

**EXHIBIT
B**

<p>DISTRICT COURT, DENVER COUNTY, COLORADO 1437 Bannock Street Denver, CO 80202</p>	<p>DATE FILED: October 4, 2021 11:00 AM FILING ID: 8063AD6C39A4A CASE NUMBER: 2020CV34319</p> <p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<p>ERIC COOMER, Ph.D., Plaintiff</p> <p>vs.</p> <p>DONALD J. TRUMP FOR PRESIDENT, INC., et al., Defendants</p>	<p>Case Number: 2020cv034319</p> <p>Division Courtroom: 409</p>
<p>Attorneys for Plaintiff Charles J. Cain, No. 51020 ccain@cstrial.com Steve Skarnulis, No. 21PHV6401 skarnulis@cstrial.com Bradley A. Kloewer, No. 50565 bkloewer@cstrial.com Zachary H. Bowman, No. 21PHV6676 zbowman@cstrial.com CAIN & SKARNULIS PLLC P. O. Box 1064 Salida, Colorado 81201 719-530-3011/512-477-5011 (Fax)</p> <p>Thomas M. Rogers III, No. 28809 trey@rklawpc.com Mark Grueskin, No. 14621 mark@rklawpc.com Andrew E. Ho, No. 40381 andrew@rklawpc.com RechtKornfeld PC 1600 Stout Street, Suite 1400 Denver, Colorado 80202 303-573-1900/303-446-9400 (Fax)</p>	

1 Q. Okay. Was Trevor Poling a lawyer for
2 Shuffling Madness at that time?
3 A. He was just a representative.
4 Q. Okay. What -- what did Trevor Poling do
5 with Shuffling Madness?
6 A. It was nine years ago. He just worked in
7 the organization.
8 Q. Right.
9 And you discussed correcting that?
10 A. Yes.
11 Q. I assume you're referring to Exhibit 93,
12 the statement of trade name withdrawal, right?
13 A. Yes.
14 Q. Okay. When did you become aware that
15 Shuffling Madness still retained the Conservative Daily
16 trade name?
17 A. When we did research to figure out why you
18 would sue SM -- SMM in correlation to Conservative Daily
19 since at the bottom of Conservative Daily's website is CD
20 Solutions. And we couldn't figure out why. So we did a
21 search, and it came up that it showed up as a trade name
22 back in 2012. It is something we missed over the course
23 of the years, that we made the change.
24 Q. Okay.
25 A. This is something you would do, if you

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1 recognize a mistake that was made previously, you would
2 go in and rectify that mistake.
3 Q. Now, your contention in this litigation is
4 that CD Solutions is the proper entity for control of
5 Conservative Daily?
6 A. Yes.
7 Q. And that includes both podcast and the
8 website?
9 A. Yes.
10 Q. Okay. In preparing for this deposition, I
11 came across a connection between Conservative Daily and
12 Advocacy to Action.
13 What is Advocacy to Action?
14 A. This is -- I mean, if you're asking me on
15 behalf of SMM, I can't answer it.
16 MS. DEFRANCO: Wait a minute.
17 Mr. SKARNULIS, I'm going to object and ask
18 that you hold that for the proper deposition.
19 Q. (By Mr. Skarnulis) Well, did Shuffling
20 Madness Media ever control Conservative Daily?
21 A. Back in 2012.
22 Q. And how long was Shuffling Madness Media in
23 control of Conservative Daily in your contention?
24 A. Till 2018.
25 Q. And at that time what entity controlled

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1 Conservative Daily?
2 A. CD Solutions.
3 Q. Why did CD -- do you own CD Solutions?
4 A. We have partners in CD Solutions, yes.
5 Q. Does Shuffling Madness Media own any of CD
6 Solutions?
7 A. It does not.
8 Q. Who owns Shuffling Madness Media?
9 A. We have lots of partners.
10 Q. Who?
11 A. We have lots of partners. There's
12 multiple partners -- shareholders in CD -- in Shuffling
13 Madness Media.
14 Q. How many?
15 A. 14.
16 Q. Is Max McGuire a partner?
17 MS. DEFRANCO: I'm going to object.
18 And instruct him not to answer who the
19 owners of and improperly --
20 THE REPORTER: I'm sorry. Ms. DeFranco, I
21 can't hear you.
22 MS. DEFRANCO: I'm going to object.
23 And instruct Mr. Oltmann not to give
24 information on who the owners of an improperly named
25 entity are. We have a right to privacy until you can

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1 show otherwise.
2 Q. (By Mr. Skarnulis) Okay. I'm showing you
3 what I've marked as Exhibit 127.
4 Is Max McGuire a partner of Shuffling
5 Madness Media?
6 MS. DEFRANCO: Same objection.
7 A. You're showing me Max's LinkedIn page.
8 Q. (By Mr. Skarnulis) So I take it you're not
9 going to answer whether Mr. McGuire is a partner in
10 Shuffling Madness?
11 A. I've been instructed not to talk about the
12 privacy of partners.
13 Q. Okay. Other than yourself, are there any
14 owners that you can disclose?
15 A. I -- I would never subject anyone inside
16 of Shuffling Madness Media to the bullying, terrorizing
17 that has happened in my life. So the answer to that
18 question is absolutely not.
19 Q. Who are the officers of Shuffling Madness
20 Media?
21 MS. DEFRANCO: Same objection.
22 Q. (By Mr. Skarnulis) You can answer unless
23 she instructs you --
24 MS. DEFRANCO: You may not answer.
25 Q. (By Mr. Skarnulis) All right. Who are the

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<p>1 employees of Shuffling Madness Media? 2 MS. DEFRANCO: Why is this relevant? 3 MR. SKARNULIS: Well, in all honesty -- 4 A. They have people out here right now in 5 the -- in the -- that weren't even associated with it. 6 This is what bullies do. 7 Sorry? 8 Q. (By Mr. Skarnulis) The argument I'm 9 dealing with is that Shuffling Madness contends now that 10 it is not a proper party to this litigation. I want to 11 establish the connection between Shuffling Madness and 12 Conservative Daily, where the allegations were made. 13 A. There is zero connection between Shuffling 14 Madness Media and Conservative Daily. 15 Q. Max McGuire is your cohost on the 16 Conservative Daily podcast, right? 17 A. Yes. 18 Q. At the time the allegations were made about 19 Dr. Coomer, November 9th, 2020, the trade name 20 Conservative Daily was held by Shuffling Madness Media, 21 right? 22 A. That is not operating -- just so we're 23 clear, if you understand business, that does not mean 24 that Conservative Daily is owned by Shuffling Madness 25 Media. Being able to operate a trade name does not</p> <p style="text-align: right;">Page 18</p>	<p>1 Dr. Coomer on the Conservative Daily podcast, CD Solutions 2 registration with the Colorado Secretary of State had 3 expired, were you aware of that? 4 A. This is Shuffling Madness's deposition. 5 You're going to ask me that question on CD Solutions, 6 you're welcome to. 7 Q. Fair enough. 8 A. A trade name does not establish -- 9 THE REPORTER: I'm sorry, sir. I can't 10 hear you. 11 THE DEPONENT: I said a trade name does 12 not establish ownership of an organization, ever. 13 Q. (By Mr. Skarnulis) Did Shuffling Madness 14 Media control Advocacy to Action in November of 2020? 15 A. No. 16 Q. Did Shuffling Madness Media ever control 17 Advocacy to Action? 18 A. Advocacy to Action is not a company. 19 Q. Okay. And how does Advocacy to Action 20 relate to Conservative Daily? 21 A. This is a deposition for Shuffling 22 Madness. This is not a deposition for Conservative 23 Daily. And in my capacity as a representative for 24 Shuffling Madness Media, I can't answer that question 25 because Shuffling Madness Media has no -- has no ability</p> <p style="text-align: right;">Page 20</p>
<p>1 establish that the company is operating underneath of 2 Shuffling Madness Media. 3 MR. SKARNULIS: Objection. Nonresponsive. 4 Q. (By Mr. Skarnulis) The trade name was held 5 by Shuffling Madness Media in November of 2020, right? 6 A. Yes. 7 Q. The trade name has never been registered on 8 behalf of CD Solutions in Colorado, right? 9 A. CD Solutions does not have a domiciled 10 address where it does business just here in Colorado. 11 Q. That's not the question. 12 Has the trade name Conservative Daily ever 13 been registered by CD Solutions with the state of 14 Colorado? 15 A. Yeah, now it is. Not in the state of 16 Colorado, no, no. 17 Q. Okay. Has the trade name Conservative 18 Daily been registered by CD Solutions in other 19 jurisdictions, to your knowledge? 20 A. I believe so, yes. 21 Q. Okay. Where? 22 A. Texas. 23 Q. Anywhere else? 24 A. I don't know. 25 Q. At the time of the allegations about</p> <p style="text-align: right;">Page 19</p>	<p>1 to do that. 2 Q. Okay. I'm asking you because this is from 3 the Wayback Machine in 2014. It says, Copyright by 4 Shuffling Madness Media, Inc. 5 Can you see that? 6 A. I do. 7 Q. And this is Advocacy to Action, right? 8 A. Yes. 9 MR. KIMREY: Mr. Skarnulis, has this been 10 produced in the case, and are you entering it as an 11 exhibit in this deposition? 12 THE REPORTER: Who just spoke? 13 MR. KIMREY: This is Blaine Kimrey. 14 MR. SKARNULIS: It has not been produced 15 in the case. And, yes, I can enter it as an exhibit. 16 MR. KIMREY: What number are we on? 17 MR. SKARNULIS: I'd have to turn to 18 Rebecca for that. 19 MS. DOMINGUEZ: We are on Plaintiff's 20 Exhibit 132. 21 MR. KIMREY: Is that what this should be 22 marked, or should this be marked 133? 23 MS. DOMINGUEZ: 132. It should be marked 24 132. 25 MR. KIMREY: Mr. Skarnulis, can you enter</p> <p style="text-align: right;">Page 21</p>

1 it as such?

2 MR. SKARNULIS: Oh. Yeah, I believe so.

3 I'll have to have Rebecca do that.

4 Rebecca, I will send you the link.

5 MR. KIMREY: So for purposes of this

6 questioning, without getting into authenticity or

7 admissibility or anything like that, we'll refer to this

8 as Exhibit 132 in this deposition and going forward if

9 Mr. Skarnulis agrees. Do you agree?

10 MR. SKARNULIS: Yes.

11 MR. KIMREY: Okay.

12 MR. SKARNULIS: All right. Rebecca, I've

13 emailed that to you.

14 Q. (By Mr. Skarnulis) Okay. So at one point

15 Shuffling Madness Media controlled -- you

16 testified -- controlled Conservative Daily up until 2018,

17 right?

18 A. Yes. And actually, if you go to the

19 Wayback Machine, and you go to 2018/2019, you'll see that

20 all those changes on that product were, in fact, changed,

21 dating back to 2018. I know it wasn't convenient to go

22 back to 2014, but if you actually look at the Wayback

23 Machine -- I can give you the date, if you'd like, I

24 mean, I'm staring at it right now -- it states that

25 copyright -- 2018 shows copyright Advocacy to Action.

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1 2019 shows copyright CD Solutions, Inc.

2 Yeah. I mean, I can scare it with you if

3 you'd like. Do you want me to share it with you?

4 Q. Oh, that's okay. Let me share my screen

5 with you. I was going to ask a question about 2018.

6 A. All right.

7 MR. SKARNULIS: This is from the Wayback

8 Machine. And Blaine and others, I will send this to

9 Rebecca as 133.

10 MR. KIMREY: Thank you.

11 Q. (By Mr. Skarnulis) This is from March of

12 2018. Do you see that, Mr. Oltmann?

13 A. I'm sorry?

14 Q. This is from March of 2018. Do you see

15 that?

16 A. Yeah. So CD Solutions, Inc., was formed

17 in June of 2018.

18 Q. Okay. What was Politizoom, LLC? Do you

19 see the copyright down here?

20 A. It's CD Solutions. So I can't -- I can't

21 comment on it. Excuse me. This is Shuffling Madness

22 Media.

23 Q. Well, did Shuffling Madness Media turn

24 Conservative Daily over to Paula Zoom, LLC, at some point?

25 A. I don't remember that far back, but it

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1 could have. I think this was an effort to

2 separate -- the more success that the businesses had, we

3 wanted to get away from anything that had to do with

4 politics. So I think that's the whole concept behind it.

5 And the more we matured through growing as

6 an organization, the -- the -- got told by, you know, our

7 accounting firms and things like that, that we had to

8 make sort of separations so we'd have that assurance,

9 make the separations so that we could go out and do the

10 things that were necessary in order to raise capital for

11 some of the entities.

12 Q. Okay. Was Politizoom owned by Shuffling

13 Madness Media?

14 A. Yes. And, again, if you go back to the

15 Wayback Machine, we started the organization in -- CD

16 Solutions in June of 2018. On January of 2019, we wanted

17 a clean break on making sure that everything was

18 separated and that we had a year to year on financials.

19 So if you actually go to the January 18,

20 2019, which is the first screenshot that shows up, you

21 will see, again, that it shows copyright 2019, CD

22 Solutions, Inc., all rights reserved, terms of service,

23 using the same service that you just used to show me

24 2018 --

25 THE REPORTER: I'm sorry. 2018?

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1 THE DEPONENT: Early 2018. I'm sorry.

2 Q. (By Mr. Skarnulis) Okay. In -- in your

3 affidavit, which is Exhibit 2, you talked about analysis,

4 and you've previously testified that you've done data

5 analysis.

6 Was any of that performed by entities

7 controlled by Shuffling Madness Media?

8 A. No.

9 Q. You have people who were in the data

10 business at PIN Business Network, right?

11 A. I am in the data business.

12 Q. Okay. I -- I can't recall where the

13 testimony comes from, but at some point you said you had

14 guys working on it.

15 A. Yes.

16 Q. Is that correct?

17 A. Yes.

18 Q. Were those guys from PIN Business Network?

19 A. No, they were not.

20 Q. Or any other entity controlled by Shuffling

21 Madness Media?

22 A. They were not.

23 Q. I will just ask the questions to make sure

24 the record is clear on it.

25 Did -- did Shuffling Madness Media have any


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1 video?
 2 MR. ARRINGTON: So this is Barry
 3 Arrington. I do not want any of the deposition
 4 transcripts so far today. But I would like to go ahead
 5 and put in an order for an Etran for yesterday's
 6 transcript. Is that okay?
 7 THE REPORTER: Yes. Yes.
 8 MR. ARRINGTON: Okay. Thanks.
 9 THE REPORTER: All right. I'm going off
 10 the record.
 11 THE VIDEOGRAPHER: All right. This
 12 concludes the depo for Joe Oltmann, corporate rep for
 13 Shuffling Madness Media.
 14 Off the record at 12:47 p.m. [sic].
 15 * * * * *
 16 WHEREUPON, the foregoing deposition was
 17 concluded at the hour of 11:47 p.m. Total time on the
 18 record was 135 minutes.
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 25

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1 I, JOE OLTMANN, the deponent in the above
 2 deposition, do hereby acknowledge that I have read the
 3 foregoing transcript of my testimony and state under oath
 4 that it, together with any attached Amendment to
 5 Deposition pages, constitutes my sworn testimony.
 6
 7 _____ I have made changes to my deposition
 8 _____ I have NOT made any changes to my deposition
 9
 10
 11 _____
 12 JOE OLTMANN
 13 Subscribed and sworn to before me this _____
 14 day of _____, 20____.
 15
 16 My commission expires: _____
 17
 18 _____
 19 Notary Public
 20
 21 _____
 22 Address
 23
 24
 25

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1 REPORTER'S CERTIFICATE
 2
 3
 4 I, Laurel S. Tubbs, a Registered
 5 Professional Reporter and Notary Public within the State
 6 of Colorado, do hereby certify that previous to the
 7 commencement of the examination, the deponent was duly
 8 sworn by me to testify to the truth.
 9 I further certify that this deposition was
 10 taken in shorthand by me remotely and thereafter reduced
 11 to a typewritten form; that the foregoing constitutes a
 12 true and correct transcript.
 13 I further certify that I am not related
 14 to, employed by, nor of counsel for any of the parties or
 15 attorneys herein, nor otherwise interested in the result
 16 of the within action.
 17 My commission expires September 1, 2023.
 18
 19 
 LAUREL S. TUBBS
 20 Registered Professional Reporter,
 21 Certified Realtime Reporter,
 22 and Notary Public
 23 Dated: September 10, 2021
 24
 25

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1 Ms. Andrea Hall, Esq.
 2 andrea@thehalllawoffice.com
 3 September 10, 2021
 4 RE: Coomer, Eric, Ph.D. v. Donald J. Trump For President, Inc.
 5 9/9/2021, Shuffling Madness Media, Inc. - Joe Oltmann
 6 The above-referenced transcript is available for
 7 review.
 8 Within the applicable timeframe, the witness should
 9 read the testimony to verify its accuracy. If there are
 10 any changes, the witness should note those with the
 11 reason, on the attached Errata Sheet.
 12 The witness should sign the Acknowledgment of
 13 Deponent and Errata and return to the deposing attorney.
 14 Copies should be sent to all counsel, and to Veritext at
 15 errata-tx@veritext.com.
 16
 17 Return completed errata within 30 days from
 18 receipt of testimony.
 19 If the witness fails to do so within the time
 20 allotted, the transcript may be used as if signed.
 21
 22 Yours,
 23 Veritext Legal Solutions
 24
 25

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