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DISTRICT COURT, DENVER COUNTY, COLORADO
1437 Bannock Street
Denver, Colorado 80202

CASE NUMBER 2020 CV 4319
FILED: October 4, 2021 8:44 AM
FILING ID: A878DA8A4EC9B
CASE NUMBER: 2020CV34319

ERIC COOMER, Ph.D., :
 :
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 Plaintiff, :
 :
 :
 vs. :
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 :
 DONALD J. TRUMP FOR PRESIDENT, :
 :
 INC., SIDNEY POWELL, SIDNEY :
 :
 POWELL, P.C., RUDOLPH GIULIANI, :
 :
 JOSEPH OLTMANN, FEC UNITED, :
 :
 SHUFFLING MADNESS MEDIA, INC. :
 :
 dba CONSERVATIVE DAILY, JAMES :
 :
 HOFT, TGP COMMUNICATIONS LLC :
 :
 dba THE GATEWAY PUNDIT, :
 :
 MICHELLE MALKIN, ERIC METAXAS, :
 :
 CHANEL RION, HERRING NETWORKS, :
 :
 INC. dba ONE AMERICA NEWS :
 :
 NETWORK, and NEWSMAX MEDIA, INC., :
 :
 :
 Defendants. :
 ----- x

Veritext Virtual Zoom Videotaped
Deposition of ERIC METAXAS, taken on Friday, August
13, 2021, held at the Courtyard, 410 East 92nd
Street, New York, New York, commencing at 8:36 a.m.,
before Jamie I. Moskowitz, a Certified Court
Reporter and Certified Livenote Reporter.

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E X H I B I T S

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Exhibit 94	Youtube.com email	49
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Exhibit 96	Video of Interview with J. Oltmann from E. Metaxas Show	54
Exhibit 97	Transcript of Podcast from E. Metaxas Show dated 11-24-20	56

1 REQUEST PAGE

2

3 INSTRUCTIONS NOT TO ANSWER:

4 Page Line

5 None

6 REQUEST FOR PRODUCTION OF DOCUMENTS:

7 Page Line Description

8 None

9 STIPULATIONS:

10 Page Line

11 None

12 QUESTIONS MARKED:

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Eric Metaxas

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1 THE VIDEOGRAPHER: Good morning. We
2 are going on the record at 8:36 a.m. on
3 August 13th, 2021. Please note that the
4 microphones are sensitive and may pick up
5 whispering, private conversations and cellular
6 interference. Please turn off all cell phones
7 or place them away from the microphones as they
8 can interfere with the deposition audio.

9 Audio and video recording will
10 continue to take place unless all parties agree
11 to go off the record. This is Media Unit 1 of
12 the video recorded deposition of Eric Metaxas
13 taken by counsel for plaintiff in the matter of
14 Eric Coomer, Ph.D. versus Donald Trump For
15 President, filed in the District Court, City
16 and County of Denver, Colorado, Case Number
17 2020CV034319.

18 This deposition is being held at
19 Courtyard New York, Manhattan, located at
20 410 East 92nd Street, New York, New York. My
21 name is Anton Evangelista from the firm
22 Veritext, and I am the videographer. The court
23 reporter is Jamie Moskowitz from the firm
24 Veritext.

25 I'm not authorized to administer an

1 oath. I'm not related to any party in this
2 action, nor am I financially interested in the
3 outcome.

4 Counsel and all present in the room
5 and everyone attending remotely will now state
6 their appearances and affiliations for the
7 record. If there are any objections to
8 proceeding, please state them at the time of
9 your appearance beginning with the noticing
10 attorney.

11 MR. SKARNULIS: Steve Skarnulis joined
12 with Brad Kloewer for the plaintiff
13 Eric Coomer.

14 MR. QUINN: Tom Quinn on behalf of
15 defendant Metaxas.

16 * * *

17 ERIC METAXAS, after having been first
18 duly sworn, was examined and testified as
19 follows:

20 * * *

21 THE VIDEOGRAPHER: Thank you. We may
22 proceed.

23 MR. SKARNULIS: All right. Before we
24 get started, a couple of things on the record.
25 As with prior depositions, one objection is

1 good for all defendants, so I would assume that
2 will be Mr. Quinn.

3 Let's get started.

4 EXAMINATION BY MR. SKARNULIS:

5 Q Could you please state your name for
6 the record?

7 A I could.

8 Q Will you?

9 A I will.

10 Q All right.

11 A Eric Metaxas.

12 Q Thank you, sir.

13 Have you ever given a deposition
14 before?

15 A I have not.

16 Q All right. A couple of preliminary
17 matters. If you don't understand my question,
18 please let me know, and I'll rephrase it. We need
19 to have verbal answers, so uh-huh, nodding doesn't
20 work for the court reporter. And I can be a bit of
21 a slow talker with lengthy questions. Please try to
22 wait until I'm done so we aren't talking over each
23 other; is that okay?

24 A Certainly.

25 Q All right. You have the Eric Metaxas

1 show. Explain for us what that is.

2 A It's a little complicated. It's a
3 radio show essentially. It's across the country
4 syndicated on the Salem Radio Network, but it's
5 unique in that it's not news talk or faith talk.
6 It's kind of the show -- we call it the show about
7 everything, because I -- I wanted to have a show
8 where I could really talk to anyone about anything I
9 thought would be entertaining or informative for my
10 audience.

11 So if you tune in one day, you might
12 get a comedian. If you tune in the next day, it
13 might be current events. If you tune in the next
14 day, it might be a historian. If you tune in the
15 next day, it might be somebody talking about the
16 Bible. So it's a very -- a pointedly deliberately
17 eclectic talk show. And that kind of sums it up, I
18 guess.

19 Q And are you broadcast on the radio?

20 A Oh, yeah, it's broadcast. It's not
21 live, but it's on the radio every day, Monday
22 through Friday for two hours. And it airs in
23 different markets at different times. In other
24 words, it might air from 2 to 4 in Albuquerque, and
25 it might air at midnight in another place, and so --

1 and a lot of people listen to it on podcasts.

2 So some people don't receive it as a
3 radio program, they receive it as a podcast, because
4 they'd prefer that while they're kayaking or
5 whatever they're doing.

6 Q How long have you had the show?

7 A Six years.

8 Q And how did you begin the show?

9 A I never had an ambition to do radio.
10 I always really wanted to do TV. But I thought if
11 somebody offered me a national radio program, I
12 would consider it, and I had the good fortune in
13 2012 to be invited to speak at the National Prayer
14 Breakfast in Washington, DC. It's a tremendous
15 honor. President Obama was there. I sat next to
16 Joe Biden -- I wasn't expecting to talk about this,
17 but it was kind of an amazing experience. And I
18 gave -- I was the principal speaker.

19 And as a result of that, Salem Radio
20 heard it. Some Salem host played my speech, and
21 they reached out to me and said, would you like to
22 do this national radio show. We have an opening.
23 So it was literally that serendipitous.

24 And I thought about it, prayed about
25 it, and I said I would do it if I could do what I

1 wanted to do, which is to say not -- not do news
2 talk or kind of that current events or the kind of
3 stuff that you -- they normally do. But if I could
4 do what I wanted to do, which is more like the
5 Dick Cavett Show where I would just have on who ever
6 I like, talk to them in long form, not just for
7 6 minutes or something like that, and just have
8 conversations.

9 Q What had you been doing up that point?

10 A I'm principally a writer. I've
11 written, I'm happy to say, five New York Times
12 bestsellers. It was a biography about
13 Dietrich Bonhoeffer, a German pastor that got
14 involved in the plot to kill Hitler, a couple of
15 other biographies. Mainly -- mainly a writer and a
16 speaker, but mostly known as a -- as a writer.

17 Q What's your educational background?

18 A I have an English degree from Yale
19 University 1984.

20 Q With the Eric Metaxas Show, do you
21 consider yourself to be a journalist?

22 A Even if I considered myself to be a
23 journalist, I'm not a journalist, no. I'm not a --
24 I'm not a journalist.

25 Q Would it be fair to say the show is a

1 mixture of a bit of news and opinion?

2 A Yeah, it's not a news show. I do -- I
3 don't avoid news. There are times when I will
4 comment briefly before I interview a guest on
5 another subject just to say, hey, last night, did
6 you see this or did you see that. Sometimes I do
7 current events. But I think -- repeat the question,
8 so I answer it exactly, because I want to make sure
9 that I answer it.

10 Q Sure. Would it be fair to
11 characterize the show as a combination of some news
12 or current events and opinion?

13 A I couldn't say news or current events.
14 There are times when I will dip it into that, but if
15 I were -- if somebody asked me about the show, I
16 wouldn't say -- I wouldn't use the word "news" ever.

17 Opinion, my opinion comes into it
18 because I'm interviewing people, and I'm not playing
19 the role of a journalist. So I say -- I just react
20 to the -- to the people. So I just want to make
21 sure that I'm answering your -- your question
22 clearly because I just don't think in those
23 categories. So, if anything, opinion, certainly not
24 news.

25 Q I think that's a fair answer.

1 Now, are you employed by Salem Media?

2 A Yes. Salem Media is -- yeah, they --
3 they're the -- they're the folks -- they kind of do
4 everything, you know. So I just -- I just do my
5 show, and they distribute it and all that other
6 stuff.

7 Q Do you report to someone at Salem?

8 A Technically. I don't really -- I
9 don't have conversations with anyone about what I
10 do. I have total freedom, and I don't -- I just
11 don't ever -- I don't invite their -- their
12 comments, and I pretty much am left to do what I
13 like.

14 Q Do you have your own team that
15 produces the show?

16 A Yes, I do.

17 Q How many people do you have on your
18 team?

19 A I have two people who -- well, no.
20 There's an engineer who, whenever we're recording
21 the show, he has to make sure it's recorded. And I
22 have two producers, one of whom just books the
23 guests, and the other one is really responsible for
24 uploading things to video and more the tech side.

25 And those are -- those are not

1 full-time jobs. One of them might be, but the other
2 one is not.

3 Q Does Salem have written or formal
4 standards for your show?

5 A They might, but I -- I'm not aware of
6 them. I just think they are -- they're overtly
7 Christian, and so they would care about the truth.
8 In other words, they don't take it lightly if --
9 yeah, in other words, I think that they're not in
10 the business of doing anything except being
11 truthful.

12 I'm not just saying it because I'm
13 doing a deposition. I mean, that's -- that, I can
14 recall clearly in -- in talking with them at some
15 point.

16 Q So there -- to your knowledge, there
17 are no written standards or requirements for shows?

18 A I don't believe so. I'm not aware of
19 anything. There may be a piece of paper someplace,
20 but I'm assuming it would be boilerplate. I'm not
21 aware, no.

22 Q Okay. In preparing to do a show, do
23 you -- do you or your team perform some sort of
24 investigation?

25 A Unfortunately, no, we don't. It's --

1 I'm kind of a fly by the seat of my pants guy in
2 that we don't have the budget or the bandwidth or
3 the time to do anything like that. So usually, it's
4 like, that seems interesting. That book seems
5 interesting.

6 And I kind of respond in the moment,
7 so it's not -- it wouldn't be my inclination to do
8 that. But we -- I don't think we would be able to
9 do that anyway, you know.

10 Q Do you have an approximate idea of how
11 many people listen to your show?

12 A No. That's -- that's kind of
13 embarrassing to say. No, I don't. Yeah, I
14 honestly -- I don't. And it's frustrating. I
15 always -- I always have those questions myself, but
16 no, the answer is I don't know.

17 Q I would assume it would be hard to
18 estimate the broadcast listeners, and then you might
19 be able to see who downloads the podcast, right?

20 A Yeah. Yeah. But those -- for some
21 reason, I find that complicated, and so I have never
22 really gotten any clarity on that.

23 Q Give me just a second here. All
24 right. Let's just -- let's just skip to it.

25 How did you hear about Joe Oltmann and

1 his story about Dr. Coomer?

2 A I don't remember. It must have been
3 through some news sources or some TV or something
4 like that. It seemed to be in the air at -- at that
5 time in November of the -- of last year. So I don't
6 remember specifically hearing about it. It was just
7 something that I became aware of.

8 Q Would it be fair to say that at least
9 when you have guests on related to politics, that
10 your show is more conservative?

11 A It would be fair to say that. I try
12 very hard not to be -- not to be parochial, not
13 to -- not allow myself to be categorized. In other
14 words, I take particular pride in thinking for
15 myself and trying to represent other sides.

16 So, in other words, I do have guests
17 on to whom I'm friendly. I think I'm friendly to
18 all my guests. I don't have adversarial, or, you
19 know, conversations the way journalists might. But
20 I -- so roughly, yes, but I have to say roughly.

21 Q Do you have guests on occasionally who
22 have a liberal political slant?

23 A Absolutely, I do.

24 Q Like who's an example of that?

25 A Dick Cavett, Richard Dreyfuss,

1 Morgan Freeman, Katie Couric. I mean, I could
2 probably go on and on. I have had so many different
3 kinds of guests. Robert Klein, the comedian, a lot
4 -- a lot of people.

5 Q I have heard of them.

6 A Yeah.

7 Q Okay. So -- and maybe to jog your
8 memory, did you, back in November of 2020, I think
9 the first sort of big airing of Joe Oltmann and his
10 story was with Michelle Malkin. Did you see that?

11 A I have never -- I don't remember ever
12 watching -- if she has a show or whatever, so no,
13 I'm not aware. I think I would remember that. I
14 don't think so. I think it was more generally, as I
15 said, kind of in the air. So I picked it up
16 someplace, but I don't -- I don't believe it would
17 have been Michelle Malkin.

18 Q Did you see on November 19th, the
19 press conference with Rudy Giuliani and
20 Sidney Powell? It was -- it's memorable because
21 Mr. Giuliani --

22 A Because poor Mr. Giuliani --

23 THE COURT REPORTER: I'm sorry. One
24 at a time.

25 Can I have the end of your question,

1 please?

2 BY MR. SKARNULIS:

3 Q He had some hair dye or something like
4 that coming down. Do you recall that?

5 A Because poor Mr. Giuliani had hair
6 dye. I do recall that. I do, yes.

7 Q And were you aware that he and
8 Ms. Powell both discussed Dr. Coomer at that event?

9 A I do not remember them discussing
10 Dr. Coomer. No, I don't remember that.

11 Q It looks like from the transcript, you
12 had -- that was November 19th. It looks like you
13 had Mr. Oltmann on your show November 24th, 2020.
14 Does that sound about right?

15 A That sounds about right. Yeah.

16 Q Okay. So after you heard of -- you --
17 or was it your producers maybe, who had heard of
18 Joe Oltmann?

19 A No. It was actually strange. This
20 happens in my -- with my program a lot. Someone, I
21 don't know who -- actually, no. Someone who I know
22 who's a head of a missions organization in Texas,
23 who's a dear friend, sent me an email or something
24 saying that there's a woman who wanted to reach you
25 who is a friend or something like that. And that

Page 19

1 woman said that she -- now, I'm literally not
2 remembering this. Forgive me. But I think it was
3 this woman -- whose name I don't remember -- who
4 said, I think I could get Joe Oltmann for your
5 program.

6 And because his name had been in the
7 news, I thought, wow, that would be interesting,
8 because I'm not -- as I said, I don't have a staff
9 that can kind of go after these people. So I -- I
10 tend just to go with what comes across the transom,
11 and that -- that sounded interesting.

12 Q Who was the friend who suggested this
13 to you?

14 A I don't know the name of the woman,
15 but my friend is Kurt Nelson. He's a dear soul that
16 I have known for some years.

17 Q So after you heard about Joe Oltmann's
18 story and it intrigued you --

19 A Yeah.

20 Q -- what did you do next?

21 A I think I just responded to the email
22 from -- from the woman and said like, great, you
23 know, let me know, type of thing.

24 Q And then -- and what happened after
25 that?

1 A I believe, I can't say for sure, but I
2 believe that she sent us the contact. And we just
3 said, when can you do the show? Can you do it, you
4 know, and we gave a few dates or whatever. And,
5 again, we kind of play fast-and-loose, just, you
6 know, grab people when they -- when they're
7 available. And I guess he was available on the date
8 you mentioned, and I just had the -- a conversation,
9 yeah.

10 Q Okay. So prior to having Mr. Oltmann
11 on your show, had you ever heard of him?

12 A I had heard of him, as I said, in the
13 news. You know it's funny. I may -- actually, no.
14 I had not heard of Joe Oltmann. I'm sorry. I
15 thought you meant Eric Coomer. I had not heard of
16 Joe Oltmann, no. I had no idea who he was.

17 Q All right. I mean, other than in the
18 news prior to having him on the show, were you --

19 A No. No. No. No. No. And, I mean,
20 I literally don't -- I don't think I would recognize
21 him if he walked into the room. And I don't -- I
22 don't know anything about him except that this
23 friend of a friend said he -- he's the guy who, you
24 know, was on that Zoom call or something like that.
25 So I knew -- I knew of him only in the context of

1 this, what we're talking about.

2 Q You've never seen his video podcast,
3 Conservative Daily?

4 A No, I have not. And I wasn't even
5 aware that he had that until Tom mentioned it to me
6 the other day. I -- yeah. I'm just not aware of
7 him.

8 Q Have you talked to Mr. Oltmann since
9 the show?

10 A No. No, I have not.

11 Q Was that the only time you talked to
12 him?

13 A I really -- I'm pretty sure that would
14 have been the only time I had any communication with
15 him was during the 30 or 40 minutes of the show,
16 yeah.

17 Q Before you went on air, did you do
18 some sort of interview with him?

19 A We don't do that. It's just not --
20 it's usually not necessary. I just want to kind of
21 have a free flowing conversation, and I want the
22 guest to kind of tell my audience the story.

23 So we don't have the time or the
24 inclination to kind of get the story before the
25 story, so I just kind of jumped in. So I didn't

1 have any conversation with him, no.

2 Q Before you started the show, did you
3 know his story generally regarding Dr. Coomer?

4 A Yeah. I had the -- the barebones
5 outline, which is why I wanted to have him on the
6 show. I thought that sounds interesting. And I
7 normally don't get quote/unquote hot guests like
8 that like, you know, somebody who's in the news or
9 whatever. So when it was offered up, I thought that
10 would be fun for my audience.

11 Q Did you do any investigation of
12 Mr. Oltmann prior to having him on the show?

13 A No, I did not.

14 Q Did your staff do any investigation of
15 Mr. Oltmann?

16 A No. We -- we really don't do that.
17 We kind of just, as I said, shoot -- kind of shoot
18 from the hip. If it sounds interesting or good,
19 I -- I'm really not looking for controversy, but it
20 just sounded newsy and interesting.

21 Q Were you aware prior to having
22 Mr. Oltmann on the show that he had made other
23 allegations on his podcast of election fraud
24 instances?

25 A I -- I was not aware of that.

1 Q If you get something wrong on the
2 show, is it your practice to correct that?

3 A I -- I care deeply about my audience,
4 and so if I felt the need to correct something, I
5 would probably. Well, I would certainly do that
6 if -- if I felt it rose to the level of my audience
7 should know that, you know, I said the house was
8 green and it was blue or -- or whatever it is, yeah.

9 Q Okay. So you -- you have Mr. Oltmann
10 on the show. Did you find him to be credible?

11 A Oh, yeah, I did. I did. And of
12 course, that's important to me. If I had a guest on
13 that didn't seem credible to me, on behalf of my
14 audience, I would ask them some tough questions,
15 like wait a minute, you know, that doesn't sound
16 right. Or why are you saying that. So, yeah,
17 that's important to me. And I did, yeah.

18 Q Were you aware that Mr. Oltmann was
19 scheduled to give his deposition in this case on
20 Wednesday at the courthouse in Denver?

21 MR. QUINN: Object to form. Go ahead.

22 THE WITNESS: I'm not -- I'm not
23 understanding the question. You mean this
24 Wednesday?

25

1 BY MR. SKARNULIS:

2 Q Yes, sir.

3 A You mean this -- you mean this week,
4 you mean?

5 Q Yeah, I was there.

6 A No. No. I'm not -- I'm not following
7 his story at all. I'm a little embarrassed to say
8 I'm ignorant of such details, so the short answer
9 would be, no, I -- I wasn't aware.

10 Q Well, I'll represent to you that he
11 was ordered by the court to appear for his
12 deposition on Wednesday at the courthouse in Denver,
13 and he did not show up. Does that affect, now, your
14 assessment of Mr. Oltmann's credibility?

15 MR. QUINN: Object to form.

16 THE WITNESS: I'm sorry?

17 MR. QUINN: Periodically, I will
18 object to a question. Unless I instruct you to
19 not answer it because it's some sort of
20 privilege, please go ahead and answer the
21 question.

22 THE WITNESS: Yeah.

23 MR. QUINN: So why don't we have the
24 court report -- do you mind re-asking the
25 question?

1 MR. SKARNULIS: Yes.

2 MR. QUINN: And just note my
3 objection, so I don't interrupt again.

4 BY MR. SKARNULIS:

5 Q Sure. He'll -- he'll do that if I ask
6 a bad question.

7 A Okay.

8 Q Okay. So Mr. Oltmann did not appear
9 to -- at his schedule --

10 A He didn't appear?

11 Q Yeah.

12 A And do I find that to affect my
13 opinion?

14 Q Yeah. After the fact in your
15 assessment --

16 A No.

17 Q -- of Mr. Oltmann's credibility, his
18 failure to show and give sworn testimony about his
19 story, does that now in hindsight, affect your
20 assessment of Mr. Oltmann's credibility?

21 A No.

22 Q Why not?

23 MR. QUINN: Object to form.

24 Go ahead and answer.

25 THE WITNESS: Why not. That's --

1 we've now entered into the realm of pure
2 subjectivity. I -- I don't know why not. I
3 guess because I don't have enough information
4 about why he would have done that. I really
5 have no information to go on, so that wouldn't,
6 as you phrased it, affect my -- my evaluation
7 of him as -- as to his credibility.

8 BY MR. SKARNULIS:

9 Q Okay. Well, you -- you recall from
10 his appearance on your show, or maybe you don't.
11 Tell me if you don't. But generally, his story was
12 that there was an Antifa call, a conference call of
13 some kind. Do you recall that?

14 A I do.

15 Q Prior to having Mr. Oltmann on your
16 show, had you ever heard of Antifa holding a
17 conference call?

18 A Specifically, no, but it doesn't
19 strike me as even slightly implausible, so I
20 wouldn't have really given it any thought.

21 Q And -- and we'll look at the
22 transcript from the show, but were you interested to
23 find out how Mr. Oltmann accessed this call?

24 A I remember asking him about it. I was
25 utterly fascinated, and I remember asking him like,

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1 what are you -- you know, how did you find yourself,
2 I maybe even used the phrase "lurking on a call,"
3 you know. So, yeah, I was -- it was fascinating to
4 me, just amazing.

5 Q Did -- and -- and, you know, again,
6 we'll -- we'll look at the transcript from your
7 show. But prior to starting the show, did you ask
8 him for the names of any of the participants or the
9 person who introduced him to the call?

10 A I didn't have any conversation with
11 him prior to my radio interview. So -- so the
12 answer would be no. I didn't ask him anything.

13 Q You'd -- you'd agree with me today
14 that that would be important corroborating evidence
15 to know other participants on the call and hear what
16 they heard, right?

17 MR. QUINN: Object to form.

18 THE WITNESS: I wouldn't agree with
19 you.

20 BY MR. SKARNULIS:

21 Q Why not?

22 A That's just not my -- I don't see that
23 as my job. I just kind of jump into a conversation
24 with somebody. They seem generally credible. And
25 I -- and I have a conversation. I don't have time

1 in the interview, you know, to go back into all that
2 stuff. I think he gave me enough general context
3 that I, you know, just willing to suspend my
4 disbelief and let him talk.

5 Q Were you surprised that Mr. Oltmann
6 did not have a recording of the Antifa conference
7 call?

8 A It actually never occurred to me until
9 you just mentioned it this second.

10 Q And you'd agree with me that that
11 would be important evidence that this conference
12 call occurred, right?

13 MR. QUINN: Object to form.

14 THE WITNESS: No.

15 BY MR. SKARNULIS:

16 Q Why not?

17 A I wouldn't. I -- I just don't know
18 enough about anything that we're talking about to
19 know what -- what is important or unimportant,
20 frankly. It strikes me that I don't live in a world
21 of, you know, phone calls or recorded phone calls.

22 And so it's just not the kind of thing
23 that would occur to me. He seemed credible, and
24 there's no reason for me to doubt what he was
25 saying. And as far as I know, maybe he does have a

1 recording of it. So I -- I simply wouldn't know how
2 to answer that.

3 Q Did you reach out to Eric Coomer to
4 verify Mr. Oltmann's story?

5 A No.

6 MR. QUINN: Object to form.

7 BY MR. SKARNULIS:

8 Q Did you at any point contact
9 Dominion Voting Systems to verify Mr. Oltmann's
10 call?

11 MR. QUINN: Object to form.

12 THE WITNESS: No. We -- we don't --
13 we just don't have the bandwidth to do anything
14 even approaching that kind of corroboration, I
15 guess, would be the word. We're not -- we're
16 just not able to do that. I just have guests
17 on, I talk to them, and I kind of respond in
18 the moment. So I'm not a journalist. So I
19 just -- it's just not something that would even
20 occur to me.

21 BY MR. SKARNULIS:

22 Q Do you believe that Dr. Coomer
23 personally influenced the outcome of the 2020
24 presidential election?

25 MR. QUINN: Object to form.

1 THE WITNESS: Can you ask that again?

2 BY MR. SKARNULIS:

3 Q Yeah. Sure.

4 Do you believe that Dr. Eric Coomer
5 personally influenced the outcome of the 2020
6 presidential election?

7 A I honestly have no idea. I -- I have
8 no -- I have no idea. I wouldn't know. I couldn't
9 know, so I couldn't even answer yes or no. I don't
10 know.

11 Q Do you believe that
12 Dominion Voting Systems influenced the outcome of
13 the 2020 presidential election?

14 MR. QUINN: Object to form.

15 THE WITNESS: I think from what I
16 know, so this is my opinion, it's possible,
17 which is so horrifying to me, that it's one of
18 the reasons I think I was interested in talking
19 to Joe Oltmann. I just thought this is the
20 greatest scandal imaginable, and this guy seems
21 to have some information that sounds
22 interesting or relevant to it.

23 So -- so, yeah, unfortunately, I think
24 it's possible.

25

1 BY MR. SKARNULIS:

2 Q Why would you think that a company in
3 the business of making secured voting machines would
4 have a motivation to influence the election?

5 MR. QUINN: Object to form.

6 THE WITNESS: Because I believe in the
7 biblical doctrine of original sin. It's like
8 asking why did Adam eat the apple, or why do
9 people commit crime? Because they can. I
10 think the reason we have lawyers is because we
11 live in a system where we understand these
12 things are possible.

13 And I think we have to be vigilant
14 in -- at certain times because the election of
15 a president is a sacred thing. And so as I say
16 it, it horrifies me, particularly that it's
17 even something that's possible.

18 But I think when you're dealing with
19 human beings, you just have to assume that they
20 can be influenced for innumerable reasons.

21 BY MR. SKARNULIS:

22 Q Do you have any working theory about
23 how Dominion Voting Systems could have affected the
24 outcome of the election?

25 MR. QUINN: Object to form.

1 THE WITNESS: No.

2 BY MR. SKARNULIS:

3 Q Do you believe that
4 Dominion Voting Systems could have influenced
5 down-ballot elections, in other words, for senate
6 and congress?

7 MR. QUINN: Object to form.

8 THE WITNESS: Can you say that again?

9 Do I have any --

10 BY MR. SKARNULIS:

11 Q Do you -- do you believe that
12 Dominion Voting Systems could have influenced the
13 down-ballot elections, senate and congress?

14 A Sure, potentially.

15 MR. QUINN: Object to form of the last
16 question.

17 BY MR. SKARNULIS:

18 Q And you'd agree with me that that
19 would seem to be adverse to Dominion's financial
20 interest, right?

21 MR. QUINN: Object to form.

22 BY MR. SKARNULIS:

23 Q If they did that?

24 A Yeah, no. I can't really -- I -- I
25 can't say. No.

1 Q Prior to November 24th, 2020, did you
2 have knowledge of Eric Coomer?

3 A Only in the days prior, immediately
4 prior to the interview, I might have. I mean,
5 actually, no. Generally, no. I knew there was
6 someone that was referred to by Oltmann, but I -- I
7 had no sense of who that was.

8 And I think in my interview with
9 Oltmann that day, I even asked him, so who -- who is
10 this person. And, you know, I -- I learned in my
11 interview who he was.

12 Q Do you -- have you learned more about
13 Dr. Coomer since your interview?

14 A I have not.

15 Q And I think I probably covered this,
16 but other than -- well, let me ask it this way:
17 After the show finished, did you have a further
18 conversation with Mr. Oltmann?

19 A I -- I did not.

20 Q Have you learned anything since the
21 show that corroborates Mr. Oltmann's story?

22 A I don't believe so.

23 Q Prior to the election, did you have
24 any shows that discussed the potential for fraud in
25 the election?

1 MR. QUINN: Object to form.

2 Go ahead.

3 THE WITNESS: I don't believe so, no.

4 BY MR. SKARNULIS:

5 Q Post election, November 4th, let's
6 say, until the show with Mr. Oltmann, November 24th,
7 did you have any shows that discussed election
8 fraud?

9 A I don't think, per se, that I did. I
10 may have mentioned it in the course of doing the
11 shows, but I don't believe I had a show specifically
12 discussing that question, no.

13 Q And I think I know the answer, but
14 were you aware that Mr. Oltmann did a number of
15 podcasts regarding other theories of election fraud
16 other than Dr. Coomer?

17 A No.

18 Q Did you know that Mr. Oltmann first
19 revealed the story about Dr. Coomer on November 9th?

20 A I don't believe so.

21 Q Does the fact that he came up with the
22 story six days after the election, affect your
23 assessment of Mr. Oltmann's credibility today?

24 MR. QUINN: Object to form.

25 THE WITNESS: Not at all.

1 BY MR. SKARNULIS:

2 Q Why not?

3 A Why --

4 MR. QUINN: Object to form again.

5 THE WITNESS: Why doesn't -- yeah,
6 please repeat that. I'm not sure I got it.

7 BY MR. SKARNULIS:

8 Q Sure.

9 So Mr. Oltmann first revealed his
10 story about Dr. Coomer six days after the election.
11 I'll represent that to you.

12 A Right.

13 Q Assuming that, does that affect your
14 assessment of Mr. Oltmann's credibility as we sit
15 here today?

16 A No.

17 Q Why not?

18 MR. QUINN: Object to form.

19 THE WITNESS: I just don't see how
20 that fact would be relevant to his credibility.
21 I must not be following your -- the point. I
22 don't -- I don't see how it would affect it.

23 BY MR. SKARNULIS:

24 Q Well, my -- my point is this: Would
25 you not agree that it's kind of convenient for

1 Mr. Oltmann to have the story about Dr. Coomer
2 sometime after the election?

3 MR. QUINN: Object to form.

4 THE WITNESS: No. I -- it struck me
5 that it was suddenly relevant, and that's why
6 he -- he brought this up. I mean, if I recall
7 the details, it -- yeah, I wouldn't -- it
8 doesn't strike me as odd or even slightly
9 suspicious.

10 BY MR. SKARNULIS:

11 Q At the time you hosted the show with
12 Mr. Oltmann, were you aware that he had an ownership
13 interest in the conservative podcast?

14 A No.

15 Q Were you aware that he financially
16 benefited from his conservative podcast?

17 A No.

18 MS. HALL: Andrea Hall, object to
19 form.

20 BY MR. SKARNULIS:

21 Q Did you know that the alleged Antifa
22 conference call occurred in September?

23 A I don't believe I knew when it
24 occurred.

25 Q Knowing now that the alleged call

1 occurred sometime before the election and then
2 Mr. Oltmann came out with his story at least
3 six days after the election, does that now affect
4 your assessment of Mr. Oltmann's credibility?

5 MR. QUINN: Object to form.

6 THE WITNESS: No.

7 BY MR. SKARNULIS:

8 Q When you had Mr. Oltmann on your show,
9 were you aware that he was a vocal supporter of
10 former President Trump?

11 A I don't believe so.

12 Q Did you know that through an
13 organization, his nonprofit, he held rallies in
14 support of President Trump?

15 A I don't believe I knew that.

16 Q Were you aware that Mr. Oltmann
17 formed, basically, a paramilitary group in Colorado?

18 MR. QUINN: Object to form.

19 MS. HALL: Andrea Hall, object to
20 form.

21 THE WITNESS: I was not aware of that,
22 no.

23 BY MR. SKARNULIS:

24 Q Were you aware that before making his
25 allegations regarding Dr. Coomer, Mr. Oltmann had

1 made a number of other election fraud allegations?

2 A No.

3 Q Prior to having Mr. Oltmann on your
4 show, did you look at any of his social media?

5 A No.

6 Q Do you know if any of your staff
7 reviewed his social media?

8 A I can say pretty confidently that they
9 probably didn't.

10 Q At the time of the show, were you
11 aware of any federal governmental agency or body
12 that had determined the results of the 2020
13 presidential election were fraudulent?

14 A You'll have to repeat that.

15 Q Sure. At the time you had the show,
16 November 24th, 2020, did you know of any federal
17 agency that had determined the 2020 presidential
18 election was fraudulent?

19 A No.

20 Q Were you aware that Chris Krebs with
21 the Cybersecurity and Infrastructure Security Agency
22 had reported on November 12th, 2020 that there was
23 no evidence of fraud in the 2020 presidential
24 election?

25 A Was I aware of that? No.

1 Q Were you aware that 59 election
2 computer scientists issued an open letter on
3 November 16th, 2020, stating that there was no
4 credible evidence of computer fraud in the
5 presidential election?

6 MR. QUINN: Objection to form.

7 A When did they do that?

8 Q November 16th, 2020.

9 A No, I don't believe so.

10 THE COURT REPORTER: Did you have an
11 objection a couple of questions ago?

12 MR. QUINN: I did. Thank you.

13 BY MR. SKARNULIS:

14 Q Did you hear that on
15 December 1st, 2020, then-U.S. Attorney General
16 Bill Barr stated there was no evidence of fraud in
17 the 2020 presidential election?

18 A I did.

19 Q Did you report that on your show?

20 A I may have mentioned it in passing, or
21 a guest may have mentioned it in passing. I
22 don't -- I don't know, but certainly we -- we might
23 have mentioned it.

24 Q Did you disagree with Mr. Barr's
25 statement at that time?

1 MR. QUINN: Object to form.

2 THE WITNESS: In my opinion, there's
3 nothing more controversial, then or now, than
4 what happened in the 2020 election. So I think
5 a lot of people were trying to process where
6 folks like Barr, whoever, were getting their
7 information to make those kinds of
8 determinations, and then to comment on it
9 publicly.

10 So I -- to this day, I find it
11 confusing.

12 BY MR. SKARNULIS:

13 Q What do you think happened in the
14 2020 -- presidential election?

15 MR. QUINN: Object to form.

16 BY MR. SKARNULIS:

17 Q Do you think there was fraud?

18 MR. QUINN: Object to form.

19 THE WITNESS: In my opinion,
20 horrifyingly, it seems to me, plausible. I can
21 think of nothing more horrifying than the idea
22 that American voters would not be sure that
23 their votes are considered sacred and that an
24 election would be conducted in the way our
25 elections generally have been since our

1 founding.

2 So it's -- it's just horrifying to me
3 that I can't say for sure that I know that the
4 election was conducted the way it should be.

5 BY MR. SKARNULIS:

6 Q You're aware now that approximately 60
7 lawsuits regarding the outcome of the election had
8 been dismissed, right?

9 A It's my understanding that the judges
10 didn't look at the evidence, and so I think it -- it
11 could be misleading to say they're dismissed because
12 it implies that they were -- that the evidence was
13 considered and they were dismissed. It seems to me
14 not to rise to that happier level.

15 Q Do you think there was a conspiracy to
16 affect the outcome of the 2020 presidential
17 election?

18 MR. QUINN: Object to form.

19 THE WITNESS: As I was saying a moment
20 ago, it seems to me disturbingly possible. And
21 I'm just sick to say such a thing, but it seems
22 possible.

23 BY MR. SKARNULIS:

24 Q Why does it seem possible to you?

25 MR. QUINN: Object to form.

1 THE WITNESS: Why does it seem
2 possible to me that the election was not
3 conducted properly?

4 BY MR. SKARNULIS:

5 Q Yes, sir.

6 A Well, first of all, because of human
7 nature, and secondly, because the way votes are
8 counted has become complicated. And obviously,
9 there seems to be room for malfeasance, and it's
10 become increasingly clear to me that there's more
11 room for that at this point than there should be.

12 Q Do you have specific instances where
13 you believe fraud occurred?

14 MR. QUINN: Counsel, does this relate
15 to the November 24th show? I mean, we're --
16 he's told you he doesn't -- hasn't talked to
17 him since on November 24th, 2020, and you're
18 asking him about his opinions today. Just can
19 you please limit it --

20 MR. SKARNULIS: Well, what I'm getting
21 at is the -- and I'll clarify the area that I'm
22 asking about, is the probability of the
23 allegations --

24 THE WITNESS: Yeah.

25

1 BY MR. SKARNULIS:

2 Q -- that Mr. Oltmann made, did you give
3 consideration to whether or not it was probable or
4 improbable that what he stated actually happened?

5 MR. QUINN: In the moment during the
6 show?

7 MR. SKARNULIS: Yes, sir.

8 MR. QUINN: Can you please put it in
9 context?

10 THE WITNESS: Well, I -- I think it's
11 my job as a radio host and an interlocutor on
12 behalf of my audience to -- to think about
13 those things. So, yeah.

14 BY MR. SKARNULIS:

15 Q When you had the show, did you have
16 any knowledge of how computer voting systems worked?

17 A I don't think particularly, no.

18 Q Were -- when you -- when you conducted
19 the show, were aware of the security provisions that
20 states have for computer voting systems?

21 MS. HALL: Andrea Hall, object to
22 form.

23 THE WITNESS: Not particularly or
24 specifically. That's kind of what I mean is
25 that I leap into a conversation, hoping to

1 learn more about these things from my guests.
2 So this is not, you know, a field with which
3 I'm particularly familiar.

4 BY MR. SKARNULIS:

5 Q Did you have any reason to believe
6 when you had him as a guest on your show that
7 Mr. Oltmann had some particular familiarity with
8 computer voting systems?

9 MS. HALL: Andrea Hall, object to
10 form.

11 THE WITNESS: I got the impression in
12 the conversation that he did.

13 BY MR. SKARNULIS:

14 Q What gave you that impression?

15 A I don't recall. Just generally, as I
16 spoke to him, I -- I got the idea -- well, actually
17 no. I'm -- I'm -- maybe I'm responding to the wrong
18 part of that.

19 I don't -- I don't think that was the
20 issue. I think he was talking about the intent of
21 people, so it wasn't about the specifics. It just
22 generally had something to do with possibilities for
23 fraud with the -- with the machine system.

24 Q Prior to having Mr. Oltmann on your
25 show, had you reviewed the affidavit he gave and was

1 used in Sidney Powell's lawsuits?

2 A No. I don't think I was even aware of
3 it.

4 Q Have you seen it since?

5 A No.

6 Q Again, at the -- at the time of the
7 show, were you aware that all states, with the
8 exception of Louisiana, have voting machines that
9 produce paper ballots as backups?

10 MR. QUINN: Object to form.

11 THE WITNESS: I -- I've heard that,
12 and it all sounds vague enough to be
13 meaningless. So, you know, that -- I may have
14 heard that. But I don't even know that I heard
15 it. But if I have heard it, it just sounds to
16 me like, you know, something that -- that
17 doesn't mean anything particularly significant.

18 BY MR. SKARNULIS:

19 Q When you had Mr. Oltmann on your show,
20 were you aware of the -- all states' pre- and post-
21 election security measures?

22 A I don't believe so.

23 Q Were you aware that all states
24 participated in the U.S. Election Assistance
25 Commissions Certification?

1 A No.

2 Q Did you know that when you had the
3 show, that all 50 states and thousands of local
4 jurisdictions participated in the Elections
5 Infrastructure Information Sharing Analysis Center?

6 A I don't even know what that means, so
7 the answer would be no.

8 Q Did -- has your -- whatever you know
9 of your audience, your listenership, has that
10 increased since the election?

11 A I don't believe so.

12 Q Do you know whether your advertising
13 has increased since the election?

14 A I don't believe it has.

15 Q Do you know any of the other
16 defendants in this lawsuit?

17 A I don't know who the defendants are,
18 so I can't really answer that unless I know who they
19 are.

20 Q Well, that's -- that's totally fair.
21 Do you know Sidney Powell?

22 A I have met her. I don't know her.

23 Q When did you meet Sidney Powell?

24 A She wrote a book, I think, in 2014. I
25 don't remember what it was about, but I interviewed

1 her on my radio program a few years ago. So that
2 would be the answer to that.

3 Q Do you know Rudy Giuliani?

4 A I do not.

5 Q Do you know Michelle Malkin?

6 A I do not. I met her, but I don't know
7 her.

8 Q When did you meet Ms. Malkin?

9 A I don't recall. Yeah, I don't know.
10 Actually, wait. No. I had her on my program, maybe
11 three years ago or something like that. She may
12 have had a book out. Typically, people, if they put
13 out a book or something like that, that makes it
14 easy for me to have a guest on.

15 Q Do you know anyone at
16 One America News Network?

17 A I don't.

18 Q Do you know Mike Lindell?

19 A I do.

20 Q How do you know Mr. Lindell?

21 A I use his products, and I have been
22 getting the most comfortable sleep of my life. Use
23 the code "Eric" when you go to mypillow.com.

24 Actually, I don't -- I don't know how
25 I met Mike, but he -- his name came up, because in

1 the Salem Radio Network, one of the co- -- one of
2 the hosts that I shared studio space with had
3 MyPillow stuff around his office, I guess, and so I
4 became aware of him. And then he eventually became
5 a sponsor on the program.

6 So I have -- I have met him a bunch of
7 times because -- because of that, yeah.

8 Q Have you talked to Mr. Lindell at all
9 about Mr. Oltmann?

10 A I have never talked to him about
11 Mr. Oltmann or about any of what we're discussing.

12 Q Do you know Patrick Byrne?

13 A I don't know him. I have met him.
14 And I interviewed him on my program. But I don't --
15 I can't say that I know him.

16 MR. SKARNULIS: Let's go off the
17 record, Anton.

18 THE VIDEOGRAPHER: We are now off the
19 record. The time on the video monitor is
20 9:30 a.m.

21 (Whereupon, a short break was taken.)

22 THE VIDEOGRAPHER: We are now back on
23 the record. The time on the video monitor is
24 9:41 a.m.

25 (Whereupon, Exhibit 94 was marked for

1 Identification.)

2 BY MR. SKARNULIS:

3 Q All right. Mr. Metaxas, I'm handing
4 you what I've marked as Exhibit 94. And --

5 A Thank you.

6 Q I notice you're not copied on this,
7 but do you know who Albin Sadar is?

8 A No, but I know who Albin Sadar is.

9 Q Okay. Who is Albin Sadar?

10 A I don't know.

11 He's my producer and friend.

12 Q All right. How long have you worked
13 with Mr. Sadar?

14 A I think coming up on maybe four years.

15 Q And Susan Pausky, who is that?

16 A I don't know. I think it's the woman
17 that connected me to Joe Oltmann. Maybe it was
18 Kurt Nelson that connected me to her.

19 Q Okay.

20 A So I don't know -- I don't who she is
21 other than that.

22 Q And I think if you go to Page 2, that
23 might confirm your...

24 A Okay. Good.

25 Q So does this confirm that this --

1 Ms. Pausky is --

2 A Yeah.

3 Q -- the person who --

4 A Yes.

5 Q And let me finish my question if you
6 don't mind.

7 A Sorry.

8 Q Ms. Pausky is the person who
9 introduced you to Joe Oltmann through your friend
10 Kurt Nelson?

11 A Yes.

12 Q Okay. In the second page of
13 Exhibit 94, second paragraph, it says, "Joe and I
14 became friends years ago serving in religious
15 reconciliation circles in the Spirit of Yeshua.
16 Another story."

17 Did that influence, that statement
18 influence -- well, did you see this?

19 A I don't recall seeing what I'm looking
20 at right now before, no.

21 Q Did you talk to Mr. Nelson about
22 Joe Oltmann at all?

23 A No.

24 Q Did you talk to Ms. Pausky at all
25 about Joe Oltmann?

1 A I don't -- I don't believe so.

2 Q So would it -- would it be fair to say
3 that when Mr. Oltmann came on your show, you had
4 very little knowledge of him?

5 A Yeah.

6 Q Okay.

7 MR. SKARNULIS: All right. I'm
8 handing you what I have marked as Exhibit 95.
9 I did it again. I didn't make a copy of that
10 one.

11 (Whereupon, Exhibit 95 was marked for
12 Identification.)

13 MR. QUINN: I have got it here as
14 well.

15 MR. SKARNULIS: When I'm left to my
16 own with documents...

17 And for the lawyers attending this via
18 Zoom, if you go to Exhibit Share with Veritext,
19 all the documents should be uploaded. And I'll
20 refer -- the last one was Bates Number 10. 95
21 is Bates Number 6.

22 BY MR. SKARNULIS:

23 Q All right. So, Mr. Metaxas, you
24 recognize this email, Exhibit 95?

25 A No. I mean I -- I don't doubt that I

1 may have read it, but I don't remember it.

2 Q Okay. You are the addressee on this
3 email, right?

4 A Right, yes.

5 Q If you'll go to the fourth paragraph
6 here, Ms. Pausky -- well, let me stop.

7 Ms. Pausky, other than this email, do
8 you recall having any communication with her?

9 A No.

10 Q No texts, anything like that?

11 A No.

12 Q And Ms. Pausky writes here in the
13 fourth paragraph, "Priority is urgency of winning
14 election."

15 Do you see that?

16 A Yeah.

17 Q Did you believe that having
18 Mr. Oltmann on your show helped to advance the
19 priority of winning the election?

20 A I don't understand the question.

21 Q Well, when you had Mr. Oltmann on your
22 show, was one of your goals to try to assist former
23 President Trump with winning the election?

24 MS. HALL: Object to form.

25 THE WITNESS: No. The issue was the

1 legitimacy of the election, not who won. In
2 other words, I am -- I might be upset if
3 someone I vote for doesn't win, but I wouldn't
4 consider it a national crisis. But if the
5 election was not clearly legitimate in the eyes
6 of many Americans, that would be disturbing.
7 So I was dealing with the latter issue in the
8 interview.

9 BY MR. SKARNULIS:

10 Q Who runs the Eric Metaxas Twitter
11 account?

12 A Eric Metaxas.

13 Q Okay. Do -- does your staff
14 participate at all in managing the Twitter account?

15 A Sometimes they may post -- they may
16 post something for me, but generally, it would be
17 me.

18 Q Okay.

19 (Whereupon, Exhibit 96 was marked for
20 Identification.)

21 BY MR. SKARNULIS:

22 Q I have handed you what I marked as
23 Exhibit 96. And do you recognize this?

24 A I mean, I only -- only because I'm
25 reading it now. It's not something that I remember.

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1 Q Do you post quite a few tweets?

2 A Yeah.

3 Q Okay. And this is dated
4 November 24th, 2020, and it has video of your
5 interview with Mr. Oltmann, right?

6 A That's right.

7 Q And the video is entitled,
8 "Joe Oltmann Discusses How A Security Genius at
9 Dominion..." Do you see that?

10 A Yeah. I don't write the descriptions
11 of the videos, so that's not -- that's not my -- you
12 know, I don't -- I don't write that part of it, is
13 what I'm saying, on the video. That's not my job.

14 Q You're anticipating my question. Who
15 does?

16 A Either Albin or my other producer,
17 Chris Heims.

18 Q Now, it appears to me there have been
19 tweets related to Dr. Coomer that have since been
20 deleted. Did you delete tweets regarding
21 Dr. Coomer?

22 A I almost never delete tweets, so I
23 would be surprised if I had or why I would.

24 Q You don't recall deleting any tweets
25 related to Dr. Coomer?

1 A No.

2 Q Did any of your staff talk to you
3 about deleting any tweets?

4 A No.

5 Q Okay.

6 MR. SKARNULIS: I'm handing you what
7 I've marked as Exhibit 97.

8 THE WITNESS: Okay. Are we done with
9 these exhibits?

10 MR. SKARNULIS: We are, sir.

11 THE COURT REPORTER: For the record,
12 are these new exhibits that you're marking?

13 MR. SKARNULIS: Yes. Yeah, we have
14 been marking them sequentially throughout the
15 prior depositions, so we're continuing.

16 (Whereupon, Exhibit 97 was marked for
17 Identification.)

18 BY MR. SKARNULIS:

19 Q And we can watch the YouTube if you
20 prefer, Mr. Metaxas, but we had a court reporter
21 transcribe the show. I think it's probably more
22 efficient.

23 A If I can avoid watching myself on
24 video, I'd prefer not to watch myself on video.

25 Q Understood.

1 So -- and, you know, if you take issue
2 with any of the transcription, just let me know, and
3 we can check that.

4 If you'll go to Page 2 of the --

5 A Yeah.

6 Q -- transcript, at line 8.

7 A Yup.

8 Q This is you talking. And you say,
9 "But some of you have had heard the story of
10 Joe Oltmann, Joe Oltmann, O-l-t-m-a-n-n, was all
11 over the news not long ago talking about how he came
12 across a guy named Eric Coomer who is affiliated
13 with Dominion and how this Eric Coomer also seems to
14 be so viciously, insanely anti-Trump that
15 Eric Coomer of Dominion is also involved with
16 Antifa."

17 Did I read that correctly?

18 A I think so.

19 Q Did you believe that Eric Coomer was
20 involved with Antifa?

21 MR. QUINN: Object to form.

22 THE WITNESS: The only way that I
23 would have known about it was through whatever
24 news I'm referring to here. And it seemed to
25 me horrifyingly plausible. So, yeah, it's a

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1 disturbing thought.

2 BY MR. SKARNULIS:

3 Q Well, plausible is -- is one thing.

4 Did you have a strong belief at the
5 time of making this statement that Dr. Coomer was
6 involved with Antifa?

7 MR. QUINN: Object to form.

8 THE WITNESS: I -- I can only go on
9 what I had heard. So it seemed -- it seemed
10 right to me that this information -- in other
11 words, the information seemed clear enough, and
12 I didn't have particular reason to doubt it, I
13 think would be how I'd say it.

14 BY MR. SKARNULIS:

15 Q You didn't know Dr. Coomer, right?

16 A No.

17 Q And prior to doing the story, you
18 hadn't done any background investigation of
19 Dr. Coomer, right?

20 A Correct.

21 Q Did you -- at the time of making this
22 introduction regarding Dr. Coomer, did you give
23 consideration to what your listeners would think
24 about Dr. Coomer?

25 A That's -- that's hard to say. I don't

1 know.

2 Q Prior to making this statement, or as
3 you made this statement, did you give thought to the
4 potential that Dr. Coomer may receive threats?

5 MR. QUINN: Object to form.

6 THE WITNESS: I never think about
7 anything like that, generally speaking. I
8 mean, I have, myself, received threats, so it
9 seems to be part of the -- the landscape these
10 days with social media. So it didn't occur to
11 me particularly, no.

12 BY MR. SKARNULIS:

13 Q All right. Going through, we'll
14 just -- we'll just talk about a couple of segments
15 here with Mr. Oltmann. If you'll turn to Page 6 of
16 the transcript and go down to line 6. And this is
17 Mr. Oltmann talking, and said -- and Mr. Oltmann
18 said, "And so I found myself on this phone call,
19 this conference call and, you know, this guy named
20 Eric started talking. And then somebody asked who
21 Eric was, and they said Eric is a Dominion guy,
22 right? And so I just kind of" --

23 And then you say, "Now, excuse me,
24 were you -- at this point, were you, yourself, or
25 were you kind of lurking on an Antifa meeting?"

1 Do you see that?

2 A Yeah.

3 Q Why didn't you ask Mr. Oltmann how he
4 came to be lurking on an Antifa meeting?

5 A He seems to have given enough context
6 that it -- it wouldn't occur to me to ask how. I --
7 I didn't -- you know, you can only ask so much in an
8 interview. You can't really take up time,
9 necessarily, with -- with questions like that. So
10 I -- I just kind of let people keep -- keep talking
11 unless something strikes me as particularly
12 difficult, or if my audience -- if I anticipate a
13 question my audience would have, then I would ask
14 it.

15 Q Did Mr. Oltmann at any time -- I'll
16 represent to you he doesn't in your interview with
17 him. But at any time, did -- did he explain to you
18 how, mechanically, the call or meeting took place?

19 A I don't -- I don't think so. And
20 again, you know, I'm just trying to draw people out,
21 sort of assuming that they'll get to what's relevant
22 or something like that. So -- and I -- you know,
23 that kind of stuff strikes me as sort of weeds that
24 I wouldn't -- you know, I'm not taking his
25 deposition. I'm just kind of having a conversation

1 about something really disturbing, so I just kind of
2 let him talk.

3 Q Okay. Yeah. I was -- I was wondering
4 if perhaps at some point Mr. Oltmann told you that
5 it was either a conference call or a Zoom or Skype
6 or anything like that. Do you recall?

7 A Whatever is in the transcript would be
8 everything I would know about it. I would literally
9 have asked him, you know, in the -- the moment. And
10 whatever it is that he says, he says conference
11 call, so I'm assuming -- I guess I'm assuming things
12 when someone says that. And I just let him keep
13 talking.

14 Q In interviewing Mr. Oltmann, did it
15 occur to you that Dominion might not be
16 Dominion Voting Systems?

17 A That never occurred to me.

18 Q And if you'll go down to line 22 on
19 Page 6, Mr. Oltmann says, "So they never said the
20 word Coomer, right? It was just Eric. Who's Eric?
21 And then Eric is the Dominion guy..."

22 Did it occur to you that there could
23 be an Eric at Dominion Moving Company or something
24 like that?

25 MR. QUINN: Object to form.

1 THE WITNESS: No.

2 BY MR. SKARNULIS:

3 Q Why not?

4 A I think I was just taking my guest at
5 his word at this point, just kind of going with the
6 conversation and assuming that he knew enough to --
7 to make these assumptions.

8 Q All right. If you'll turn to Page 12.
9 And if you'll go down to line 8 on Page 12,
10 Mr. Oltmann says, "I went elk hunting on Friday, and
11 I'm up elk hunting in southern Colorado in the
12 mountains. And I get a text message from someone
13 with an article."

14 Do you see that?

15 A Yeah.

16 Q Have you ever seen a text message that
17 Mr. Oltmann received with an article attached?

18 A No. Nor have I ever been elk hunting.

19 Q Fair.

20 So Mr. Oltmann goes on -- we don't
21 need to read it in detail. But he talks about how
22 this was the time that he realizes the conference
23 call he had in September was important, right?

24 A I think -- I think that's right.

25 Q Why didn't you ask Mr. Oltmann why he

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1 hadn't researched Eric from Dominion at the time of
2 the Antifa call in September?

3 MR. QUINN: Object to form.

4 THE WITNESS: I don't know why I
5 didn't ask a question. I can only assume that,
6 as I said earlier, I was kind of going with the
7 flow of what he was saying, assuming that
8 there's -- there's reasons for everything. So
9 unless something strikes me particularly, I
10 would just let him keep talking.

11 BY MR. SKARNULIS:

12 Q All right. Moving on to Page 15,
13 line 2 is you speaking. It says, "Well, I was going
14 to say, you know, when you're smart enough to get a
15 Ph.D. in nuclear physics it, you know, reminds me of
16 the Unabomber."

17 Do you see that?

18 A Yeah.

19 Q Why did you call -- why did you equate
20 Dr. Coomer with the Unabomber?

21 MR. QUINN: Object to form.

22 THE WITNESS: I don't think I equated
23 him with the Unabomber. I think I was just
24 making a comment about the level of
25 intelligence you're dealing with.

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1 BY MR. SKARNULIS:

2 Q Well why -- why did you choose the
3 word "Unabomber"?

4 A I -- I often choose words for joke
5 effect or for hyperbolic joke effect. So I -- the
6 answer is I don't know. It just struck me when he
7 said that he had a Ph.D. in nuclear physics that
8 we're talking about somebody who is almost
9 excessively brainy.

10 Q And -- and actually, in line 5 there,
11 the follow-up, you say, there's some people that
12 they're learning, or rather their brains can
13 really -- they'll flirt with insanity and violence,
14 and it sounds like you're dealing with someone who
15 at least begins to fall into that category.

16 Do you see that?

17 A Yeah.

18 Q Did you have a reason to believe that
19 Dr. Coomer was insane?

20 A I don't think so.

21 MR. QUINN: Object to form.

22 BY MR. SKARNULIS:

23 Q Did you have any reason to believe
24 Dr. Coomer was violent?

25 MR. QUINN: Object to form.

1 THE WITNESS: I don't believe so. I
2 mean, that's why I said they'll flirt with
3 insanity and -- and violence. It -- it's not
4 really the same thing.

5 BY MR. SKARNULIS:

6 Q Did you believe that Dr. Coomer was
7 flirting with insanity and violence?

8 MR. QUINN: Object to form.

9 THE WITNESS: It struck me by what my
10 guest was saying that that was possible. And
11 again, I have to underscore a horrifying
12 possibility, however remote.

13 BY MR. SKARNULIS:

14 Q At line 10 you say, "I mean, we know
15 that Antifa is evil, that they are anti-American,
16 that they are effectively Marxist shock troops at
17 this point."

18 Did you have a reason to believe at
19 the time of this broadcast that Dr. Coomer was evil?

20 MR. QUINN: Object to form.

21 THE WITNESS: I would never describe
22 any human being as evil.

23 BY MR. SKARNULIS:

24 Q Did you believe that Dr. Coomer was
25 anti-American?

1 MR. QUINN: Object to form.

2 THE WITNESS: Based on what I was
3 hearing in -- literally in this interview, it
4 struck me that way.

5 BY MR. SKARNULIS:

6 Q So Mr. Oltmann was giving you the
7 impression that Dr. Coomer was anti-American?

8 A We'd have to say what we mean by
9 "anti-American," because it's one of those terms
10 that means different things to different people.
11 But the impression I was getting was disturbing, as
12 you can see from my comments.

13 Q Were you aware that Dr. Coomer's
14 father was retired Army?

15 MR. QUINN: Object to form.

16 THE WITNESS: I don't believe I ever
17 heard that.

18 BY MR. SKARNULIS:

19 Q All right. Page 16, this is
20 Mr. Oltmann talking at line 17.

21 MR. QUINN: 17?

22 MR. SKARNULIS: Yes, sir.

23 BY MR. SKARNULIS:

24 Q So Mr. Oltmann at line 17 says, "I
25 looked at his history. If you get further down, I

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1 started looking at places that Eric Coomer had
2 traveled, and then I started looking at
3 irregularities of the Dominion Voting Systems in
4 different countries that, frankly, that Eric was.

5 "So I traced them all the way back to
6 2012 to Mongolia. They had a massive election
7 issue, and they had used the Dominion Voting Systems
8 in their country. And guess who sold them the
9 Dominion Voting System software?"

10 And you say, I can guess -- "I can I
11 guess Eric Coomer." Do you see that?

12 A Yeah.

13 Q Didn't that strike you as -- as pretty
14 fantastic that Mr. Oltmann would suggest that
15 Dr. Coomer influenced the outcome of an election in
16 Mongolia?

17 A You don't mean fantastic in the
18 positive sense?

19 Q I do not, sir.

20 A You mean fantastical?

21 Q Fantastical, implausible?

22 A Unfortunately, no.

23 Q Why not?

24 A Based on what I'd been hearing, and,
25 again, this was all pretty new to me and shocking.

1 It seemed unfortunately plausible based on what my
2 guest was saying.

3 Q How would you expect that your guest
4 would know that Dr. Coomer had affected the
5 Mongolian election?

6 A Have you ever been to Mongolia?

7 Q No.

8 A I hear the elk hunting there is
9 incredible.

10 I have to be honest. I am usually
11 taking my guest at their word. I'm not an
12 adversarial interviewer, and he didn't give me any
13 reason to believe that he's blowing smoke. If I
14 ever thought anyone were blowing smoke, especially
15 on an issue this important, I think I would ask them
16 some hard questions.

17 So there was no reason for me to
18 believe that he would make things up or take these
19 things lightly, you know.

20 Q Why didn't you ask Mr. Oltmann a hard
21 question like, how do you have knowledge of
22 Dr. Coomer's influence in the Mongolian election?

23 A Yeah, that's a good question. I think
24 as I was saying, I tend to let my guests talk, maybe
25 expecting that they'll give me more information as

1 they -- they talk. I mean, I interrupt too much as
2 it is, so I -- I just -- I just let people talk,
3 hoping that they will clarify things if I have
4 particular questions.

5 Q All right. If you go down to line 19
6 on Page 17, Mr. Oltmann says, "You know, I founded
7 an organization called Conservative Daily, and I use
8 the media personality Joe Otto."

9 Do you see that?

10 A Yeah.

11 Q Did it not strike you as strange that
12 Mr. Oltmann would use a different name?

13 A It strikes me as strange reading it
14 now, because I literally have no memory of him
15 saying that. So I feel like this is the first time
16 I'm -- I'm hearing this. I don't remember his
17 mentioning it in the course of the program.

18 Q If you go to Page 18, now, line 12,
19 Mr. Oltmann says, "So then Michelle" -- well, that's
20 misspelled. It should be Malkin -- "picked it up.
21 She picked it up, and I did an interview with her."

22 Did the fact that Michelle Malkin had
23 interviewed Mr. Oltmann affect your assessment of
24 his credibility?

25 A She's more of a newsy person who gets

1 into the details of this kind of stuff on a daily
2 basis, so probably it -- it would have.

3 Q Were you at the -- at the time of this
4 broadcast, were you aware of Dr. Coomer committing
5 any acts of political violence?

6 A I mean, even --

7 MS. HALL: Andrea Hall. Object to
8 form.

9 THE WITNESS: Even to this minute, I'm
10 not aware of him doing anything like that, no.

11 BY MR. SKARNULIS:

12 Q Are you familiar with the term "dox"?

13 A Dox, d-o-x?

14 Q Yes, sir.

15 A Meaning putting somebody's name on the
16 internet so they can be harassed?

17 Q Yes.

18 A Yeah, I'm familiar with that.

19 Q Are you aware of any instance in which
20 Dr. Coomer has doxxed anyone?

21 THE COURT REPORTER: Has what?

22 MR. SKARNULIS: Doxxed, d-o-x-x-e-d.

23 THE WITNESS: I don't believe so, no.

24 BY MR. SKARNULIS:

25 Q Are you aware of any instance in which

1 Joe Oltmann has committed an act of what I would
2 call political violence?

3 A No.

4 MS. HALL: Andrea Hall. Object to
5 form.

6 BY MR. SKARNULIS:

7 Q Are you aware of any instance where
8 Joe Oltmann has doxxed someone?

9 A No.

10 MS. HALL: Objection, Andrea Hall.

11 THE WITNESS: No, I'm not.

12 BY MR. SKARNULIS:

13 Q Were you aware that at the time of
14 your broadcast, Mr. Oltmann had actually done, what
15 I would call doxxing Dr. Coomer?

16 MS. HALL: Objection, Andrea Hall.

17 THE WITNESS: If I had been, then the
18 answer to my previous question would have been
19 a lie. So no.

20 BY MR. SKARNULIS:

21 Q If you had known of an instance in
22 which Mr. Oltmann had committed an act of doxxing
23 Dr. Coomer, you wouldn't have had him as a guest,
24 would you?

25 MR. QUINN: Object to form.

1 MS. HALL: Objection, Andrea Hall.

2 THE WITNESS: I'm not -- I guess this
3 is beyond the realm of my consideration. I
4 don't know -- yeah, I think doxxing, generally
5 speaking, is just unpleasant and wrong. So I
6 imagine that's correct.

7 Again, actually though, I have to say,
8 like, as I think about it, it's never occurred
9 to me. I would -- I would just need to know
10 more about that, because doxxing is one of
11 those terms. It's kind of a new neologism, and
12 I -- I'm not sure I understand it completely.

13 Like, it's one of those words I think
14 we sort of use now, but I never really know
15 exactly what that means.

16 BY MR. SKARNULIS:

17 Q All right. If you'll turn to Page 19,
18 and if you go down to line 19, Mr. Oltmann refers to
19 his affidavit. I had asked you about that earlier.

20 Have you seen Mr. Oltmann's affidavit
21 since you had him on your show?

22 A No.

23 Q If you'll go to Page 23, line 18 --
24 this is Mr. Oltmann talking, "So as you take the
25 piece that I have and put it together with other

1 pieces, it's undeniable that we have massive amounts
2 of voter fraud in this country."

3 Do you see that?

4 A Yeah.

5 Q Did you agree with Mr. Oltmann's
6 statement that there were massive amounts of voter
7 fraud in this country?

8 MR. QUINN: Object to form.

9 THE WITNESS: I can't say that I
10 agreed with it necessarily, but the
11 plausibility of it struck me as extremely
12 disturbing, the possibility and plausibility of
13 it.

14 BY MR. SKARNULIS:

15 Q Do you have any idea of how many
16 people would be involved in a conspiracy to commit
17 massive election fraud?

18 MR. QUINN: Object to form.

19 THE WITNESS: No.

20 BY MR. SKARNULIS:

21 Q Page 24, line 24, this is you
22 speaking, "Okay, Joe, you uncovered something so
23 huge. You weren't looking for this. You stumble
24 onto the fact that a guy named Eric Coomer is the
25 director of strategy and security for

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1 Dominion Voting Systems. Absolutely monstrous job.
2 You've got to be a super genius to understand that
3 world of fraud and coding and all this different
4 stuff, and then you discover that that guy is all in
5 for Antifa, wants to do anything he can with this
6 tremendously powerful position to make sure
7 Donald Trump is not elected."

8 Had you drawn this conclusion that
9 Dr. Coomer wanted to use his position to make sure
10 Donald Trump is -- is not elected? Had you reached
11 that conclusion just through your -- your interview
12 with -- with Dr. -- with Joe Oltmann to that point?

13 A To some extent, there's an element of
14 the hypothetical in what I'm saying. But whatever
15 opinion I had was formed in the course -- most of it
16 was formed in the course of the interview, which is
17 why I'm so astonished as he talks.

18 Q Did Mr. Oltmann's story appear to fit
19 in with other allegations of voter fraud that you'd
20 heard from the election to November 24th?

21 A To some extent.

22 Q In the next line, line 9, you say, "He
23 effectively succeeds because we wake up on the 4th
24 of November and find out that, hey, what happened?
25 What happened?"

1 Did you really mean that Dr. Coomer
2 had succeeded in influencing the election, or was
3 this more hypothetical?

4 A It's -- it's somewhat hypothetical,
5 not entirely. I'm trying to go with what my guest
6 is putting out there, so I'm -- I often reprise what
7 they say so that my listeners are tracking, and
8 that's what I'm -- I think what I'm doing in that
9 paragraph.

10 Q All right. Page 29, line 7, and this
11 is you talking. You say, "What we're talking about
12 is evil."

13 Did you intend for your listeners to
14 believe that Dr. Coomer was evil?

15 MR. QUINN: Object to form.

16 THE WITNESS: I think I said it
17 before, and I'll say it again. I don't think
18 any human being is evil. And actually, if
19 anyone ever says that a human being is evil,
20 and this has happened on my program, I will
21 stop them and clarify that everybody is made in
22 God's image and no person is inherently evil.

23 So when I use the term "evil," I'm
24 talking about actions. Certain actions can be
25 deeply wrong or evil or harmful, and that's

1 what I'm talking about in this case, that if
2 this is true, it's horrifying. And it's not
3 merely criminal, but would rise to the level of
4 the word "evil."

5 BY MR. SKARNULIS:

6 Q So did you intend for your listeners
7 to understand that actions taken by Dr. Coomer were
8 evil?

9 A Well, again, I'm going with what my
10 guest is saying, and I don't have any reason to
11 think he's making it up. So even in that statement,
12 it -- it has an element of hypothesis.

13 Q Did you ever consider the possibility
14 that what Mr. Oltmann was saying was not true?

15 A That's a very hypothetical question.
16 I think I have to consider that no matter whom I'm
17 speaking with. But it wouldn't occur to me in any
18 particular way unless I would have remarked on it,
19 you know, which I didn't. So I would assume that
20 I'm following what he's saying, generally speaking,
21 and not thinking he's making it up.

22 Q Other than your follow-up questions to
23 Mr. Oltmann, you did no investigation to verify his
24 allegations, right?

25 A I -- we just don't do that.

1 MR. QUINN: Objection, asked and
2 answered.

3 Go ahead.

4 THE WITNESS: We don't have the budget
5 or the bandwidth or the time, I think I said
6 that earlier, to -- to do that kind of a thing,
7 unless it were, you know -- unless there were a
8 particular red flag or reason to doubt somebody
9 or something that they said, yeah.

10 BY MR. SKARNULIS:

11 Q Did you, at the time of this
12 broadcast, give any consideration to the damaging
13 effect Mr. Oltmann's allegations would have on
14 Dr. Coomer if he was not telling the truth?

15 A Can you say that again?

16 Q Sure.

17 When you're interviewing Mr. Oltmann,
18 did you give any consideration to the possibility
19 that what Mr. Oltmann was saying wasn't true?

20 MR. QUINN: Objection, asked and
21 answered.

22 Go ahead.

23 THE WITNESS: I -- I think you -- you
24 asked that just a minute ago, didn't you? In
25 other words --

1 BY MR. SKARNULIS:

2 Q Yeah.

3 A -- I -- whenever I'm talking to
4 somebody, I think hypothetically, I want to make
5 sure they're telling the truth. So -- but it's --
6 you know, it's my job as I'm interviewing somebody
7 to be responsible, to try to hear what they're
8 saying in context.

9 It didn't occur to me that he was --
10 he was doing anything but kind of reporting what
11 he'd experienced.

12 Q Is it also part of your job to assess
13 the potential effect on the subject, in this case
14 Dr. Coomer, if your guest is not truthful?

15 MR. QUINN: Object to form.

16 THE WITNESS: That sounds like a
17 really -- you know, that's a -- that's a --
18 it's kind of a very general and very
19 hypothetical question. So I'll just go back to
20 what I said before, that I respond in the
21 moment. And I was more horrified at what he's
22 saying that if this were true, my gosh, what
23 does it mean for the country? What does it
24 mean for everybody involved?

25 It's just deeply disturbing

1 information even if a tenth of it is true.

2 It's horrifying.

3 BY MR. SKARNULIS:

4 Q Page 29, line 8, you go on to say,
5 "It's extremely criminal, and these folks know
6 they're going to go to jail for the rest of their
7 lives."

8 Did you intend for your listeners to
9 believe that Dr. Coomer had committed criminal
10 conduct?

11 A Can you say that again? Did I --

12 Q Did you intend for your listeners to
13 believe that Dr. Coomer what committed criminal
14 acts?

15 A Well, I don't intend anything for my
16 listeners that I don't intend for myself. So as I
17 was listening to this report, this -- this
18 description from my guest, it struck me that if this
19 is true the -- the results would be horrifying for
20 the country, but also that -- that anybody doing
21 anything like voter fraud would -- would get in --
22 would get in big trouble.

23 So I was kind of -- even that, I was
24 sort of processing as I'm -- I'm hearing this,
25 trying to think about what are the ramifications of

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1 what I'm hearing. It's just like a nightmare for
2 everybody.

3 Q Do you consider yourself to be an
4 aggressive or violent person?

5 A No, I don't.

6 Q In preparing for the deposition, I
7 came across a story about you punching a biker.
8 What -- what was that about?

9 MR. QUINN: Object to form.

10 Counsel, what does this have to do
11 with malice toward -- seriously. I'm going
12 to -- don't answer the question. Stop.

13 MR. SKARNULIS: That's fine.

14 MR. QUINN: What does this have to do
15 with this case? Just answer that question.

16 MR. SKARNULIS: I want to know if he
17 has any violent tendencies or any aggressive
18 tendencies.

19 MR. QUINN: What does that have to do
20 with the case?

21 MR. SKARNULIS: That would go to --

22 MR. QUINN: I'm moving for protective
23 order on that last question. We'll deal with
24 this with the judge. And I'd like to have that
25 marked, and I'd like to have this copy -- this

1 particular section cut out and sent to me on my
2 email.

3 I will not put up with those kinds of
4 questions of my witness. Now, go ahead and ask
5 questions about this case.

6 MR. SKARNULIS: That's fine.

7 Let's go off the record, and let me
8 pow-wow with Mr. Kloewer.

9 THE VIDEOGRAPHER: We are now off the
10 record. The time on the video monitor is
11 10:25 a.m.

12 (Whereupon, a short break was taken.)

13 THE VIDEOGRAPHER: We are now back on
14 the record, the time on the video monitor is
15 10:30 a.m.

16 MR. SKARNULIS: I will pass the
17 witness.

18 THE COURT REPORTER: Counsel on Zoom,
19 any questions? Mr. Quinn?

20 MR. QUINN: No questions.

21 THE COURT REPORTER: Okay. Hang on.

22 MR. QUINN: Read and sign?

23 Mr. Metaxas, would you -- you'll have
24 an opportunity to read this transcript and
25 review it and make any corrections to any

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errors of any questions you may not have understood.

So would you like the court reporter to send you a copy of the transcript so you can read it?

THE WITNESS: Not particularly.

MR. QUINN: Okay, that's fine.

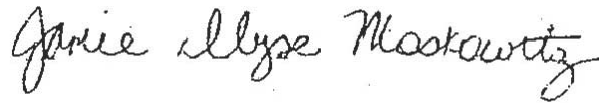
THE VIDEOGRAPHER: We are now off the record. The time on the video monitor is 10:30 a.m.

(Whereupon, the deposition concluded at 10:30 a.m.)

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C E R T I F I C A T I O N

I hereby certify that the proceedings and evidence noted are contained fully and accurately in the stenographic notes taken by me upon the foregoing matter on _____, and that this is a correct transcript of the same.



Jamie I. Moskowitz

Certified Court Reporter - Notary Public

(The foregoing certification of this transcript does not apply to any reproduction of the same by any means, unless under the direct control and/or supervision of the certifying reporter.)

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[disturbing - fair]

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Colorado Rules of Civil Procedure
Chapter 4, Disclosure and Discovery
Rule 30

(e) Review by Witness; Changes; Signing. If requested by the deponent or a party before completion of the deposition, the deponent shall be notified by the officer that the transcript or recording is available. Within 35 days of receipt of such notification the deponent shall review the transcript or recording and, if the deponent makes changes in the form or substance of the deposition, shall sign a statement reciting such changes and the deponent's reasons for making them and send such statement to the officer. The officer shall indicate in the certificate prescribed by subsection (f)(1) of this rule whether any review was requested and, if so, shall append any changes made by the deponent.

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COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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