

<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>
<p><b>Attorneys for Plaintiff</b>            Charles J. Cain, No. 51020  <u><a href="mailto:ccain@ctrial.com">ccain@ctrial.com</a></u>            Steve Skarnulis, No. 21PHV6401  <u><a href="mailto:skarnulis@ctrial.com">skarnulis@ctrial.com</a></u>            Bradley A. Kloewer, No. 50565  <u><a href="mailto:bkloewer@ctrial.com">bkloewer@ctrial.com</a></u>            Zachary H. Bowman, No. 21PHV6676  <u><a href="mailto:zbowman@ctrial.com">zbowman@ctrial.com</a></u>  <b>CAIN &amp; SKARNULIS PLLC</b>            P. O. Box 1064            Salida, Colorado 81201            719-530-3011/512-477-5011 (Fax)</p> <p>Thomas M. Rogers III, No. 28809  <u><a href="mailto:trey@rklawpc.com">trey@rklawpc.com</a></u>            Mark Grueskin, No. 14621  <u><a href="mailto:mark@rklawpc.com">mark@rklawpc.com</a></u>            Andrew E. Ho, No. 40381  <u><a href="mailto:andrew@rklawpc.com">andrew@rklawpc.com</a></u>            RechtKornfeld PC            1600 Stout Street, Suite 1400            Denver, Colorado 80202            303-573-1900/303-446-9400 (Fax)</p>	<p>Case Number: 2020cv034319</p> <p>Division Courtroom: 409</p>

**EXHIBIT M-7**

## 77 Days: Trump's Campaign to Subvert the Election

Hours after the United States voted, the president declared the election a fraud — a lie that unleashed a movement that would shatter democratic norms and upend the peaceful transfer of power.

By Jim Rutenberg, Jo Becker, Eric Lipton, Maggie Haberman, Jonathan Martin, Matthew Rosenberg and Michael S. Schmidt

Published Jan. 31, 2021 Updated Feb. 12, 2021

By Thursday the 12th of November, President Donald J. Trump's election lawyers were concluding that the reality he faced was the inverse of the narrative he was promoting in his comments and on Twitter. There was no substantial evidence of election fraud, and there were nowhere near enough "irregularities" to reverse the outcome in the courts.

Mr. Trump did not, could not, win the election, not by "a lot" or even a little. His presidency would soon be over.

Allegations of Democratic malfeasance had disintegrated in embarrassing fashion. A supposed suitcase of illegal ballots in Detroit proved to be a box of camera equipment. "Dead voters" were turning up alive in television and newspaper interviews.

The week was coming to a particularly demoralizing close: In Arizona, the Trump lawyers were preparing to withdraw their main lawsuit as the state tally showed Joseph R. Biden Jr. leading by more than 10,000 votes, against the 191 ballots they had identified for challenge.

As he met with colleagues to discuss strategy, the president's deputy campaign manager, Justin Clark, was urgently summoned to the Oval Office. Mr. Trump's personal lawyer, Rudolph W. Giuliani, was on speaker phone, pressing the president to file a federal suit in Georgia and sharing a conspiracy theory gaining traction in conservative media — that Dominion Systems voting machines had transformed thousands of Trump votes into Biden votes.

Mr. Clark warned that the suit Mr. Giuliani had in mind would be dismissed on procedural grounds. And a state audit was barreling toward a conclusion that the Dominion machines had operated without interference or foul play.

Mr. Giuliani called Mr. Clark a liar, according to people with direct knowledge of the exchange. Mr. Clark called Mr. Giuliani something much worse. And with that, the election-law experts were sidelined in favor of the former New York City mayor, the man who once again was telling the president what he wanted to hear.

Thursday the 12th was the day Mr. Trump's flimsy, long-shot legal effort to reverse his loss turned into something else entirely — an extralegal campaign to subvert the election, rooted in a lie so convincing to some of his most devoted followers that it made the deadly Jan. 6 assault on the Capitol almost inevitable.

*To hear more audio stories from publishers like The New York Times, download Audm for iPhone or Android.*

Weeks later, Mr. Trump is the former President Trump. In coming days, a presidential transition like no other will be dissected when he stands trial in the Senate on an impeachment charge of "incitement of insurrection." Yet his lie of an election stolen by corrupt and evil forces lives on in a divided America.

A New York Times examination of the 77 democracy-bending days between election and inauguration shows how, with conspiratorial belief rife in a country ravaged by pandemic, a lie that Mr. Trump had been grooming for years finally overwhelmed the Republican Party and, as brake after brake fell away, was propelled forward by new and more radical lawyers, political organizers, financiers and the surround-sound right-wing media.

In the aftermath of that broken afternoon at the Capitol, a picture has emerged of entropic forces coming together on Trump's behalf in an ad hoc, yet calamitous, crash of rage and denial.

But interviews with central players, and documents including previously unreported emails, videos and social media posts scattered across the web, tell a more encompassing story of a more coordinated campaign.

Across those 77 days, the forces of disorder were summoned and directed by the departing president, who wielded the power derived from his near-infallible status among the party faithful in one final norm-defying act of a reality-denying presidency.

Throughout, he was enabled by influential Republicans motivated by ambition, fear or a misplaced belief that he would not go too far.

In the Senate, he got early room to maneuver from the majority leader, Mitch McConnell. As he sought the president's help in Georgia runoffs that could cost him his own grip on power, Mr. McConnell heeded misplaced assurances from White House aides like Jared Kushner that Mr. Trump would eventually accede to reality, people close to the senator told The Times. Mr. McConnell's later recognition of Mr. Biden's victory would not be enough to dissuade 14 Republican senators from joining the president's last-ditch bid to nullify millions of Americans' votes.

Likewise, during the campaign, Attorney General William P. Barr had echoed some of Mr. Trump's complaints of voter fraud. But privately the president was chafing at Mr. Barr's resistance to his more authoritarian impulses — including his idea to end birthright citizenship in a legally dubious pre-election executive order. And when Mr. Barr informed Mr. Trump in a tense Oval Office session that the Justice Department's fraud investigations had run dry, the president dismissed the department as derelict before finding other officials there who would view things his way.

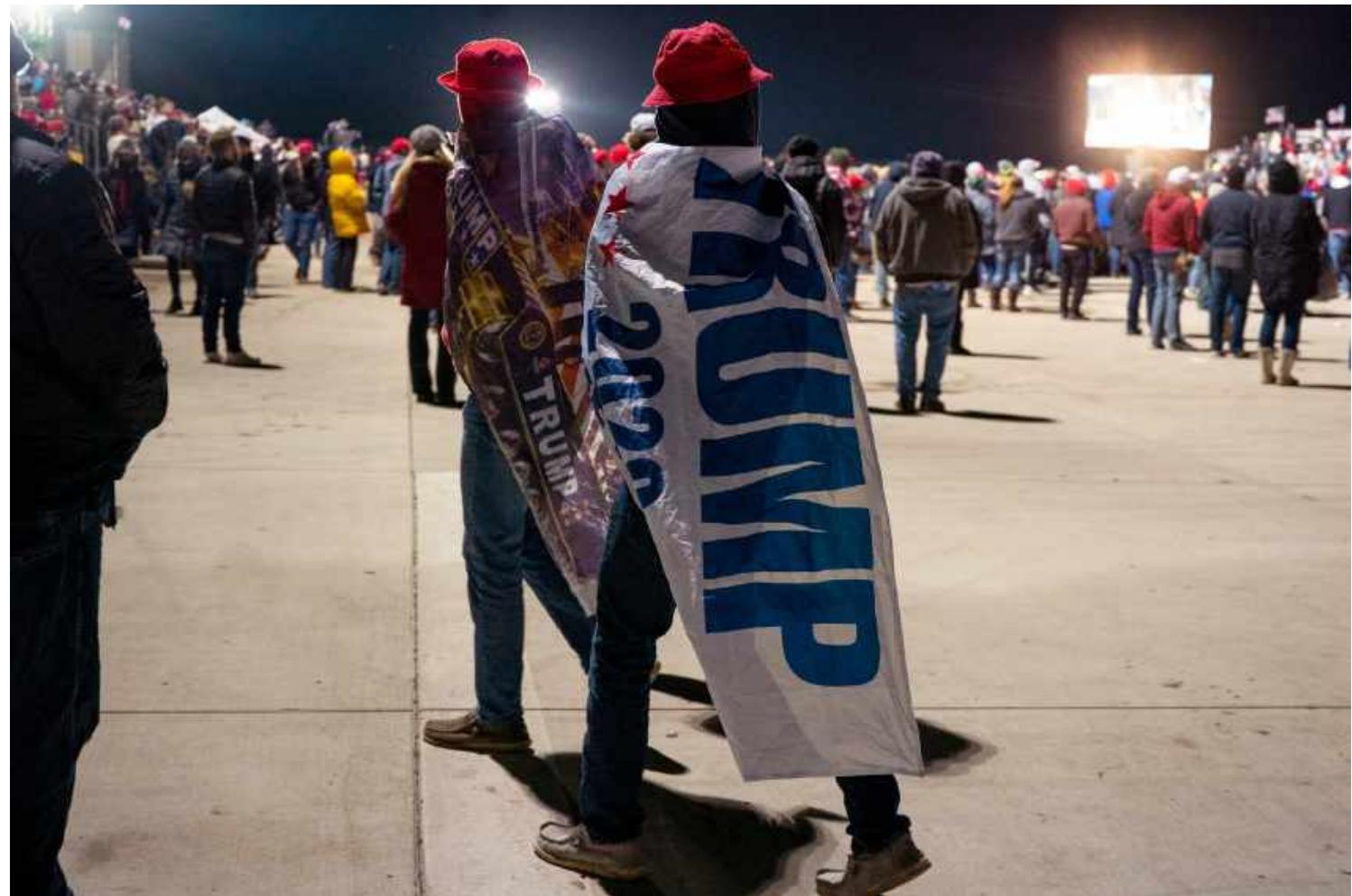
For every lawyer on Mr. Trump's team who quietly pulled back, there was one ready to push forward with propagandistic suits that skated the lines of legal ethics and reason. That included not only Mr. Giuliani and lawyers like Sidney Powell and Lin Wood, but also the vast majority of Republican attorneys general, whose dead-on-arrival Supreme Court lawsuit seeking to discount 20 million votes was secretly drafted by lawyers close to the White House, The Times found.

As traditional Republican donors withdrew, a new class of Trump-era benefactors rose to finance data analysts and sleuths to come up with fodder for the stolen-election narrative. Their ranks included the founder of MyPillow, Mike Lindell, and the former Overstock.com chief executive Patrick Byrne, who warned of "fake ballots" and voting-machine manipulation from China on One America News Network and Newsmax, which were finding ratings in their willingness to go further than Fox in embracing the fiction that Mr. Trump had won.

As Mr. Trump's official election campaign wound down, a new, highly organized campaign stepped into the breach to turn his demagogic fury into a movement of its own, reminding key lawmakers at key times of the cost of denying the will of the president and his followers. Called Women for America First, it had ties to Mr. Trump and former White House aides then seeking presidential pardons, among them Stephen K. Bannon and Michael T. Flynn.

As it crossed the country spreading the new gospel of a stolen election in Trump-red buses, the group helped build an acutely Trumpian coalition that included sitting and incoming members of Congress, rank-and-file voters and the "de-platformed" extremists and conspiracy theorists promoted on its home page — including the white nationalist Jared Taylor, prominent QAnon proponents and the Proud Boys leader Enrique Tarrio.

With each passing day the lie grew, finally managing to do what the political process and the courts would not: upend the peaceful transfer of power that for 224 years had been the bedrock of American democracy.



A rally in Grand Rapids, Mich., on the night before Election Day marked the conclusion of the Trump campaign. After the president's loss, a new, reality-denying campaign would follow. Doug Mills/The New York Times

## 'A Fraud on the American Public'

In the days before Nov. 3, polls strongly indicated that election night would show Mr. Trump in the lead, as his voters were less concerned about the coronavirus and more likely to vote in person. Those tallies would register first on the network television scoreboards.

But the polls also indicated that the president's apparent lead would diminish or disappear overnight, as more mail-in ballots, favored by Biden voters, were added to the official counts.

As Election Day approached, Mr. Trump and those closest to him believed that his lead would be insurmountable, their views swayed by the assurances of pro-Trump pundits and the unscientific measure of the size and excitement of the president's rally crowds. Yet for months he had also been preparing an argument to dispute a possible loss: that it could only be due to a vast conspiracy of fraud. (A spokesman for the former president declined to comment for this article.)

Flying home on Air Force One from the final campaign event in Grand Rapids, Mich., in the early hours of Nov. 3., Mr. Trump's son Eric proposed an Electoral College betting pool.

He wagered that the president would win at least 320 electoral votes, according to a person present for the exchange. "We're just trying to get to 270," an adviser more grounded in polling and analytics replied.

The polls, in fact, had it right.

Gathered in the East Room of the White House on election night, Mr. Trump and his entourage fell into enraged disbelief as his lead inexorably dissipated, even in formerly red states like Arizona, which Fox called for Mr. Biden at 11:20 in what the president took as a stinging betrayal. Eric Trump goaded him on — a dynamic that would play out in the weeks to come. There would be no early victory speech that evening.

Instead, in a brief televised address shortly before 2:30 a.m., Mr. Trump furiously laid down his postelection lie.

"This is a fraud on the American public. This is an embarrassment to our country. We were getting ready to win this election — frankly, we did win this election," the president declared. "We want all voting to stop. We don't want them to find any ballots at 4 o'clock in the morning and add them to the list."

President Donald J. Trump, in the early hours after election night, called the votes against him "a fraud on the American public." Doug Mills/The New York Times

Leading Republicans quickly fell in line.

On Fox, Newt Gingrich, the former House speaker, predicted that Mr. Trump's supporters would erupt in rage "as they watch Joe Biden's Democratic Party steal the election in Philadelphia, steal the election in Atlanta, steal the election in Milwaukee."

On Thursday night, Kevin McCarthy, the House Republican leader, told Laura Ingraham on Fox: "Everyone who's listening, do not be quiet, do not be silent about this. We cannot allow this to happen before our very eyes."

Online, the disinformation floodgates opened still further, their messages frequently landing on local and cable news. Facebook, Twitter and Instagram filled with videos alleging that a dog had voted in Santa Cruz, Calif. Fears that thousands of Trump votes would be thrown out in Arizona — because voters had been forced to use felt-tipped Sharpie pens that scanners could not read — rocketed across conservative social media accounts and the QAnon network before informing two lawsuits, one filed by Mr. Trump's campaign. (The ballots were readable; both suits were dropped.)

But another, more enduring conspiracy theory was gaining momentum, one that would soon be taken up by Mr. Giuliani.

On Oct. 31, an obscure website, The American Report, had published a story saying that a supercomputer called the Hammer, running software called Scorecard, would be used to steal votes from Mr. Trump.

The story's authors had spent years spreading false claims that the Obama administration had used the Hammer to spy on the 2016 Trump campaign — in their telling, a central part of the deep-state conspiracy that spawned the Russia investigation and Mr. Trump's first impeachment.

Their reports were sourced to Dennis Montgomery, a onetime national security contractor described by his former lawyer as a "con man," and were often backed by Thomas McInerney, a retired Air Force lieutenant general whose military résumé could lend credibility to the fantastical tales.

Mr. McInerney was just emerging from conservative media purgatory. Two years earlier, Fox had banned him after he falsely stated that Senator John McCain had shared military secrets while he was a prisoner of war in North Vietnam. But he was finding new exposure through social media and new outlets, like One America News and Mr. Bannon's podcast and radio show, "War Room: Pandemic," that had elastic ideas about journalistic standards of verification.

The vote-stealing theory got its first exposure beyond the web the day before the election on Mr. Bannon's show. Because of the Hammer, Mr. McInerney said, "it's going to look good for President Trump, but they're going to change it." The Democrats, he alleged, were seeking to use the system to install Mr. Biden and bring the country to "a totalitarian state."

The Hammer and Scorecard story came together with disparate conspiracy theories about Dominion voting systems that had been kicking around on the left and the right, most forcefully on the Twitter feed of a Republican congressman from Arizona, Paul Gosar. In a post on Nov. 6, he called on Arizona's governor, Doug Ducey, to "investigate the accuracy and reliability of the Dominion ballot software and its impact on our general election."

The tweet helped set off a social media wildfire, drawing intense interest from accounts that regularly circulate and decode QAnon-related content.

A day later, The Associated Press and the major television networks declared that Mr. Biden would be the 46th president of the United States.

## 'The Media Doesn't Get to Decide'

For decades, leaders of both parties have treated the TV network and Associated Press election calls as definitive, congratulating the president-elect within hours. Despite record reliance on mail voting because of the pandemic, there was nothing especially unusual about the outcome in 2020: Mr. Biden's margins in key Electoral College states were similar to Mr. Trump's four years before.

This time, Republican leaders in Congress broke with the norm.

On ABC's "This Week" on Nov. 8, the senior Republican senator overseeing elections, Roy Blunt of Missouri, declared that the old rules no longer applied. "The media can project, but the media doesn't get to decide who the winner is," he said. "There is a canvassing process. That needs to happen."

The senator who mattered most, whose words would have the greatest bearing on Mr. Trump's odds-against campaign, was the majority leader, Mr. McConnell of Kentucky.

Mr. McConnell was playing a long game.

Senators Mitch McConnell and Roy Blunt delayed acknowledging the Biden victory as Mr. Trump railed against the results. Anna Moneymaker for The New York Times

The leader and the president had been in regular contact in the days since the election, according to several people with knowledge of their conversations. But the publicly bellicose president rarely confronted Mr. McConnell in one-on-one calls and avoided making any specific demands. He did not threaten retribution should Mr. McConnell follow tradition and congratulate Mr. Biden.

But Mr. McConnell knew that by doing so, he would endanger his own overriding political goal — winning the two runoffs in Georgia and maintaining Republican control of the Senate, which would allow him to keep his power as majority leader. If he provoked Mr. Trump's anger, he would almost certainly lose the president's full support in Georgia.

So as Mr. Trump would rant about voter fraud as if he were making an appearance on "Fox & Friends," Mr. McConnell would try to redirect the discussion to a specific court case or the runoffs, according to party officials familiar with the calls. "They were talking past one another," one of them said.

The senator was also under a false impression that the president was only blustering, the officials said. Mr. McConnell had had multiple conversations with the White House chief of staff, Mark Meadows, and the senator's top political adviser, Josh Holmes, had spoken with Mr. Kushner, the president's son-in-law and senior adviser. Both West Wing officials had conveyed the same message: They would pursue all potential avenues but recognized that they might come up short. Mr. Trump would eventually bow to reality and accept defeat.

The majority leader rendered his verdict on Nov. 9, during remarks at the first postelection Senate session. Even as he celebrated Republican victories in the Senate and the House — which in party talking points somehow escaped the pervasive fraud that cast Mr. Biden's victory in doubt — Mr. McConnell said, "President Trump is 100 percent within his rights to look into allegations of irregularities and weigh his legal options." He added, "A few legal inquiries from the president do not exactly spell the end of the republic."

That left the Senate with only a handful of Republicans willing to acknowledge the president's loss: established Trump critics like Mitt Romney of Utah and Lisa Murkowski of Alaska.

"We lose elections because they cheat us," Senator Lindsey Graham told Sean Hannity.

That night, Senator Lindsey Graham of South Carolina, then the Judiciary Committee chairman, went on Sean Hannity's program to share an affidavit from a postal worker in Erie, Pa., who said he had overheard supervisors discussing illegally backdating postmarks on ballots that had arrived too late to be counted. He had forwarded it to the Federal Bureau of Investigation.

"They can all go to hell as far as I'm concerned — I've had it with these people. Let's fight back," Mr. Graham said. "We lose elections because they cheat us."

Earlier that day, however, the postal worker had recanted his statement in an interview with federal investigators — even though he continued to push his story online afterward. His affidavit, it turned out, had been written with the assistance of the conservative media group Project Veritas, known for its deceptive tactics and ambush videos.

## 2020 Is Not 2000 All Over Again

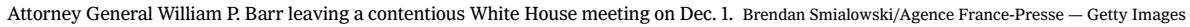
The attorney general, Mr. Barr, arrived at the White House on the afternoon of Dec. 1 to find the president in a fury.

For weeks, Mr. Trump had been peppering him with tips of fraud that, upon investigation by federal authorities, proved baseless. That morning, after the president complained to Fox that the Justice Department was "missing in action," Mr. Barr told The Associated Press that "we have not seen fraud on a scale that could have effected a different outcome."

But another allegation had just captured the presidential imagination: A truck driver on contract with the Postal Service was claiming that he had delivered many thousands of illegally filled-out ballots to Pennsylvania from a depot on Long Island.

Federal investigators had determined that that one, too, was bunk. Court records showed that the driver had a history of legal problems, had been involuntarily committed to mental institutions several times and had a sideline as a ghost hunter, The York Daily Record reported.

Now, with the White House counsel, Pat A. Cipollone, backing him, Mr. Barr told the president that he could not manufacture evidence and that his department would have no role in challenging states' results, said a former senior official with knowledge about the meeting, a version of which was first reported by Axios. The allegations about manipulated voting machines were ridiculously false, he added; the lawyers propagating them, led by Mr. Giuliani, were "clowns."

A black and white photograph showing Attorney General William P. Barr walking through a doorway. He is wearing a dark suit and tie. The background is slightly blurred, showing other people and what appears to be a formal setting like the White House.

Mr. Trump paused, thought about it and said, “Maybe.”

But before Mr. Barr left the building, the president tweeted out the truck driver’s account, which quickly gained 154,000 mentions on Twitter, according to an analysis by Zignal Labs. The driver would appear on Newsmax, Mr. Bannon’s “War Room” and “Hannity,” among the most-watched programs on cable.

Days later, that allegation was featured in a lawsuit with an extraordinary request: that the court decertify the Pennsylvania result and strip Mr. Biden of the state’s delegates — a call to potentially disenfranchise nearly seven million voters.

The legal group behind the suit, the Amistad Project, was part of the Thomas More Society, a conservative law firm historically focused on religious liberty issues. It was now working with Mr. Giuliani and had as a special counsel a Trump campaign legal strategist, Jenna Ellis. A judge dismissed the suit as “improper and untimely.”

It was exactly the sort of lawsuit Mr. Trump’s more experienced election lawyers viewed as counterproductive and, several people involved in the effort said in interviews, embarrassing.

In the run-up to the election, the legal team, led by Mr. Clark and Matt Morgan, had modeled its strategy on the disputed election of 2000, when only a few hundred votes separated Al Gore and George W. Bush in Florida. Mr. Bush had benefited from a combination of savvy lawyering and ugly political tactics that included the riotous “Brooks Brothers” protest over specious allegations of Democratic fraud.

Twenty years later, the margins were far too large to be made up by recounts or small-bore court maneuvers.

Even after a recount in the tightest state, Georgia, found some 2,000 lost Trump votes, Mr. Biden led by nearly 12,000. And Mr. Giuliani’s arguments that the Trump campaign could prove Dominion voting machines illegally made the difference were summarily dismissed by Mr. Trump’s other lawyers, who were carefully tracking a recount of the machines’ paper receipts.

“There was a literal physical hand count of every single one of those five million pieces of paper, and they matched almost identically, and we knew that within a week,” said Stefan Passantino, a Trump lawyer who helped oversee the initial strategy in the state. “We are not going to participate in bringing allegations about the sanctity of this machine.” (Dominion has sued Mr. Giuliani and Ms. Powell for defamation.)

A worker counting ballots in Georgia, which Joseph R. Biden Jr. led with about 12,000 votes. Lynsey Weatherspoon for The New York Times

But the Trump election lawyers were looking to another lesson from 2000. In a Supreme Court opinion in *Bush v. Gore*, Chief Justice William H. Rehnquist had argued that Florida court orders dictating recount procedures violated the constitutional clause that gives state legislatures the power to set the terms for selecting electors.

Many of the early Trump campaign suits had adopted that approach. Contradicting the president, the campaign lawyers — and even Mr. Giuliani — had in several cases acknowledged in court that they were not alleging fraud. Rather, they argued that in bending rules to make mail voting easier during the pandemic — extending deadlines, striking requirements for witness signatures — secretaries of state or state courts or election boards had improperly usurped their legislatures' role.

Yet as the suits failed in court after court across the country, leaving Mr. Trump without credible options to reverse his loss before the Electoral College vote on Dec. 14, Mr. Giuliani and his allies were developing a new legal theory — that in crucial swing states, there was enough fraud, and there were enough inappropriate election-rule changes, to render their entire popular votes invalid.

As a result, the theory went, those states' Republican-controlled legislatures would be within their constitutional rights to send slates of their choosing to the Electoral College.

If the theory was short on legal or factual merit, it was rich in the sort of sensational claims — the swirl of forged ballots and “deep state” manipulation of voting machines — that would allow Mr. Trump to revive his fight, give his millions of voters hope that he could still prevail and perhaps even foment enough chaos to somehow bring about an undemocratic reversal in his favor.

## ‘This Is the Big One’

Before Thanksgiving, a team of lawyers with close ties to the Trump campaign began planning a sweeping new lawsuit to carry that argument.

One of them, Kris Kobach, a former Kansas secretary of state, had been a central player in some of the harshest recent moves to restrict voting, leading to frequent pushbacks in court. He had also helped lead Mr. Trump’s “election integrity” commission, created after the president claimed he had lost the 2016 popular vote because of fraud; it had ended with litigation, internal strife and no evidence of fraud.

Another member of the team, Mark Martin, a former North Carolina chief justice, was now a law school dean and informal Trump adviser. A third, Lawrence Joseph, had previously intervened in federal court to support Mr. Trump’s efforts to block the release of his income-tax returns.

According to lawyers involved in the conversations, the group determined that the fast-approaching Electoral College vote did not leave time for a series of lawsuits to work their way through the courts. They would need to go directly to the Supreme Court, where, they believed, the conservative majority would be sympathetic to the president, who had appointed three of its members. The team quickly began working on a draft complaint.

Only one type of lawyer can take a case filed by one state against another directly to the Supreme Court: a state attorney general. The president’s original election lawyers doubted that any attorney general would be willing to do so, according to one member of the team, speaking on the condition of anonymity. But Mr. Kobach and his colleagues were confident. After all, nine attorneys general were on the Trump campaign’s lawyers group, whose recruitment logo featured the president as Uncle Sam, saying: “I want you to join Lawyers for Trump. Help prevent voter fraud on Election Day.”

A recruitment logo for a legal group supporting the Trump campaign.

Yet as the draft circulated among Republican attorneys general, several of their senior staff lawyers raised red flags. How could one state ask the Supreme Court to nullify another's election results? Didn't the Republican attorneys general consider themselves devoted federalists, champions of the way the Constitution delegates many powers — including crafting election laws — to each state, not the federal government?

In an interview, Mr. Kobach explained his group's reasoning: The states that held illegitimate elections (which happened to be won by Mr. Biden) were violating the rights of voters in states that didn't (which happened to be won by Mr. Trump).

"If one player in a game commits a penalty and no penalty is called by the referee, that is not fair," he said.

The obvious choice to bring the suit was Ken Paxton of Texas, an ardent proponent of the president's voter-fraud narrative who had filed a number of lawsuits and legal memos challenging the pandemic-related expansion of mail-in voting. But he was compromised by a criminal investigation into whether he had inappropriately used his office to help a wealthy friend and donor. (He has denied wrongdoing.)

The Trump allies made a particularly intense appeal to Louisiana's attorney general, Jeffrey M. Landry, a member of Lawyers for Trump and, at the time, the head of the Republican Attorneys General Association.

He declined. Mr. Paxton would be the one. He decided to carry the case forward even after lawyers in his own office argued against it, including his own solicitor general, Kyle D. Hawkins, who refused to let his name be added to any complaint.

Ken Paxton, the Texas attorney general, helped bring a lawsuit before the Supreme Court that sought to dismiss the popular votes in multiple states. Jacquelyn Martin/Associated Press

On Dec. 7, Mr. Paxton signed an unusual contract to hire Mr. Joseph as a special outside counsel, at no cost to the State of Texas. Mr. Joseph referred questions about his role to the Texas attorney general; Mr. Paxton declined to comment.

The same day the contract was signed, Mr. Paxton filed his complaint with the Supreme Court. Mr. Joseph was listed as a special counsel, but the brief did not disclose that it had been written by outside parties.

The lawsuit was audacious in its scope. It claimed that, without their legislatures' approval, Georgia, Michigan, Pennsylvania and Wisconsin had made unconstitutional last-minute election-law changes, helping create the conditions for widespread fraud. Citing a litany of convoluted and speculative allegations — including one involving Dominion voting machines — it asked the court to shift the selection of their Electoral College delegates to their legislatures, effectively nullifying 20 million votes.

Condemnation, some of it from conservative legal experts, rained down. The suit made "a mockery of federalism" and "would violate the most fundamental constitutional principles," read a brief from a group of Republican office holders and former administration officials. Putting a finer point on it, Richard L. Hasen, an election-law scholar at the University of California, Irvine, called it "a heaping pile of a lawsuit."

One lawyer knowledgeable about the planning, speaking on the condition of anonymity, said: "There was no plausible chance the court will take this up. It was really disgraceful to put this in front of justices of the Supreme Court."

Even the Republican attorney general of Georgia, Chris Carr, said it was "constitutionally, legally and factually wrong."

That prompted a call from the president, who warned Mr. Carr not to interfere, an aide to the attorney general confirmed. The pressure campaign was on.

The next day, Dec. 9, Representative Mike Johnson of Louisiana sent an email to his colleagues with the subject line, "Time-sensitive request from President Trump." The congressman was putting together an amicus brief in support of the Texas suit; Mr. Trump, he wrote, "specifically asked me to contact all Republican Members of the House and Senate today and request that all join." The president, he noted, was keeping score: "He said he will be anxiously awaiting the final list to review."

An email from Representative Mike Johnson requesting congressional Republicans' support for the Texas lawsuit.

Some 126 Republican House members, including the caucus leader, Mr. McCarthy, signed on to the brief, which was followed by a separate brief from the president himself. "This is the big one. Our Country needs a victory!" Mr. Trump tweeted. Privately, he asked Senator Ted Cruz of Texas to argue the case.

On Fox, Sean Hannity, who spoke regularly with the president, declared that "tonight, every decent Republican attorney general with a brain needs to get busy working on their amicus briefs to support this Texas suit."

In fact, the Missouri solicitor general, D. John Sauer, was already circulating an email, giving Republican attorneys general less than 24 hours to decide whether to join a multistate brief.

And once again, red flags were going up among the attorneys generals' staff, emails obtained by The Times show.

"The decision whether we join this amicus is more political than it is legal," James E. Nicolai, North Dakota's deputy solicitor general, wrote to his boss.

"I still think it is most likely that the Court will deny this in one sentence," Mr. Nicolai wrote in a follow-up email, which was also sent to the attorney general, Wayne Stenehjem.

But the brief was gaining momentum, closing in on support from two-thirds of the Republican attorneys general, 18 in all. At the last minute, Mr. Stenehjem decided to become one of them, leading Mr. Nicolai to send another email.

"Wonder what made Wayne decide to sign on?" he wrote.

At Mr. Trump's urging, the Republican Attorneys General Association made one final play, asking Mr. Barr to back the suit. He refused.

On Dec. 11, the court declined to hear the case, ruling that Texas had no right to challenge other states' votes.

Caravans of Trump supporters, organized by Women for America First, rallied across the country to oppose the certification of Mr. Biden's electoral votes. Tasos Katopodis/Getty Images

## 'We the People Decide'

If the highest court in the land couldn't do it, there had to be some other way.

And so they came the next day, by the thousands, to a long-planned rally in Washington, filling Freedom Plaza with red MAGA caps and Trump and QAnon flags, vowing to carry on. The president's legal campaign to subvert the election might have been unraveling, but their most trusted sources of information were glossing over the cascading losses, portraying as irrefutable the evidence of rampant fraud.

"The justice system has a purpose in our country, but the courts do not decide who the next president of the United States of America will be," the freshly pardoned former national security adviser, Mr. Flynn, told the crowd. "We the people decide."

There was encouragement from figures like Marjorie Taylor Greene, the conspiracy theorist just elected to Congress from Georgia, and Senator Marsha Blackburn of Tennessee, beamed in on a giant video screen.

"Hey there, all of you happy warrior freedom fighters," Ms. Blackburn said. "We're glad you're there standing up for the Constitution, for liberty, for justice."

The rally had been planned by Women for America First, which was quietly becoming the closest thing Mr. Trump had to a political organizing force, gathering his aggrieved supporters behind the lie of a stolen election.

The group's founder, Amy Kremer, had been one of the original Tea Party organizers, building the movement through cross-country bus tours. She had been among the earliest Trump supporters, forming a group called Women Vote Trump along with Ann Stone, ex-wife of the longtime Trump adviser Roger Stone.

With donors including the Trump-affiliated America First Policies, Women for America First had rallied support for the Supreme Court nomination of Amy Coney Barrett and defended Mr. Trump during his first impeachment.

The group's executive director was Ms. Kremer's daughter, Kylie Jane Kremer, who recently worked on Sean Hannity's radio show. Two organizers helping the effort, Jennifer Lawrence and Dustin Stockton, were close to Mr. Bannon, having worked at Breitbart and then at his nonprofit seeking private financing to help complete Mr. Trump's border wall. (In August, federal prosecutors accused Mr. Bannon of defrauding the nonprofit's donors, after an investigation that included a raid of Ms. Lawrence and Mr. Stockton's motor home; they were not implicated, and Mr. Bannon, who pleaded not guilty, was later pardoned by the president.)

A onetime organizer for the hard-line Gun Owners of America, according to his LinkedIn page, Mr. Stockton had come to know members of the Three Percenters militia group. He had an online newsletter, Tyrant's Curse, whose credo was, "A well-armed and self-reliant populace, who take personal responsibility and put their faith in God, can never be oppressed and will never be ruled." One post featured a photo from the Dec. 12 rally — Mr. Stockton posing with several Three Percenter "brothers" in military-grade body armor.

SUBSCRIBER EXCLUSIVE

**Wednesday, May 26**  
**7 p.m. E.T. | 4 p.m. P.T.**

RSVP TO ATTEND

How do we fight disinformation? Join Times tech reporters as they untangle the roots of disinformation and how to combat it. Plus we speak to special guest comedian Sarah Silverman. R.S.V.P. to this subscriber-exclusive event.

Ms. Lawrence had personal ties to Mr. Trump. Her father was a real estate broker in the Hudson Valley, where Mr. Trump has a golf club and his sons have a hunting ranch. “He’s done business with Mr. Trump for over a decade, so I’ve had the opportunity of meeting the president and interacting with him on a lot of occasions,” she said in an interview. She also knew Mr. Flynn through their mutual association with a conservative think tank, she said.

C-SPAN

C-SPAN

C-SPAN

C-SPAN

Within hours of the last poll closings on election night, Women for America First had started organizing, forming one of the first major “Stop the Steal” Facebook groups — shut down within 22 hours for posts that the platform said could lead to violence — and holding the first major rally on the Mall, on Nov. 14. The rally permit predicted 10,000 protesters; the crowd was far larger.

“The letdown of the election was kind of put aside,” Mr. Stockton said in an interview. “It was like, ‘We have a new fight to engage in.’”

For the Kremers, Ms. Lawrence and Mr. Stockton, the instrument of that fight would be a reprise of the Tea Party Express, a bus tour to enlist state and federal lawmakers in Mr. Trump’s effort to keep states from certifying results ahead of the Electoral College vote. Equally important, it would be a megaphone to rally the dejected faithful.

The group tapped new veins of financing, with sponsorships from Mr. Bannon’s “War Room,” which paid \$5,000, and Mr. Lindell, who said he believed he gave \$50,000. It helped the group lease the bus and paint it MAGA red, with a huge photo of Mr. Trump and the logos of MyPillow, “War Room” and other sponsors emblazoned on the sides.

As they made their way across the country, they reached out to local elected officials and branches of the Republican National Committee. But with the social media platforms starting to block groups promoting the stolen-election theory, Ms. Lawrence explained, the bus tour would also give “people the outlet that if they’d been de-platformed, they were able to come out and be around like-minded people.”

Early on, the “Trump March” website had included promotion for banned extremists and conspiracy theorists like the white supremacist Mr. Taylor, various QAnon “decoders” and the “Western chauvinist” Proud Boys, according to a version saved by the Internet Archive. (The promotion was taken down ahead of the bus tour).

There were early warning signs of the explosion to come.

In Tennessee, a church that was to host a rally canceled after threats of violence. An evangelical pastor, Greg Locke, who had gained national attention for calling Covid-19 a “fake pandemic,” offered them his church and joined the tour as a speaker.

Following a rally in Des Moines, an armed and armored protester shot a Black teenager in the leg after she and some friends drove by taunting the crowd. An Army veteran named Michael McKinney who followed the Proud Boys on his Facebook page, The Des Moines Register reported, was later charged with attempted murder. (He has pleaded not guilty; his lawyer says he was acting in self-defense as the teenagers menaced the crowd with their car.)

The tour was otherwise doing what it was intended to do. Large crowds often turned out, drawn in part by Mr. Lindell. He had emerged as a star of the Trump media universe in part by standing firm as a major sponsor of Tucker Carlson on Fox when other advertisers deserted over, among other things, Mr. Carlson’s remarks that white supremacy was “a hoax.”

In an interview, Mr. Lindell said he had sponsored the bus tour so that he could share the findings of investigations he was financing — he was spending \$1 million in all — to produce evidence of voter fraud, including for Ms. Powell’s Dominion lawsuits.

“Donald Trump got so many votes that they didn’t expect, it broke the algorithms in the machines,” he told the crowd in Des Moines. “What they had to do was backfill the votes.” Ms. Powell, he said, had “the proof, 100 percent the proof.”

Mr. Trump was watching and, seeing the tour’s success, even helicoptered above the Dec. 12 rally on Marine One.

But after the 12th, the group found itself in limbo — leading a restive movement without a clear destination.

## The Cavalry ‘Is Coming, Mr. President’

The day after the Electoral College certified the votes as expected, Mitch McConnell moved to bring the curtain down. He called the president’s chief of staff, Mr. Meadows, to say that he would be acknowledging Mr. Biden as president-elect that afternoon on the Senate floor.

Mr. McConnell had been holding off in part because of the earlier assurances from Mr. Meadows and Mr. Kushner, and he had been inclined to believe them when Mr. Trump finally freed the General Services Administration to begin the transition. Yet even now, the president was refusing to concede. “This fake election can no longer stand,” he wrote on Twitter. “Get moving Republicans.”

Perhaps most important in Mr. McConnell’s evolving calculus, internal polls were showing that the Republicans’ strongest argument in the Georgia runoffs was that a Republican-led Senate would be a necessary check on a new — and inevitable — Democratic administration.

Mr. McConnell did not call the president until after his speech congratulating Mr. Biden. It was a perfunctory conversation, with the president expressing his displeasure. The men have not spoken since.

At the White House, Mr. Trump was still searching for ways to nullify the results, soliciting advice from allies like Mr. Flynn, Mr. Giuliani and Ms. Powell.

On Dec. 18, he met with Mr. Byrne, Mr. Flynn and Ms. Powell in a four-hour session that started in the Oval Office and ended in the White House residence, where Swedish meatballs were served, Mr. Byrne later recalled.

With a team of “cybersleuths,” Mr. Byrne was working with Mr. Flynn and Ms. Powell to develop and promote theories about Dominion and foreign interference. Earlier, Mr. Flynn had publicly raised the notion that the president should use martial law to force a revote in swing states.

The meeting descended into shouting as a group that included Mr. Cipollone, who had absorbed most of Mr. Trump’s frustrations for weeks as he tried to stop a number of legally questionable ideas, tried to dissuade the president from entertaining a range of options the visitors were proposing. “It was really damned close to fistfights,” Mr. Byrne recalled on the “Operation Freedom” YouTube show.

Pat A. Cipollone, the White House counsel, often found himself at odds with those advising the president on a postelection strategy. Anna Moneymaker for The New York Times

By then, even Mr. Bannon had turned on the Dominion theory he'd helped push — it was time to present "evidence" or move on, he said on his show a few days later. And ultimately Mr. Trump agreed, at least for the moment, to focus on a different goal: blocking congressional certification of the results on Jan. 6.

Mr. Meadows had connected the president to Mr. Martin, the former North Carolina justice, who had a radical interpretation of the Constitution: Vice President Mike Pence, he argued, had the power to stop the certification and throw out any results he deemed fraudulent.

In fact, under the Constitution and the law, the vice president's role is strictly ministerial: He "shall" open envelopes from each state, read the vote count and ask if there are objections. Nothing more.

But that process, at the very least, gave Mr. Trump and his congressional allies an opening to stir up trouble — and a cause to energize the base. If one senator and one House member object to a state's results, the two chambers must convene separately to debate, then reconvene to vote. Rejection of the results requires majority votes in both chambers.

Now, Women for America First had a purpose, too. Objectors were already lining up in the House. So the group planned a new bus tour, this one to travel from state to state helping to sway persuadable senators — 11 by their count.

The cavalry "is coming, Mr. President," Kylie Kremer tweeted to Mr. Trump on Dec. 19.

This tour took on an edgier tone. Before heading out, the Kremers, Ms. Lawrence and Mr. Stockton visited the Tactical Response marksman training center in Nashville. Its owner, James Yeager, had had his gun permit suspended in 2013 after posting a video in which he threatened to "start killing people" if the Obama administration banned assault rifles.

At the training center, Kylie Kremer and Ms. Lawrence taped an episode of Mr. Yeager's "Tactical Response" YouTube show, promoting their tour. They also documented the afternoon with a campy Facebook video of themselves cradling assault weapons and flanking Mr. Stockton, who narrated.

Women for America First posted a video of its leaders carrying firearms.

"See, in America, we love our Second Amendment like we love our women: strong. Isn't that right, girls?"

Ms. Lawrence whooped. "That's right," she replied. "Second Amendment, baby."

By the time the bus pulled into West Monroe, La., for a New Year's Day stop to urge Senator John Kennedy to object to certification, Mr. Trump was making it clear to his followers that a rally at the Ellipse in Washington on Jan. 6 was part of his plan. On Twitter, he promoted the event five times that day alone.

The emcee of the Louisiana stop, the Tea Party activist James Lyle, announced that the next day's event in Missouri was now going to be a thank-you — Senator Josh Hawley had just become the first senator to announce that he would object. "You've got to thank them when they do the right thing," Mr. Lyle said.

But talk at the rally was tilting toward what to do if they didn't.

"We need our president to be confirmed through the states on the 6th," said Couy Griffin, the founder of Cowboys for Trump. "And right after that, we're going to have to declare martial law."

The next day, Mr. Kennedy announced that he would sign on, too.

Mr. Trump's supporters listened to him speak on Jan. 6 before the storming of the Capitol. Pete Marovich for The New York Times

## 'Standing at the Precipice of History'

On Saturday, Jan. 2, Kylie Kremer posted a promotional video for Wednesday's rally on Twitter, along with a message: "BE A PART OF HISTORY."

The president shared her post and wrote: "I'll be there! Historic day."

Though Ms. Kremer held the permit, the rally would now effectively become a White House production. After 12,000 miles of drumbeating through 44 stops in more than 20 states, they would be handing over their movement to the man whose grip on power it had been devised to maintain.

There were new donors, including the Publix supermarket heiress Julie Jenkins Fancelli. She gave \$300,000 in an arrangement coordinated through the internet conspiracy theorist Alex Jones, who pledged \$50,000 as well, The Wall Street Journal reported.

New planners also joined the team, among them Caroline Wren, a former deputy to Kimberly Guilfoyle, the Trump fund-raiser and partner of Donald Trump Jr. The former Trump campaign adviser Katrina Pierson was the liaison to the White House, a former administration official said. The president discussed the speaking lineup, as well as the music to be played, according to a person with direct knowledge of the conversations.

For Mr. Trump, the rally was to be the percussion line in the symphony of subversion he was composing from the Oval Office.

That Saturday, Mr. Trump had called the Georgia secretary of state, Brad Raffensperger, and pressed him, unsuccessfully, to "find" the 11,780 votes needed to win the state.

Mr. Barr had resigned in December. But behind the back of the acting attorney general, Jeffrey A. Rosen, the president was plotting with the Justice Department's acting civil division chief, Jeffrey Clark, and a Pennsylvania congressman named Scott Perry to pressure Georgia to invalidate its results, investigate Dominion and bring a new Supreme Court case challenging the entire election. The scheming came to an abrupt halt when Mr. Rosen, who would have been fired under the plan, assured the president that top department officials would resign en masse.

That left the congressional certification as the main event.

Mr. McConnell had been working for weeks to keep his members in line. In a mid-December conference call, he had urged them to hold off and protect the two Republican runoff candidates in Georgia from having to take a difficult stand.

When Mr. Hawley stepped forward, according to Republican senators, Mr. McConnell hoped at least to keep him isolated.

But Mr. Cruz was working at cross-purposes, trying to conscript others to sign a letter laying out his circular logic: Because polling showed that Republicans' "unprecedented allegations" of fraud had convinced two-thirds of their party that Mr. Biden had stolen the election, it was incumbent on Congress to at least delay certification and order a 10-day audit in the "disputed states." Mr. Cruz, joined by 10 other objectors, released the letter on the Saturday after New Year's.

Mr. McConnell knew that Senator Tom Cotton of Arkansas, among the most conservative Republicans, had been planning to come out publicly against the gambit. Now the majority leader called Mr. Cotton, according to a Republican familiar with the conversation, and urged him to do so as soon as possible. Mr. Cotton quickly complied.

It was coming down to a contest of wills within the Republican Party, and tens of thousands of Trump supporters were converging on Washington to send a message to those who might defy the president.

The rally had taken on new branding, the March to Save America, and other groups were joining in, among them the Republican Attorneys General Association. Its policy wing, the Rule of Law Defense Fund, promoted the event in a robocall that said, "We will march to the Capitol building and call on Congress to stop the steal," according to a recording obtained by the progressive investigative group Documented.

Mr. Stockton said he was surprised to learn on the day of the rally that it would now include a march from the Ellipse to the Capitol. Before the White House became involved, he said, the plan had been to stay at the Ellipse until the counting of state electoral slates was completed.

The president's involvement also meant that some speakers from the original Women for America First lineup would be dropped from the main event. So, Mr. Stockton said, he arranged to have them speak the night before at a warm-up rally at Freedom Plaza.

That event had been planned by a sister group, the 80 Percent Coalition, founded by Cindy Chafian, a former organizer with Women for America First.

"What we're doing is unprecedented," Ms. Chafian said as she kicked off the rally. "We are standing at the precipice of history, and we are ready to take our country back." Addressing Mr. Trump, she said: "We heard your call. We are here for you."

One scheduled speaker would not be in Washington that night: the Proud Boys' leader, Enrique Tarrio. A judge had banished him from the city after his arrest on charges of destruction of property and illegal weapons possession.

Defiantly, to a great roar from the plaza, Ms. Chafian cried, "I stand with the Proud Boys, because I'm tired of the lies," and she praised other militant nationalist groups in the crowd, including the Oath Keepers and the Three Percenters.

Speakers including Mr. Byrne, Mr. Flynn, Mr. Jones, Mr. Stone and the Tennessee pastor Mr. Locke spoke of Dominion machines switching votes and Biden ballots "falling from the sky," of "enemies at the gate" and Washington's troops on the Delaware in 1776, of a fight between "good and evil."

"Take it back," the crowd chanted. "Stop the steal."

Mr. Trump's remarks on Jan. 6 would lead to his second impeachment, on a charge of "incitement of insurrection." Pete Marovich for The New York Times

As the rally wound down in a cold drizzle, groups of young men wearing Kevlar vests and helmets began appearing toward the back of the plaza. Some carried bats and clubs, others knives. Some were Proud Boys, but more sported the insignia of the Three Percenters.

One of the men, with a line of stitches running through his ear, told a reporter: "We're not backing down any more. This is our country." Another, holding a bat, cut the conversation short. "We know what to do with people like you," he said.

Mr. Trump took the stage at the Ellipse the next day shortly before 1 p.m., calling on the tens of thousands before him to carry his message to Republicans in the Capitol: "You'll never take back our country with weakness."

As he spoke, some protesters, with Proud Boys helping take the lead, were already breaching the outer security perimeter around the Capitol. Inside, when Mr. Gosar stood to raise the first objection, to results in his home state of Arizona, several Republican lawmakers gave him a standing ovation.

Less than an hour later, the lawmakers would flee to a secure location as the mob streamed into the building.

By that point, with "all hell breaking loose," as Mr. Stockton put it, he and Ms. Lawrence decided to take golf carts back to their room at the Willard Hotel and, "await instructions about whether to go back to the Ellipse."

Women for America First put out a statement. "We are saddened and disappointed at the violence that erupted on Capitol Hill, instigated by a handful of bad actors, that transpired after the rally," it read. (The Kremers did not provide comment for this article.)

At least one of those actors had been part of their tour — Mr. Griffin, the Cowboys for Trump founder, who was later arrested and charged with knowingly entering a restricted building. The federal charging documents cited a Facebook post in which he vowed to return and leave "blood running out of that building." Others arrested included members of the Proud Boys and the Three Percenters.

On Jan. 15, Mr. Trump acquiesced to an Oval Office meeting with Mr. Lindell, who arrived with two sets of documents. One, provided by a lawyer he would not name, included a series of steps Mr. Trump could take, including "martial law if necessary." The other, Mr. Lindell claimed in an interview the next day, was computer code indicating that China and other state actors had altered the election results — vetted by his own investigators after he found it online.

"I said: 'Mr. President, I have great news. You won with 79 million votes, and Biden had 68 million,'" he recalled. (Mr. Biden had more than 80 million votes, to Mr. Trump's 74 million; Homeland Security officials have rejected the allegations of foreign meddling.)

A couple of minutes later, Mr. Trump directed his national security adviser, Robert O'Brien, to escort Mr. Lindell upstairs, to Mr. Cipollone's office. He told the MyPillow founder to come back afterward.

After a perfunctory discussion, aides directed Mr. Lindell to the exit. "I say it loud, 'I'm not leaving,'" he recalled telling them. He eventually left when an aide made it clear there would be no Oval Office follow-up. The president was done.

The violence at the Capitol, and Congress's eventual certification of Mr. Biden's victory that day, may have spelled the end of Mr. Trump's postelection campaign. The same cannot be said about the political staying power, the grip on the Republican faithful, of the lie he set in motion.



The president's supporters, emboldened by the lie of a stolen election, breached the halls of Congress to stop the certification of the vote. Kenny Holston for The New York Times

In the Senate, Mr. McConnell, who lost his majority leader's gavel with dual defeats in Georgia, initially indicated that he might vote against Mr. Trump in an impeachment trial. But amid rising fury in the Republican ranks, he ultimately voted with most of his colleagues in an unsuccessful attempt to cancel the trial altogether. With only five defectors, though, any thought of a conviction seemed dead on arrival.

In the House, moves were afoot to recruit primary challengers to the 10 Republicans who had voted for impeachment.

It was all as Ms. Lawrence had predicted. "The MAGA movement is more than just Donald Trump," she said in an interview. "This is not going to go away when he leaves office."

Mr. Lindell now says he has spent \$2 million and counting on his continuing investigations of voting machines and foreign interference.

And Mr. Stockton recently announced a new plan on his Facebook page: a "MAGA Sellout Tour."

"What we do now is we take note of the people who betrayed President Trump in Congress and we get them out of Congress," he said. "We're going to make the Tea Party look tiny in comparison."

Mark Walker contributed reporting.

Photographs in illustration by: Ben Margot/Associated Press (Sidney Powell); Stefani Reynolds for The New York Times (rally); Doug Mills/The New York Times (Donald Trump); Samuel Corum/Getty Images (Trump supporters at the Capitol); Erin Schaff/The New York Times (Mike Pence); Lynsey Weatherspoon for The New York Times (ballots); David J. Griffin/Icon Sportswire (Ted Cruz); Pool photo by John Bazemore (Georgia Electoral College).