

<p>DISTRICT COURT, DENVER COUNTY, COLORADO 1437 Bannock Street Denver, CO 80202</p> <p>ERIC COOMER, Ph.D., Plaintiff</p> <p>vs.</p> <p>DONALD J. TRUMP FOR PRESIDENT, INC., et al., Defendants</p>	<p>DATE FILED: September 17, 2021 8:12 PM FILING ID: E9E5DD591D201 CASE NUMBER: 2020CV34319</p> <p>▲ COURT USE ONLY ▲</p>
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EXHIBIT K-8

What We Know About Sidney Powell, the Lawyer Behind Wild Voting Conspiracy Theories

A frequent guest on conservative radio and TV, she briefly became a public face of the Trump campaign before being cut loose on Sunday.

By Jeremy W. Peters and Alan Feuer

Dec. 8, 2020

Until late last week, most Americans who aren't regular consumers of right-wing talk radio and cable news probably had not heard of Sidney Powell, an appellate lawyer from Texas who joined President Trump's legal team earlier this month as it undertook a fruitless pursuit to prove that fraud cost him the election.

Ms. Powell burst into national attention on Thursday, when she appeared alongside Rudolph W. Giuliani, who is leading the president's legal efforts, at a surreal news conference where she made claims that strained credulity, even for a presidential campaign that has repeatedly lowered the bar. In a matter of minutes, Ms. Powell blamed Cuba, Venezuela, the Clinton Foundation, the billionaire George Soros and Antifa, a loosely defined left-wing movement, for somehow making votes for Mr. Trump disappear.

Mr. Giuliani seemed unfazed as his new colleague floated these fanciful theories. And when Ms. Powell finished speaking, the former mayor of New York added another possible conspirator she had left out: Black Lives Matter activists.

Mr. Trump, however, was not so pleased. And he apparently had enough after Ms. Powell later accused Georgia's Republican governor, Brian Kemp, and its Republican secretary of state, Brad Raffensperger, of being paid off for their involvement in the plot.

"Georgia is probably going to be the first state I'm going to blow up," Ms. Powell said over the weekend in an interview with Newsmax TV. "And Mr. Kemp and the secretary of state need to go with it."

The Trump campaign on Sunday issued a statement from Mr. Giuliani and another campaign lawyer, Jenna Ellis, disavowing Ms. Powell.

Ms. Powell's role on the Trump team was never clear. She did not appear in court at any of the dozen or so hearings so far in election-related cases, nor did she sign any of the hundreds of filings in nearly 40 election lawsuits submitted by the Trump campaign. How then did she become a public face of Mr. Trump's legal team, which Ms. Ellis described at the news conference as an "elite strike force," with Ms. Powell at her side?

The Michael Flynn case

Ms. Powell did not have much of a reputation in conservative legal circles until last year when she took on the case of Michael T. Flynn, Mr. Trump's first national security adviser, who had pleaded guilty to lying to the F.B.I. but later sought to withdraw his plea. The case became something of a cause célèbre among many Trump loyalists, who have long insisted that the president and his allies were the target of nefarious "deep state" law enforcement and intelligence officials.

Ms. Powell, a native North Carolinian who began her legal career as an assistant federal prosecutor in Texas, certainly believed that. And through her aggressive defense of Mr. Flynn — she often used incendiary rhetoric, accusing the F.B.I. of committing "atrocities" against her client — she became an admired figure on the right and a frequent guest on conservative radio and television programs.

Her visibility in the media caught the eye of the president, who spoke with her numerous times by phone.

While representing Mr. Flynn, Ms. Powell also used her media appearances to amplify social media posts promoting QAnon, the baseless conspiracy theory whose proponents believe Mr. Trump is battling a cabal of satanic pedophiles. But this approach did not hurt her in the eyes of the president's defenders, including Attorney General William P. Barr. After her attempts to get the Flynn case dismissed failed, Mr. Barr agreed to appoint a U.S. attorney to review the case, a step that ultimately led him to direct the Justice Department to drop the charges against her client. The case is still in limbo.

In a statement to The New York Times earlier this year, Ms. Powell said she had long considered "prosecutorial misconduct and overreach" a problem. Conspiracies within the American government have been a preoccupation of hers for some time: In 2014 she self-published a book that purports to be a seminal work in "exposing 'the Deep State.'"

The book arose from her work in private practice, where she spent years representing defendants in the Enron financial scandal, including the accounting firm Arthur Andersen and James A. Brown, a former executive at Merrill Lynch. During that time she began to impugn the motives of one of the federal prosecutors on the case, Andrew Weissmann, who went on to be a member of the special counsel team under Robert S. Mueller III, who led the investigation into the Trump campaign's ties to Russia.

False claims of voter fraud

Though the false narrative that Ms. Powell laid out last week at the news conference was new to many Americans, she had been making those and other claims for more than a week as a frequent guest on right-wing talk radio and cable news programs, and as a source for pro-Trump websites like Breitbart News.

Her accusations were specific to the election, but they resembled the claims that Mr. Trump and his supporters have made for years about a vast web of enemies working to undermine him.

The basic case she has presented on conservative media was as convoluted as it was far-fetched: Venezuela, Cuba and other communist nations were behind a plot to hack into voting machines and steal millions of votes from Mr. Trump, with the help of a secret algorithm.

In an interview last week on the top-rated “Rush Limbaugh Show” — in which she spoke for nearly 20 minutes and faced no skepticism from the guest host, Mark Steyn — Ms. Powell claimed that the voting machines in question had been designed to rig elections for the former ruler of Venezuela, Hugo Chávez, who died in 2013. They were “so hackable a 15-year-old could do it,” she said. And she cited unnamed “math experts” she had supposedly consulted who told her how an algorithm added votes for President Trump to Joseph R. Biden Jr.’s totals.

Trump's Bid to Subvert the Election

A monthslong campaign. During his last days in office, President Donald J. Trump and his allies undertook an increasingly urgent effort to undermine the election results. That wide-ranging campaign included perpetuating false and thoroughly debunked claims of election fraud as well as pressing government officials for help.

In an interview the day before on Fox Business, Ms. Powell also said the conspiracy involved “dead people” who voted “in massive numbers” — again offering no proof — and described how fraudulent paper ballots were also part of the scheme.

Speaking early last week to the right-wing radio host Mark Levin, who has the fourth-largest audience in talk radio, Ms. Powell said she had obtained an affidavit from someone purportedly present when the scheme was hatched by pro-Chávez forces in Venezuela to rig his elections.

Because of her involvement in the Flynn case, the pro-Trump media often presented her as an expert with unimpeachable credentials.

“Sidney Powell is no joke,” declared one Breitbart article published last week, which mentioned her early career as a federal prosecutor and her work for Mr. Flynn. Mr. Limbaugh, too, told his audience last week that he seriously doubts she would be putting her credibility on the line if she hadn’t uncovered serious wrongdoing.

Other Trump allies were less convinced that her claims should be taken seriously. Tucker Carlson of Fox News said last week that when he pressed Ms. Powell, she failed to produce any evidence to support the elaborate conspiracy she purported to have uncovered. His dissent was not appreciated by the president’s defenders, or by Ms. Powell, who said Mr. Carlson had been “very insulting, demanding and rude” to her.

Despite initial praise from the president, who announced less than two weeks ago that she had been added to his team of “wonderful lawyers,” it was never clear during her brief time with the campaign what her job was supposed to be. Her efforts on behalf of the Trump campaign appeared to be largely limited to public relations. She has defended the president and attacked the integrity of the vote solely on Twitter, on television and at news conferences, acting more as a publicity agent than a lawyer.

She has said she plans to file a suit in Georgia but hasn’t yet. It is unclear whether that work will continue now that the Trump campaign has cut her loose.