criminal Action
Plaintiff,	:	No. 19-CR-018
	:	
	:	JURY TRIAL - DAY 4
	:	Afternoon Session
vs.	:	
	:	Washington, D.C.
	:	November 8, 2019
ROGER JASON STONE, JR.,	:	Time: 1:55 p.m.
	:	
Defendant.	:	

TRANSCRIPT OF JURY TRIAL  
HELD BEFORE  
THE HONORABLE AMY BERMAN JACKSON  
UNITED STATES DISTRICT JUDGE

A-P-P-E-A-R-A-N-C-E-S

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1 P-R-O-C-E-E-D-I-N-G-S

2 THE DEPUTY CLERK: Your Honor, recalling Criminal  
3 Case Number 19-18, united States of America v. Roger Stone.  
4 Mr. Stone is present in the courtroom.

5 THE COURT: All right, is the government ready to  
6 proceed?

7 MR. MARANDO: Yes, Your Honor.

8 THE COURT: Mr. Haley said you want to talk about  
9 scheduling briefly?

10 MR. MARANDO: Yes, Your Honor. We just wanted to  
11 discuss a little bit of how the government would see the  
12 afternoon proceed.

13 We have one -- we have two witnesses that we would like to  
14 call. We expect the direct examination of the first witness to  
15 take 25 minutes to 30 minutes. We don't know how long cross  
16 will be.

17 The second witness should likewise be 30 minutes or so.

18 We were planning to call a third witness. That third  
19 witness lives a little distance away, so we are going to  
20 respectfully request that if we do end it today at 4 o'clock,  
21 around that time, that we could just end at that time today.

22 THE COURT: All right, I think if we complete the two  
23 witnesses that you have coming up next, that that would be a  
24 very productive day and week, and I would be satisfied with  
25 that.

1 Does the defense know who they are, the ones you're  
2 planning to call?

3 MR. MARANDO: Yes, Your Honor.

4 MR. ROGOW: We do, Your Honor.

5 THE COURT: All right, so let's bring the jury in,  
6 and you can call your first witness.

7 (Jury present.)

8 THE DEPUTY CLERK: Jury is all present, Your Honor.

9 THE COURT: Mr. Haley, it looks like we have a  
10 witness here to call.

11 MR. MARANDO: Government's first witness this  
12 afternoon is Ms. Margaret Kunstler.

13 GOVERNMENT WITNESS MARGARET KUNSTLER SWORN

14 THE COURT: Yes, you can proceed.

15 DIRECT EXAMINATION

16 BY MR. MARANDO:

17 Q. In a loud clear voice could you state your name for the  
18 record?

19 A. Yes, it's Margaret Kunstler.

20 Q. Ms. Kunstler, if you can just try to speak into the mic, I  
21 know it's a little difficult, just so we can pick up everything  
22 you are saying.

23 Miss Kunstler, what city do you live in?

24 A. Brooklyn.

25 Q. Are you an attorney?

1 A. Yes.

2 Q. What are your areas of practice?

3 A. Criminal law and constitutional law, First Amendment  
4 really.

5 Q. As an attorney, have you ever represented anyone connected  
6 or associated to WikiLeaks?

7 A. Yes.

8 Q. First off I'll ask you, what is WikiLeaks, if you know?

9 A. WikiLeaks is a library and a publication for information  
10 that is sent secretly to them.

11 Q. Ms. Kunstler, I think the jury is having difficulty  
12 hearing you. If I can adjust the mic.

13 THE COURT: That's much better. Thank you.

14 If you could repeat your answer as to what WikiLeaks is.

15 THE WITNESS: WikiLeaks is an online publication and  
16 a library, and the material in the library and on the  
17 publication are materials that are sent to it secretly.

18 BY MR. MARANDO:

19 Q. Who have you represented who is connected to WikiLeaks?

20 A. I have represented Sarah Harrison. I still represent  
21 Sarah Harrison. She was -- did work at WikiLeaks, but she no  
22 longer does.

23 Q. How long had you represented her?

24 A. For about four and a half years.

25 Q. How did Ms. Harrison become your client?

1 A. She became my client because the lawyers representing  
2 Mr. Assange decided that it would be helpful to have a second  
3 lawyer for Ms. Harrison, and I was asked to do that.

4 Q. Do you know who the founder of WikiLeaks is?

5 A. Yes.

6 Q. Who is it?

7 A. Julian Assange.

8 Q. Have you, as an attorney, ever represented Mr. Assange?

9 A. Only to the extent that I sometimes represented WikiLeaks,  
10 so it kind of overlaps. But technically, I don't know.

11 Q. Have you ever spoken with Mr. Assange?

12 A. Yes.

13 Q. How often have you spoken with him?

14 A. I think about a total of under ten times.

15 Q. When is the last time that you have spoken with  
16 Mr. Assange, if you can remember?

17 A. Probably the end of 1918.

18 Q. I'm sorry, do you mean 2018?

19 A. Yes, I'm sorry, 2018.

20 Q. Ms. Kunstler, do you know an individual by the name of  
21 Randy Credico?

22 A. I do.

23 Q. How long have you known Mr. Credico?

24 A. For about ten years.

25 Q. How did you meet Mr. Credico originally?

1 A. He brought a client in to my husband for him to represent,  
2 and I don't know if I met him at that point exactly, but that's  
3 when he came into our lives.

4 Q. I think the jury may still be having issues hearing you.  
5 So I know it's very difficult --

6 A. Sorry, I'll try.

7 Q. The mics here aren't as good as we would hope. Just try  
8 to speak up as best you can.

9 A. All right.

10 Q. So you said that he brought a client to your husband?

11 A. Right.

12 Q. Was your husband an attorney?

13 A. Yes.

14 Q. What was your husband's -- what was your husband's name?

15 A. William Kunstler.

16 Q. What was your husband's relationship with Mr. Credico  
17 like?

18 A. They became friendly over the years.

19 Q. As a result, did you subsequently become friendly with  
20 Mr. Credico?

21 A. In passing, because Bill's office was downstairs in the  
22 second House, and Randy was there quite often, so I got to know  
23 him.

24 Q. Is your husband, Bill, still alive?

25 A. No.

1 Q. When did he pass?

2 A. 1995.

3 Q. Following your husband's passing, did you continue to  
4 maintain a friendship with Mr. Credico?

5 A. I did.

6 Q. How close are you with Randy Credico today?

7 A. Well, I'm close with him, because when my husband was ill  
8 for the last year and a half and he wanted to maintain his  
9 schedule, which was very active, Randy helped him and made it  
10 possible for him to do that, and I was appreciative of that  
11 because I had two daughters and couldn't function in that way,  
12 and I was -- you know, Randy did that, and I was very  
13 appreciative. So as a result of that, we're friends.

14 Q. How often do you see Mr. Credico?

15 A. I would say almost once a week.

16 Q. Now, Ms. Kunstler, I want to focus in on a specific period  
17 of time. I want to focus in on 2016.

18 Do you know if Randy Credico was employed in 2016?

19 A. Yes.

20 Q. If you know, where did he work?

21 A. He had a radio program on WBAI.

22 Q. Is that a radio station in New York City?

23 A. Yes.

24 Q. I want to focus in, even more narrow, on August of 2016,  
25 so August 2016.

1 Did there come a time during that month that Mr. Credico  
2 asked you to put him in touch with Julian Assange to see if  
3 Mr. Assange would be on Mr. Credico's radio show?

4 A. He did.

5 Q. Did you agree to assist Mr. Credico?

6 A. I did.

7 Q. Prior to that time, had Randy Credico ever asked you to  
8 put him in touch with Mr. Assange?

9 A. Yes.

10 Q. Prior to that time that he asked Mr. Assange -- I'm sorry,  
11 let me rephrase.

12 Prior to that time in August 2016, when Mr. Credico asked  
13 you to put him in touch with Assange, to see if Assange would  
14 be on his radio show, was that the first time that Mr. Credico  
15 had ever asked you to put him in touch with Mr. Assange?

16 A. Well, he kind of intimated before then that he would like  
17 me to do that for him, but I didn't.

18 Q. But you didn't. Okay.

19 To your knowledge, before that August 2016 request, had  
20 Randy Credico ever made any contact with Mr. Assange?

21 A. Not to my knowledge.

22 Q. To your knowledge, to your knowledge, do you know whether  
23 or not Randy Credico had any other connections to Mr. Assange  
24 besides you?

25 A. Not to my knowledge.

1 Q. Now, walk us through what, if anything, you did to put  
2 Mr. Credico in touch with Mr. Assange in August of 2016.

3 A. I wrote a note to Mr. Assange's assistant, saying that a  
4 friend of mine had a radio program, and he would love to have  
5 Mr. Assange as a guest, and I included Randy's contact  
6 information on that message.

7 Q. Did Mr. Assange eventually appear on Mr. Credico's radio  
8 show on August 25th, 2016?

9 A. Yes, he did.

10 Q. Do you remember how far in advance or how far before that  
11 August 25th, 2016 interview you reached out to somebody at  
12 WikiLeaks?

13 A. It was under a week before.

14 Q. Now, after Assange appeared on Mr. Credico's radio show on  
15 August 25th, 2016, did Mr. Credico ever ask you to pass along  
16 any requests for information to Mr. Assange?

17 A. No.

18 Q. I want to show you what has been previously admitted into  
19 evidence as Exhibit 55.

20 MR. MARANDO: Can we publish that for the jury.

21 Ms. Rhode, can you just blow up the header in the first  
22 line.

23 BY MR. MARANDO:

24 Q. Now, Ms. Kunstler, do you recognize what Government's  
25 Exhibit 55 is?

1 A. Yes.

2 Q. And what is it?

3 A. It's an email to me from Randy Credico.

4 Q. What is the date of this email?

5 A. September 20th, 2016.

6 Q. All right. Have you seen this email before?

7 A. Yes.

8 Q. Do you remember receiving this email?

9 A. Yes.

10 Q. When you received this email, did you read it?

11 A. No. Well, I read the, "Can you find out from JA if there  
12 is," and I didn't read any farther than that.

13 Q. Why didn't you read any farther than that?

14 A. Because I was not going to ask Mr. Assange to do anything  
15 that -- to look up anything for me for someone else.

16 Q. And why not?

17 A. Because I'm a lawyer and I don't do things like that.

18 Q. Now, did -- so did you ever forward this email on to  
19 anyone at WikiLeaks or connected to WikiLeaks?

20 A. No, I did not.

21 Q. Did you ever forward this request in any form orally,  
22 through telephone or any other means to anybody at WikiLeaks?

23 A. No.

24 Q. Did you eventually become aware of a public claim by Roger  
25 Stone that Mr. Credico was his, quote/unquote, back channel to

1 WikiLeaks during the 2016 presidential campaign of Donald  
2 Trump?

3 A. I think that that was subsequent to that, that I found  
4 out.

5 Q. But you heard -- did you hear Mr. Stone make a public  
6 claim that Randy Credico was a back channel to WikiLeaks?

7 A. Well, he may have made that claim, but I didn't know that  
8 that was true.

9 Q. All right. But did you hear the claim; were you aware  
10 that he was making the claim?

11 A. I'm not sure.

12 Q. Do you remember -- did you eventually become aware of a  
13 claim that Mr. Stone had made that Randy Credico was a back  
14 channel to WikiLeaks?

15 A. Yes.

16 Q. Do you remember when you became aware of that?

17 A. I became aware of that when Maggie Haberman, in an  
18 article, said that he had said that.

19 Q. And do you remember when that was?

20 A. I think that was in 2017, in November.

21 Q. 2017?

22 A. Yes. I'm sorry.

23 THE COURT: You said Maggie Haberman said it in an  
24 article. Who is Maggie Haberman?

25 MR. MARANDO: You can answer the question.

1 THE COURT: I just want to clarify. I'm also allowed  
2 to ask questions.

3 THE WITNESS: Sorry.

4 THE COURT: I try to do it infrequent.

5 THE WITNESS: Maggie Haberman is a reporter for The  
6 New York Times.

7 THE COURT: Thank you.

8 BY MR. MARANDO:

9 Q. You said you first heard about it sometime in 2017?

10 A. Yes.

11 Q. Besides the email exhibit that we showed you in  
12 Exhibit 55, which is still on the screen, has Mr. Credico ever  
13 asked you to pass along or confirm any information in  
14 Mr. Assange's or WikiLeaks' possession?

15 A. No.

16 Q. So referring back to Government's Exhibit 55, which you  
17 have in front of you, was this the only time that Mr. Credico  
18 ever asked you to confirm any information with Mr. Assange?

19 A. Yes.

20 Q. Now, Ms. Kunstler, are you familiar with WikiLeaks'  
21 release of emails during the 2016 presidential election?

22 A. Yes, I am.

23 Q. Turning to WikiLeaks' release of materials, are you  
24 generally familiar with the July 22nd, 2016 release of  
25 information by WikiLeaks related to the Democratic National

1 Committee?

2 A. Yes.

3 Q. How are you familiar with this?

4 A. Through the media.

5 Q. Did you ever, at any time, possess any information  
6 regarding that release of information by WikiLeaks -- I'm  
7 sorry.

8 Did you ever, at any time, pass any information regarding  
9 that release of information by WikiLeaks to Mr. Credico?

10 A. No, and I had no information about that release.

11 Q. So you never possessed any information regarding that?

12 A. No.

13 Q. Are you also familiar with the October 7th, 2016 release  
14 of emails by WikiLeaks related to John Podesta?

15 A. Yes.

16 Q. How are you familiar with that?

17 A. Through the media.

18 Q. Did you ever, at any time, pass any information regarding  
19 that October 7th release to Mr. Credico?

20 A. No, I did not.

21 Q. Had you at any time possessed any information regarding  
22 that October 7th release of information by WikiLeaks?

23 A. No.

24 Q. So now, in general, have you at any time ever passed any  
25 information from Julian Assange or WikiLeaks to Mr. Credico?

1 A. No.

2 MR. MARANDO: All right. Nothing further, Your  
3 Honor.

4 THE COURT: All right, any cross-examination?

5 MR. ROGOW: Yes, Your Honor.

6 CROSS-EXAMINATION

7 BY MR. ROGOW:

8 Q. Good afternoon, Mrs. Kunstler.

9 A. Good afternoon.

10 Q. My name is Bruce Rogow, and I just have a few questions  
11 for you.

12 Did you ever authorize Randy Credico to use your name in  
13 any communication with Roger Stone?

14 A. No.

15 Q. Were you surprised when you looked at that email,  
16 Exhibit 55, which has been shown to you, and it showed that  
17 Roger Stone was a blind copy on that?

18 A. I didn't know he was a bind copy. How would I know that?

19 MR. ROGOW: Well, let's pull up 55, please.

20 BY MR. ROGOW:

21 Q. And the top part, you see where it says, "Bcc"?

22 A. Yes, I see that.

23 Q. Did you know -- did you notice that when you first looked  
24 at it?

25 A. I did, but I didn't know what that was.

1 THE COURT: Well, when you first received it, did it  
2 show who the blind carbon copy was?

3 A. No. I mean it said Players2, but I didn't know who  
4 Players2 was.

5 MR. MARANDO: I understand.

6 BY MR. MARANDO:

7 Q. Did you ask Mr. Credico who Players2 was?

8 A. I didn't. I was so annoyed about the whole thing that I  
9 just kind of put it aside.

10 Q. Had you authorized Mr. Credico to use your name in his  
11 communications with anyone?

12 A. No.

13 Q. And you said you were annoyed at what happened.

14 A. Well, I don't like to be told to ask a client somebody --  
15 by somebody else.

16 Q. Did you instruct Mr. Credico to never use your name again  
17 like that?

18 A. Well, I don't know if I specifically said that, but I told  
19 him that I was not pleased that he did that, and I think that  
20 the implication of that was that he shouldn't do it again.

21 Q. So you made that clear to Mr. Credico that he should not  
22 do this again?

23 A. Yes, by implication.

24 Q. Did you ever represent Mr. Credico as a lawyer?

25 A. I don't think so.

1 Q. Were you ever at legal meetings with Mr. Credico?

2 A. When Mr. Credico first got his subpoena, congressional  
3 subpoena, I was in a meeting with a number of lawyers about  
4 that subpoena and his response to it.

5 Q. How many lawyers were there, if you recall?

6 MR. MARANDO: Objection, Your Honor.

7 THE COURT: What grounds?

8 MR. MARANDO: First, relevance. Relevance, Your  
9 Honor.

10 THE COURT: All right, approach the bench.

11 (Bench conference.)

12 THE COURT: This is also beyond the scope of direct,  
13 so why do you want to ask her now about what happened in the  
14 meeting when he got a subpoena?

15 MR. ROGOW: Well, it is beyond the scope of direct.

16 I understand that, but she already answered it. That's enough,  
17 I can rest with that.

18 THE COURT: All right.

19 MR. ROGOW: Okay.

20 (Open court.)

21 BY MR. ROGOW:

22 Q. Have you spoken recently with Mr. Credico -- when I say  
23 "recently," within the past four or five months -- about  
24 Exhibit 55 and his use of your name?

25 A. No.

1 Q. Are you at all concerned about the use of your name  
2 without authorization?

3 A. I'm not sure this was a use of my name. This was an email  
4 to me.

5 Q. And blind copied to someone else.

6 THE COURT: Can you all approach the bench again.

7 (Bench conference.)

8 THE COURT: Mr. Rogow, do you understand that a blind  
9 copy means that she didn't see that he sent it to Roger Stone?  
10 This is a copy which shows a list.

11 MR. ROGOW: You know, you're right.

12 THE COURT: Okay, thank you.

13 (Open court.)

14 BY MR. ROGOW:

15 Q. You would not have seen the blind copy, would you?

16 A. No, that's what I was saying if an email came to me, if it  
17 was a blind copy, I wouldn't see the blind copy. If I wrote  
18 the email, I would know, have the blind copy. But someone  
19 sending an email to me who had a blind copy, I would not see  
20 that.

21 Q. When did you first see this email in toto with the blind  
22 copy showing?

23 A. When it was shown to me by an Assistant U.S. Attorney.

24 Q. I'm sorry, I couldn't hear the last part.

25 A. When it was shown to me as an exhibit by the Assistant

1 U.S. Attorney.

2 MR. ROGOW: Nothing further, Your Honor.

3 THE COURT: All right, any redirect?

4 MR. MARANDO: No, Your Honor.

5 THE COURT: All right, thank you very much,

6 Ms. Kunstler, you are excused.

7 And the government can call your next witness.

8 MR. MARANDO: Yes, Your Honor, the government calls  
9 Stephen Bannon.

10 (Pause.)

11 MR. KRAVIS: May we approach?

12 THE COURT: Yes.

13 (Bench conference.)

14 MR. KRAVIS: I apologize, there's apparently some  
15 sort of delay in getting Mr. Bannon into the building. He's in  
16 the building now. He's on his way to the courtroom.

17 THE COURT: All right.

18 MR. KRAVIS: Thank you, just want to make sure the  
19 Court was aware.

20 THE COURT: That's fine.

21 MR. KRAVIS: Thank you, Your Honor.

22 (Open court.)

23 THE COURT: He was not waiting outside the door. It  
24 just sometimes takes time to get people from where they started  
25 to where they need to end up, through the fault of no one in

1 particular.

2 GOVERNMENT WITNESS STEVEN K. BANNON SWORN

3 THE COURT: You can proceed.

4 MR. MARANDO: Thank you.

5 DIRECT EXAMINATION

6 BY MR. MARANDO:

7 Q. Good afternoon. Could you please state your name for the  
8 Court?

9 A. Stephen K. Bannon.

10 Q. Mr. Bannon, are you appearing here today, in court,  
11 pursuant to a subpoena from the United States Government?

12 A. Yes, I've been subpoenaed, and I've been compelled to  
13 testify.

14 Q. So would you have voluntarily appeared here today in this  
15 court without a subpoena from the U.S. Government?

16 A. No, I would not.

17 Q. All right, Mr. Bannon, where do you live?

18 A. I live in Washington, D.C.

19 Q. Did you go to college?

20 A. I did.

21 Q. Where did you go?

22 A. Virginia Tech, Georgetown, and Harvard.

23 Q. What, if anything, do you currently do for a living?

24 A. I run some not-profits. I'm an investor. I have a  
25 financial advisory firm.

1 Q. Did you previously work on the 2016 Trump presidential  
2 campaign?

3 A. I did.

4 Q. Did you have a title?

5 A. I did.

6 Q. What was your title?

7 A. CEO Chief Executive Officer.

8 Q. Was CEO Chief Executive Officer the highest position in  
9 the Trump campaign other than the candidate himself?

10 A. Yes, when I took over, yes.

11 Q. When did you begin working as CEO of the Trump campaign?

12 A. On the afternoon of the 14th of August, 2016.

13 Q. Did you have a physical office while you worked as CEO of  
14 the Trump campaign?

15 A. I did.

16 Q. Where was that office?

17 A. The 14th floor of Trump Tower.

18 Q. In New York City?

19 A. In New York City.

20 Q. Prior to working as CEO of the Trump campaign, what, if  
21 anything, did you do?

22 A. I was the executive chairman of Breitbart News, and I was  
23 a head of a couple of not-for-profits.

24 Q. How many years were you at Breitbart?

25 A. Four, five years, I think four years as executive

1 chairman.

2 Q. Now, while you were at Breitbart, did you meet the  
3 defendant, Roger Stone?

4 A. Yes.

5 Q. What year did you meet Mr. Stone, if you remember?

6 A. I think around 2011, 2012.

7 Q. Do you know what Mr. Stone does for a living?

8 A. Yes.

9 Q. What does he do?

10 A. I think he's a political operative, a political  
11 strategist; and an author, a writer of books and, you know,  
12 newspaper articles; commentator.

13 Q. Now, before you joined the Trump campaign as its CEO on  
14 August 14, 2016, how frequently were you communicating with  
15 Mr. Stone?

16 A. I probably talked to Roger every couple of weeks.

17 Q. How did you communicate with Mr. Stone?

18 A. By email, I guess, at first and maybe a phone call, or  
19 principally I think by email.

20 Q. What, if anything, did you know at the time about Roger  
21 Stones's relationship with Donald Trump?

22 A. I knew he'd had a longstanding relationship with the  
23 candidate.

24 Q. Now, before you joined the Trump campaign on August 14th,  
25 2016, did you ever hear Roger Stone discuss any connections

1 that he had with Julian Assange or WikiLeaks?

2 A. Yes.

3 Q. What -- where did you hear those statements from, how did  
4 you hear them?

5 A. I think just in conversation.

6 Q. Did you hear them from public statements that he made?

7 A. Yes, from public statements.

8 Q. Did you also hear, you said, from conversations with him?

9 A. I believe so, yes.

10 Q. And these are conversations -- were these conversations  
11 you had directly with Mr. Stone?

12 A. Yes.

13 Q. And what did Mr. Stone -- what, if anything, did Mr. Stone  
14 tell you before you joined the Trump campaign about his  
15 relationship or connection with Julian Assange?

16 A. Just that they -- he had a relationship with WikiLeaks and  
17 Julian Assange.

18 Q. Did Roger Stone ever tell you that he could obtain  
19 information from WikiLeaks through that relationship or  
20 connection?

21 A. Never directly, but I think implied he had a relationship  
22 with WikiLeaks and with Julian Assange but never directly told  
23 me that.

24 Q. What do you mean when you say the word "implied"?

25 A. That he had a relationship, and WikiLeaks was a site that

1 was, you know, starting to release information or potentially  
2 release information.

3 Q. When Mr. Stone told you directly in conversations about  
4 his relationship or connection with Mr. Assange, approximately  
5 how far in advance of you joining the Trump campaign did those  
6 conversations occur?

7 A. I think sometime maybe in the spring or summer of 2016.

8 Q. Would it have been a few months before you joined as CEO  
9 of the Trump campaign?

10 A. As I remember, around there, sometime in the summer, late  
11 spring or summer of 2016.

12 Q. Was Mr. Stone's relationship with Julian Assange something  
13 that he would frequently mention or talk about in your  
14 conversations with him?

15 A. Not frequently, no, but I think he would mention it, and  
16 he mentioned it a lot on -- in the media, but not something  
17 that he would mention all the time. Like I said, we didn't  
18 talk that often. It was every couple of weeks.

19 Q. Now, so -- I want to be sure I'm clear on this.

20 So you did have private conversations with Mr. Stone before  
21 you joined the Trump campaign, correct?

22 A. Before he -- before I joined.

23 Q. Before you joined the Trump campaign, correct?

24 A. Yes, I would talk to Roger every couple of weeks.

25 Q. In those conversations would he, or would he not,

1 frequently mention his connection with Mr. Assange?

2 A. It was not frequently but, you know, every now and again.

3 So I knew it, but it wasn't frequently, as I remember.

4 Q. Mr. Bannon, this isn't the first time you testified in  
5 this case; is that correct?

6 A. The first time testifying in this case?

7 Q. In this matter, you testified in the grand jury; is --

8 A. That's correct. I was compelled to testify, forced to  
9 testify at the grand jury.

10 Q. Okay.

11 MR. MARANDO: May I approach, Your Honor?

12 THE COURT: Yes.

13 BY MR. MARANDO:

14 Q. I'm showing you what has been marked as Grand Jury  
15 Exhibit 209.

16 If you look at the front page, is that your name?

17 A. Yes, that's my name.

18 Q. Do you remember testifying before the grand jury?

19 A. I do.

20 Q. And was it on July 6th, 2017?

21 A. I don't remember.

22 Q. Is there a date that appears on the front page of this?

23 A. There is.

24 Q. What is that date?

25 A. July 6th, 2017.

1 Q. Does that date sound like the time that -- I'm sorry.  
2 January 18th, 2019. My apologies.

3 Did you testify on January 18th, 2019?

4 A. I have no idea.

5 Q. Does that sound correct?

6 A. Yes.

7 Q. Now, there were prosecutors that were present there,  
8 correct?

9 A. They were, yes.

10 Q. Andrew Goldstein, does that sound correct?

11 A. Yes.

12 Q. And you were the witness that was there, correct?

13 A. Yes.

14 Q. There was a court reporter that was taking down everything  
15 you said, correct?

16 A. That's correct.

17 Q. And there were grand jurors there; isn't that right?

18 A. That's correct.

19 Q. You took an oath -- the defendant, Mr. Stone, was not  
20 there; is that right?

21 A. That's correct.

22 Q. You took an oath to tell the truth; isn't that right?

23 A. That's correct.

24 Q. And the prosecutor asked you a number of questions; isn't  
25 that right?

1 A. That's correct.

2 Q. But before he asked you any questions, he advised you of  
3 your rights as a witness; is that correct?

4 A. That's correct.

5 Q. All right. And he told you that if you failed to tell the  
6 truth before the grand jury, you could be charged with perjury;  
7 isn't that right?

8 A. That's correct.

9 Q. And you told the grand jury that you understood that  
10 right; isn't that correct?

11 A. That's correct.

12 Q. I want to turn to page 7, if you can. Let me know when  
13 you're on page 7.

14 A. I'm at page 7.

15 Q. Line 15?

16 A. Yes.

17 Q. So you were asked at page 7, line 15, "And when you had  
18 private conversations with him about his connection to Julian  
19 Assange, approximately how far in advance of your joining the  
20 campaign did that conversation take place?"

21 And you responded, "Oh, I think the first time it was  
22 months before, but I think it all the way led up to right  
23 before I joined the campaign. It was something he would, I  
24 think, frequently mention or talk about when we talked about  
25 other things."

1 Did I read that correctly?

2 A. That's correct.

3 Q. All right. Now, in any of your conversations with  
4 Mr. Stone, did he ever brag to you about his connections to  
5 Assange?

6 A. I wouldn't call it bragging, but maybe boasting, I guess  
7 the difference between bragging and boasting, but he would  
8 mention it.

9 Q. What do you mean by "boast"?

10 A. That he had a relationship with WikiLeaks and Julian  
11 Assange.

12 Q. Now, I want to discuss -- I'm sorry.

13 So you actually began working as CEO of the Trump campaign  
14 on August 14th, 2016, correct?

15 A. Yes.

16 Q. I would like to ask you some questions about individuals  
17 you may have encountered while you were CEO of the Trump  
18 campaign; first, Eric Prince.

19 A. Yes.

20 Q. Do you know an individual named Eric Prince?

21 A. I do.

22 Q. Have you met him personally?

23 A. I have.

24 Q. How long have you known him?

25 A. Five, six, seven years.

1 Q. Was Mr. Prince a supporter of the Trump campaign?

2 A. He was.

3 Q. Would Mr. Prince ever come to Trump Tower while you were  
4 CEO of the campaign?

5 A. Yes.

6 Q. Was Mr. Prince providing any ideas to the campaign while  
7 were you CEO?

8 A. Yes.

9 Q. What topics, if any, do you remember discussing with  
10 Mr. Prince while you were CEO of the Trump campaign?

11 A. National security types of things, defense.

12 Q. Okay. Did -- moving on, I want to turn now to another  
13 individual.

14 Do you know an individual by the name of Ted Malik?

15 A. I do.

16 Q. Do you know what, if anything, Mr. Malik does for a  
17 living?

18 A. I think he's a professor in the United Kingdom.

19 Q. Do you know if he is a writer?

20 A. Yeah, I believe he also writes, yes.

21 Q. Do you know about what subjects he writes?

22 A. I think he writes about politics and European Union  
23 politics.

24 Q. Does Mr. Malik, to your knowledge, live in England?

25 A. I believe he lives in England.

1 Q. Do you know whether or not Mr. Malik has any relationship  
2 to Mr. Stone?

3 A. I don't.

4 Q. Did you have any interaction with Mr. Malik after you  
5 became CEO of the Trump campaign?

6 A. I might have.

7 Q. And now in what -- you say you might have.

8 In what context do you think you may have had interactions  
9 with Mr. Malik while you were CEO of the Trump campaign?

10 A. He might have sent some emails with ideas, foreign policy  
11 ideas, et cetera, ideas about the campaign.

12 Q. Was Mr. Malik trying to become the United States  
13 ambassador to the European Union?

14 A. I found that out after the campaign, but yes.

15 Q. So you found that out after the campaign?

16 A. Yes.

17 Q. Did you have any communications with Mr. Malik while he  
18 was -- about the topic of him trying to become ambassador,  
19 U.S. ambassador to the EU?

20 A. I don't remember.

21 Q. I want to turn back to Roger Stone.

22 After you joined the Trump campaign as its CEO on  
23 August 14th, 2016, did you continue to communicate with  
24 Mr. Stone?

25 A. I did.

1 Q. How many times did you communicate with Mr. Stone after  
2 you became CEO of the Trump campaign but before election day?

3 A. I don't totally recall, but I would say a half a dozen,  
4 ten, twelve, something like that.

5 Q. During that time, you're now CEO of the Trump campaign,  
6 did Mr. Stone continue to tell you that he had a connection to  
7 WikiLeaks and Julian Assange?

8 A. Yes.

9 Q. In any of those communications after you joined the Trump  
10 campaign, did Mr. Stone tell you that WikiLeaks had materials  
11 that would help Donald Trump and possibly hurt Hillary Clinton?

12 A. I think he implied maybe in some of the emails that there  
13 were potential, the Clinton emails or emails that he had gotten  
14 from the Clinton campaign were potentially -- WikiLeaks  
15 potentially had, and I would view that as helping -- hurting  
16 Hillary Clinton and helping the Trump campaign.

17 Q. And he represented this to you?

18 A. I think in some of the emails he might have, yes.

19 Q. While you were CEO of the Trump campaign, who, if anyone,  
20 was the campaign's access point to WikiLeaks?

21 A. The campaign's access point?

22 Q. Yes.

23 A. I don't think we had one.

24 Q. I want to refer back to Government's Exhibit 209 that's in  
25 front of you.

1 This is the same grand jury transcript that I showed you  
2 before, correct? Am I correct?

3 A. Yes.

4 Q. Okay, this is your testimony in the grand jury.

5 This was the Robert Mueller grand jury, correct?

6 A. Yes.

7 Q. Now, I want you to turn to page 14, line 4. I'm going to  
8 read line 4 through 8 on page 14.

9 And you're asked, "And just within the campaign, who was  
10 the access point to WikiLeaks?"

11 And you responded, "I think it was generally believed that  
12 the access point or potential access point to WikiLeaks and to  
13 Julian Assange would be Roger Stone."

14 Did I read that correctly?

15 A. That's correct.

16 Q. And did you, at that time, did you personally believe or  
17 did you personally view Roger Stone as the access point between  
18 the Trump campaign and WikiLeaks?

19 A. Yes.

20 Q. And was that based on represent -- the representation that  
21 Mr. Stone had made to you?

22 A. Both publicly and also privately, yes.

23 Q. I want to show to the jury what has been previously  
24 admitted into evidence as Government's Exhibit 28.

25 Mr. Bannon, can you see Government's Exhibit 28?

1 A. I can.

2 Q. Do you recognize what this is?

3 A. Yes.

4 Q. What is this?

5 A. It's an email.

6 Q. Is this an email that Mr. Stone, beginning at the bottom,  
7 that Mr. Stone sent to you on August 18th, 2016?

8 A. Yes.

9 Q. So this email was sent August 18th, 2016.

10 About how many days after, if you remember, was this email  
11 sent from when you became CEO of the Trump campaign?

12 A. I think it was publicly announced, I believe on the 17th  
13 or 18th, so this would be right when it was publicly announce.

14 Q. So approximately one day after it was publicly announced  
15 that you became CEO of the Trump campaign, Mr. Stone sent you  
16 this email?

17 A. That would be correct, yes.

18 Q. Now, at the time that you received this email from  
19 Mr. Stone, do you remember where then-candidate Donald Trump  
20 was in the polls relative to his opponent Hillary Clinton?

21 A. We were, depending on the pole, I don't know, 10, 12, 14,  
22 16 points behind. It depended on the polling, but we were  
23 pretty far behind.

24 Q. At the bottom of this email Mr. Stone states, "Trump can  
25 still win, but time is running out. Early voting begins in six

1 weeks. I do know how to win this, but it ain't pretty.  
2 Campaign has never been good at playing the new media. Lots to  
3 do, let me know when you can talk, R."

4 Did I read that correctly?

5 A. That's correct.

6 Q. Then you respond, "Let's talk ASAP"; am I correct?

7 A. That's correct.

8 Q. When Mr. Stone wrote to you, "I do know how to win this  
9 but it ain't pretty," what in your mind did you understand that  
10 to mean?

11 A. Well, roger is an agent provocateur, he's an expert in  
12 opposition research. He's an expert in the tougher side of  
13 politics. And when you're this far behind, you have to use  
14 every tool in the toolbox.

15 Q. What do you mean by that?

16 A. Well, opposition research, dirty tricks, the types of  
17 things that campaigns use when they have got to make up some  
18 ground.

19 Q. Did you view that as sort of value added that Mr. Stone  
20 could add to the campaign?

21 A. Potentially value added, yes.

22 Q. Was one of the ways that Mr. Stone could add value to the  
23 campaign his relationship with WikiLeaks or Julian Assange?

24 A. I don't know if I thought it at the time, but he could --  
25 you know, I was led to believe that he had a relationship with

1 WikiLeaks and Julian Assange.

2 Q. I want to turn to Exhibit 32.

3 MR. MARANDO: And publish it to the jury, please.

4 Ms. Rhode, can you -- yes, thank you. The bottom part  
5 first, please, right there.

6 BY MR. MARANDO:

7 Q. Mr. Bannon, directing you to Government's Exhibit 32, I  
8 want to direct to you all the way to the bottom of this  
9 exhibit.

10 Do you recognize at the bottom, is that an email from you,  
11 dated October 4th, 2016, at 9:25 a.m.?

12 A. That's correct, yes.

13 Q. Was this an email that you sent to Roger Stone?

14 A. Yes, that's correct.

15 Q. I'm going to read that bottom email. It says, "What was  
16 that this morning?"

17 Did I read that correctly?

18 A. You did.

19 Q. Now, do you remember what that was in reference to?

20 A. There was, I believe, that morning a press coverage in  
21 London that had been highly touted by the media, and it didn't  
22 turn out like the media hyped it in advance. It didn't turn  
23 out to be what people were hyping it about.

24 Q. Was it supposed to be an announcement by WikiLeaks?

25 A. I think Julian Assange and WikiLeaks were having a press

1 conference and potentially making some announcements, yes.

2 Q. And what would those announcements have related to, to  
3 your knowledge?

4 A. I think what the news media was saying that it was  
5 potentially about the Clinton emails or Clinton -- something to  
6 do with the Clinton campaign.

7 Q. Was that getting a lot of press at the time, that there  
8 was supposed to be this announcement by WikiLeaks?

9 A. Yes, it was. The Drudge website had a double siren. It  
10 means it's of like national importance.

11 Q. Why then, why did you send this email then, that date on  
12 October 4th, 2016, to Mr. Stone?

13 A. I don't believe -- I think the press conference was about  
14 another topic or it wasn't about the topic that everybody had  
15 hyped it about.

16 Q. Was one of the reasons why you sent this email to  
17 Mr. Stone because he was the access point to WikiLeaks and  
18 Julian Assange in the campaign?

19 A. Yes, he had a relationship or told me he had a  
20 relationship with Julian Assange and WikiLeaks, so it would be  
21 natural that I would reach out to him.

22 Q. So were you sending this email to try to find out why  
23 there wasn't any announcement that day?

24 A. I think it's twofold. One is to find out why there's no  
25 announcement, and the other was a little bit of a heckle.

1 Q. That nothing came up?

2 A. That nothing came up.

3 Q. I want to read the email responsive above that from  
4 Mr. Stone on the same day.

5 MR. MARANDO: I'm sorry, you can bring it back to  
6 where it was.

7 BY MR. MARANDO:

8 Q. "Fear, serious security concern, he thinks they are going  
9 to kill him and the London police are standing down. However,  
10 a load every week going forward. Roger Stone."

11 Did I read that correctly?

12 A. You did, sir.

13 Q. And you responded above, "He didn't cut deal with  
14 Clintons."

15 Did I read that correctly?

16 A. That's correct.

17 Q. Why did you respond that way to Mr. Stone?

18 A. Well, this was so hyped that it was going to be something,  
19 and then it turned out to be something totally different, I --  
20 you know, putting my cynical hat on that it might have been  
21 some other reason then, they just didn't -- they had the press  
22 conference and didn't say anything. Maybe a deal was cut  
23 behind the scenes.

24 Q. When you are having this back-and-forth with Mr. Stone on  
25 October 4th, 2016, did you believe that Stone actually knew

1 what happened with WikiLeaks and why they didn't release  
2 documents on that day?

3 A. Yes. I took it from the email he had sent me, he had  
4 quite a detailed knowledge of what went on. So from the email  
5 he sent me, he had quite a detailed knowledge of what went on.  
6 So I also thought that he had an understanding of what went on.

7 Q. That's why you wrote the first email?

8 A. That's correct, yes.

9 Q. Now, do you know whether or not WikiLeaks released any  
10 emails related to John Podesta, the chair of the Clinton  
11 campaign, following the October 4th, 2016 email?

12 A. Yes, I believe they did, yes.

13 Q. Was that, to your memory, on October 7th, 2016?

14 A. I don't remember specifically on October 7th, no.

15 Q. You don't?

16 A. No.

17 Q. All right. Does that sound about right, do you remember  
18 the date it came out?

19 A. I just remember the weekend. It came out on what we refer  
20 to as "Billy Bush Weekend." I think they came out around that  
21 time.

22 MR. MARANDO: Okay, nothing further, Your Honor.

23 THE COURT: All right, any cross-examination of this  
24 witness?

25 MR. BUSCHEL: Yes, Judge.

1 May it please the Court, good afternoon.

2 Good afternoon, Mr. Bannon.

3 THE WITNESS: Hi.

4 CROSS-EXAMINATION

5 BY MR. BUSCHEL:

6 Q. I represent Roger Stone.

7 Before you joined the Trump campaign, you were the  
8 executive chairman of Breitbart News?

9 A. That's correct.

10 Q. That is a conservative news site?

11 A. Yes.

12 Q. You became chief executive officer of the Trump campaign,  
13 didn't you?

14 A. That's correct.

15 Q. And you knew Roger Stone at this time and while you were  
16 working at Breitbart as an author, writer, political operative,  
17 correct?

18 A. That's correct.

19 Q. At that time you said you spoke to Roger Stone every  
20 couple of weeks, right?

21 A. Yes.

22 Q. And you knew that Roger Stone had a longstanding  
23 relationship with Donald Trump?

24 A. Yes.

25 Q. You have been interviewed by the special counsel's office

1 numerous times, right?

2 A. Yes.

3 Q. And you appeared in front of the grand jury?

4 A. Yes.

5 Q. And you also appeared in front of the House Permanent  
6 Select Committee on Intelligence, true?

7 A. Yes.

8 Q. Throughout all of those interviews by Congress and the  
9 Department of Justice, you were asked many questions about many  
10 different topics that have absolutely nothing to do with Roger  
11 Stone.

12 A. That's correct, yes.

13 Q. The interviews with the FBI and the special counsel's  
14 office were hours long, correct?

15 A. More than hours, many hours.

16 Q. Many hours. Many lawyers, many federal agents, right?

17 A. Yes, sir.

18 Q. When you appeared in front of the House Permanent Select  
19 Committee, there were a dozen or so congressman --

20 MR. MARANDO: Objection.

21 MR. BUSCHEL: Just describing the room.

22 THE COURT: All right. Well, you can come to the  
23 bench and tell me what the basis of the objection is.

24 (Bench conference.)

25 THE COURT: Okay.

1           MR. MARANDO: Just asking questions about the, his  
2 testimony before the House Permanent Select Committee seems  
3 like it's outside the scope of the direct.

4           THE COURT: What are we doing?

5           MR. BUSCHEL: It's just to set that he testified  
6 there, and there's some questions about what he testified to,  
7 and documents were asked of him and he had lawyers respond.  
8 It's general.

9           THE COURT: About the subject matter of his -- are  
10 you going to ask him about things he was asked there?

11          MR. BUSCHEL: Yes.

12          THE COURT: That relate to his direct testimony or  
13 about all of these other topics?

14          MR. BUSCHEL: No, I'm not going to ask about the  
15 other topics.

16          THE COURT: All right, is it inconsistent with his  
17 in-court testimony?

18          MR. BUSCHEL: Some yes, some no. It's not a big  
19 deal.

20          THE COURT: I'm just saying if it's inconsistent with  
21 his in-court testimony, you can bring it out. If it's not  
22 inconsistent with his in-court testimony it's hearsay and you  
23 can't bring it up.

24          MR. BUSCHEL: I understand.

25          THE COURT: All right.

1 (Open court.)

2 BY MR. BUSCHEL:

3 Q. You were brought to Congress, there were many congressman  
4 and congresswomen asking you questions about various topics  
5 outside of Roger Stone?

6 A. Yes, sir.

7 Q. You and the Trump campaign did not view Roger Stone as an  
8 access point between the Trump campaign and WikiLeaks, correct?

9 A. I did or did not?

10 Q. Did not.

11 A. Did not view him as an access point? I think we did, yes.

12 Q. You just gave an interview in preparation for your  
13 testimony today, right, with the government, with the  
14 Department of Justice?

15 A. What do you mean, an interview?

16 Q. Did you sit down with them recently?

17 A. Yes.

18 Q. And did they ask you that precise question, whether you  
19 thought Roger Stone was an access point to WikiLeaks?

20 A. I think they asked me the exact question they just asked  
21 me a few minutes ago.

22 Q. And you gave a different answer than you just gave right  
23 now, didn't you?

24 You said that Roger Stone -- you and the Trump campaign did  
25 not view Mr. Stone as an access point between the Trump

1 campaign and WikiLeaks.

2 A. The campaign had no -- had no official access to WikiLeaks  
3 or to Julian Assange, but Roger would be considered, if we  
4 needed an access point, an access point because he had implied  
5 or told me that he had a relationship with WikiLeaks and Julian  
6 Assange.

7 Q. You don't recall Mr. Stone had access to nonpublic  
8 information from WikiLeaks, correct?

9 THE COURT: Do you recall -- do you know --

10 BY MR. BUSCHEL:

11 Q. He didn't tell you that, did he, that he had nonpublic  
12 access to WikiLeaks documents?

13 A. No, I don't believe he ever did.

14 Q. And you never spoke to Mr. Stone about who his actual  
15 source might be, correct?

16 A. That never came up. I thought he would have -- it was  
17 always -- I always believed that Roger had the relationship  
18 with WikiLeaks and Julian Assange. It never came up that there  
19 was someone else.

20 Q. But that is your speculation, he did not tell you that.

21 A. Did not tell me what?

22 Q. That Julian Assange was that contact person.

23 A. I don't remember.

24 Q. In September 2016 -- by September 2016, WikiLeaks already  
25 released a large number of emails from the DNC that you felt

1 were marginally helpful to the Trump campaign.

2 A. That's correct.

3 Q. You don't remember if Roger Stone had any discussion of  
4 WikiLeaks within the campaign, besides you?

5 A. I don't know.

6 Q. In fact, in your mind it wasn't a major topic of  
7 conversation, was it?

8 A. That's correct, it was not.

9 Q. I mean you're -- at the time, you were a busy guy. The  
10 campaigns could be intense, time intensive, you've got  
11 everybody talking in your ear, right?

12 A. That's correct.

13 Q. Everybody is sending you emails?

14 A. That's correct.

15 Q. Everybody has the great idea to turn this campaign around,  
16 right, everyone.

17 A. That's correct.

18 Q. From the kid in the mailroom to everyone, right?

19 A. That's correct.

20 Q. To the guy on the street.

21 A. That's correct.

22 Q. And you have to -- being the head person in charge at the  
23 time, need to filter all of that?

24 A. That's correct.

25 Q. The good ideas from the silly ones, right?

1 A. That's correct.

2 Q. And everybody thinks they know something special and have  
3 special access and all of this stuff that you don't know, that  
4 they know better than you, right?

5 A. That's correct.

6 Q. And it's your job to distinguish reality from fantasy, if  
7 you will.

8 A. That's correct.

9 Q. So in your mind at the time, you had important stuff to  
10 look at, and WikiLeaks was not a high priority, was it.

11 A. That's correct.

12 Q. You believed that Assange was, quote, a nonevent.

13 A. That's correct.

14 THE COURT: At what point?

15 MR. BUSCHEL: At the event of --

16 Let's get into what the government just showed you.

17 BY MR. BUSCHEL:

18 Q. At that point where there was a big hype, Drudge Report,  
19 two sirens, it was nothing, right, a big dud?

20 A. It was a big dud, yes.

21 Q. So you just said, in essence, you were teasing Roger  
22 Stone, "Hey, what happened," heckling him, "Nice, nice, your  
23 friend, Julian Assange."

24 A. I didn't heckle, but things that the WikiLeaks thing would  
25 do would be marginally helpful. Things that would hurt Hillary

1 Clinton and help the candidate would be positive for the  
2 campaign, we were that far behind.

3 Q. At that point you thought it was all a lot of talk,  
4 nothing from Roger Stone?

5 A. That morning, yes.

6 Q. Julian Assange made a promise publicly that he'll have  
7 more releases about the Clinton campaign and Clinton things on  
8 a weekly basis. That was public knowledge at that point.

9 A. That is correct, yes, as I remember.

10 Q. Even then, even with that announcement, you thought it was  
11 nonsense that -- not even something you were concerned with?

12 A. Not a high priority, yes.

13 Q. Roger Stone was not sent by anyone in the campaign to talk  
14 to Julian Assange, true?

15 A. Not to my knowledge, no.

16 Q. And you never had a conversation with Roger Stone about  
17 sending someone to talk to Julian Assange, correct?

18 A. That's correct.

19 Q. And the campaign, when you were there, never sent anyone  
20 to contact Julian Assange?

21 A. Not to my knowledge, no.

22 Q. You've spoken to Roger Stone since you left the campaign?

23 A. I have, yes.

24 Q. You have spoken to Roger Stone since you -- you had a  
25 position in the White House for a period of time?

1 A. That is correct.

2 Q. And you have spoken to Roger Stone since you left the  
3 White House, correct?

4 A. That is correct.

5 Q. You have never spoken about Russian interference in the  
6 election with Roger Stone, have you?

7 A. I have not.

8 Q. This Billy Bush Weekend time period that you just  
9 referenced, others outside of the campaign were taking credit  
10 for this event of this WikiLeaks dump, correct?

11 A. As I remember, when I became cognizant that that happened,  
12 yes.

13 Q. When asked who it might be, you said it could have been  
14 Jason Miller who took credit for this?

15 A. I don't remember saying that.

16 Q. David Bossie, Brad Parsale, Michael Flynn, Donald  
17 Trump Jr., Rudy Giuliani, these are all names that people were  
18 going, "Oh, I had something to do with that."

19 A. I didn't hear that. I'm not saying it's not true, I just  
20 don't remember hearing that.

21 Q. In fact, in retrospect, you don't think Roger Stone  
22 predicted anything having to do with WikiLeaks or talked to  
23 someone at WikiLeaks about data dumps, upcoming data dumps.

24 A. What do you mean, "in retrospect"?

25 Q. As you sit here today, you don't think that Roger Stone

1 had any inside knowledge and predictions from WikiLeaks.

2 MR. MARANDO: Object, Your Honor.

3 THE COURT: Sustained.

4 BY MR. BUSCHEL:

5 Q. Roger Stone was not the only person claiming to attempt to  
6 have contact with WikiLeaks as a source, true?

7 MR. MARANDO: Objection, Your Honor.

8 THE COURT: I think he asked him that question.

9 To your knowledge, did other people -- well, let's break  
10 this into two.

11 Did other people claim to you that they had a connection  
12 to WikiLeaks?

13 THE WITNESS: No, not that I remember.

14 THE COURT: Are you aware of whether other people  
15 claimed publicly that they did?

16 THE WITNESS: I don't even remember it publicly. I  
17 remember it was -- basically, I think, particularly in  
18 conservative media, it was Roger.

19 BY MR. BUSCHEL:

20 Q. Eric Prince was not an employee of the Trump campaign,  
21 true?

22 A. That's correct.

23 Q. Held no official position with the campaign?

24 A. That's correct.

25 MR. BUSCHEL: One moment, Judge.

1 THE COURT: That's fine.

2 (Pause.)

3 MR. BUSCHEL: That's it, thank you.

4 Thank you, sir.

5 THE COURT: All right. Any redirect of this witness?

6 MR. MARANDO: Just briefly, Your Honor.

7 REDIRECT EXAMINATION

8 BY MR. MARANDO:

9 Q. You were asked on cross-examination about whether or not  
10 you were interested in the WikiLeaks release; you were asked  
11 that, am I right, by Mr. Buschel?

12 A. Yes, I think so.

13 Q. You were interested -- let me rephrase that.

14 You were asked on cross-examination whether or not you were  
15 interested in what WikiLeaks had; is that right?

16 A. That's correct.

17 Q. Now, I want to pull back up the October 4th email,

18 Exhibit 32.

19 Is this the email that we discussed on direct examination  
20 regarding the date that WikiLeaks was supposed to make an  
21 announcement releasing materials possibly belonging to Hillary  
22 Clinton?

23 A. At a press conference, yes.

24 Q. You testified on cross-examination that you weren't  
25 necessarily interested in what WikiLeaks has, correct, but --

1 am I right, did you answer that to Mr. Buschel?

2 A. Yes.

3 Q. But in this email here, on October 4th, 2016, this is the  
4 date of the supposed announcement, am I right?

5 A. Yes.

6 Q. At 9:25 a.m. --

7 A. Yes.

8 Q. -- that morning, Mr. Stone was the man that you wrote to,  
9 to find out what was happening with that announcement; am I  
10 right?

11 A. That's correct.

12 Q. And there was a reason why you wrote to Mr. Stone at  
13 9:25 in the morning, of the morning of that announcement; am I  
14 right?

15 A. That's correct.

16 Q. And that reason is -- is that reason that he was the  
17 access point or the --

18 MR. BUSCHEL: Objection, leading.

19 THE COURT: I think you testified on direct that he  
20 had few reasons for writing him, so why did you write to Stone,  
21 in particular, at 9:25 that morning, what was that?

22 THE WITNESS: Because Roger was the guy that knew --  
23 had told us or told me he knew WikiLeaks and knew Julian  
24 Assange.

25 MR. MARANDO: Thank you.

1 BY MR. MARANDO:

2 Q. You were also asked on cross-examination about various  
3 individuals who took credit for predicting the release of  
4 emails by WikiLeaks.

5 You were asked that on cross-examination, correct?

6 A. That's correct.

7 Q. So names like Jason Miller were mentioned, and other  
8 individuals that may have announced or may have predicted this  
9 release of materials; is that right?

10 A. But I said that I didn't them predict that.

11 Q. Okay. But you are aware that -- or you knew that Roger  
12 Stone took credit for predicting the release of those emails;  
13 am I correct?

14 A. I think what I said is that over that weekend, when I  
15 heard and became aware that there were emails released, that I  
16 also believed I heard that Roger Stone was somehow involved in  
17 the release of those emails.

18 MR. MARANDO: Nothing further.

19 THE COURT: All right. Mr. Bannon, you are excused  
20 as a witness. Thank you, you may step down.

21 (Witness excused.)

22 THE COURT: I have some good news for members of the  
23 jury. Our next witness is not in the building and not going to  
24 testify today, so we're going to break and let you all enjoy  
25 your weekend.

1 I do want to underscore that, again, the case has not yet  
2 been submitted to you. You have heard some evidence, you have  
3 not heard all of the evidence. There will be many  
4 opportunities over the next three days to perhaps hear someone  
5 discussing the matter on the news or in public, or see  
6 something on line. People may want to ask you about it. You  
7 may be thinking, "Gee, I just need to solidify in my mind what  
8 happened about this, that or the other," but you are instructed  
9 to put this case out of your mind for the next several days.  
10 Do not discuss it with anyone. If they bring it up, you tell  
11 them you don't want to discuss it with them. If any press  
12 information comes to your attention inadvertently, turn the  
13 page, click on something else, turn off the TV, leave the room.

14 I will ask you when you get back on Tuesday if you have  
15 read or heard anything about the case. If someone brings  
16 something to you or tries to talk to you, please be sure to  
17 report that to Mr. Haley when you come back on Tuesday.

18 I hope you all have a great weekend, and we'll see you  
19 then.

20 Thank you very much. You can leave your notebooks here.

21 (Jury excused 3:03 p.m.)

22 THE COURT: I plan to start at the regular time,  
23 9:30 a.m. on Tuesday, so please have the witness here and ready  
24 to go at that time, and whoever the witnesses that are to  
25 follow the witness on Tuesday morning should be teed up and

1 ready to go.

2 On Wednesday the 13th, I want to let you know that we  
3 won't go much later than 4:00 or 4:15 if necessary. There  
4 is -- there's a conflict in the afternoon in another event, and  
5 then there may be some cases that I have to hear either  
6 Thursday morning or Friday morning that may require us to start  
7 a little later, but we'll talk about that at that time.

8 Is there anything the government wanted to bring to my  
9 attention now?

10 MR. KRAVIS: May we approach briefly regarding  
11 scheduling?

12 THE COURT: Yes.

13 Is this a conversation you also want sealed?

14 MR. KRAVIS: Yes, please.

15 (Bench conference sealed.)

16 THE COURT: Okay.

17 MR. KRAVIS: [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

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[REDACTED]

MR. KRAVIS: [REDACTED]

THE COURT: [REDACTED]

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23 MR. KRAVIS: [REDACTED]

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THE COURT: [REDACTED]

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MR. KRAVIS: [REDACTED]

THE COURT: [REDACTED]

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MR. BUSCHEL: [REDACTED]

THE COURT: [REDACTED]

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MR. BUSCHEL: [REDACTED]

THE COURT: [REDACTED]

MR. KRAVIS: [REDACTED]

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THE COURT: [REDACTED]

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MR. KRAVIS: [REDACTED]

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THE COURT: [REDACTED]

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MR. BUSCHEL: [REDACTED]

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THE COURT: [REDACTED]

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MR. BUSCHEL: [REDACTED]

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THE COURT: [REDACTED]

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MR. BUSCHEL: [REDACTED]

MR. KRAVIS: [REDACTED]

THE COURT: [REDACTED]

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MR. KRAVIS: [REDACTED]

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MR. BUSCHEL: [REDACTED]

MR. KRAVIS: [REDACTED]

THE COURT: [REDACTED]

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MR. KRAVIS: [REDACTED]

MR. BUSCHEL: [REDACTED]

(Open court.)

THE COURT: All right, court is adjourned until  
Tuesday.

(Trial adjourned at 3:15 p.m.)

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CERTIFICATE

I certify that the foregoing is a true and correct transcript, to the best of my ability, of the above pages, of the stenographic notes provided to me by the United States District Court, of the proceedings taken on the date and time previously stated in the above matter.

I further certify that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken, and further that I am not financially nor otherwise interested in the outcome of the action.

\_\_\_\_\_  
/s/ Crystal M. Pilgrim, RPR, FCRR

\_\_\_\_\_  
Date: November 9, 2019

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