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CASE NUMBER: 2020CV34319

Exhibit C

1 DISTRICT COURT, CITY AND COUNTY OF DENVER
STATE OF COLORADO
2 1437 Bannock Street
Denver, CO 80202

3 ^ COURT USE ONLY ^

4 ERIC COOMER, Ph.D.,
5 Plaintiff,

Case Number 20CV34319

Courtroom 409

6 vs.

7 DONALD J. TRUMP FOR PRESIDENT, INC.,
SIDNEY POWELL, SIDNEY POWELL, P.C.,
8 RUDOLPH GIULIANI, JOSEPH OLTMANN,
FEC UNITED, SHUFFLING MADNESS MEDIA, INC.,
9 dba CONSERVATIVE DAILY, JAMES HOFT,
TGP COMMUNICATIONS LLC, dba THE GATEWAY PUNDIT,
10 MICHELLE MALKIN, ERIC METAXAS, CHANEL RION,
HERRING NETWORKS, INC. dba ONE AMERICA
11 NEWS NETWORK, and NEWSMAX MEDIA, INC.,
Defendants.

12
13 VIDEO-RECORDED REMOTE DEPOSITION OF
CHANEL RION

14 August 9, 2021

15
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1 P R O C E E D I N G S
2 * * * * *
3 THE VIDEOGRAPHER: Here begins the deposition of
4 Chanel Rion. Today's date is August 9, 2021. The time is
5 12:01.
6 Counsel, please identify yourselves and state
7 whom you represent.
8 MR. CAIN: Well, what we're doing in lieu of
9 that is making appearances via email for those that are
10 not directly involved.
11 But for the record I will certainly state my
12 name is Charles Cain, and I represent the plaintiff.
13 MR. RHODES: And I'm Bernie Rhodes, and I
14 represent OAN and Chanel Rion and will be defending the
15 deposition on behalf of Ms. Rion today.
16 THE VIDEOGRAPHER: Will the court reporter
17 please swear in the witness?
18 THE REPORTER: Yes, after I read in the
19 statement regarding the remote proceedings:
20 The attorneys participating in this deposition
21 acknowledge that I am not physically present in a
22 deposition room and that I will be reporting this
23 deposition remotely. They further acknowledge that, in
24 lieu of an oath administered in person, the witness will
25 verbally declare his/her testimony in this matter is given

1 under penalty of perjury.
2 The parties and their counsel consent to this
3 arrangement and waive any objections to this manner of
4 reporting.
5 If there are any objections, please state them
6 at this time.
7 Hearing none, Ms. Rion, will you please raise
8 your right hand?
9 CHANEL RION,
10 having been first duly sworn to state the whole truth,
11 testified as follows:
12 DIRECT EXAMINATION
13 BY MR. CAIN:
14 Q. Can you state your full name, please?
15 A. Yes, Chanel Rion.
16 MR. REAGOR: Do we have the continuing
17 stipulation that an objection by one party will stand as
18 an objection for each defendant?
19 MR. CAIN: Yeah. And so we don't have to
20 continue to -- to acknowledge that, I would say that I
21 certainly would stipulate, until anybody else objects to
22 that arrangement, that that's an ongoing stipulation for
23 all of the deposition.
24 MR. ARRINGTON: And I agree with that.
25 THE REPORTER: I'm sorry. Can I get the name of

1 the attorney who made that statement?
2 MR. REAGOR: Michael Reagor.
3 Q. (By Mr. Cain) Okay. How are you doing this
4 morning, Ms. Rion?
5 A. I'm good, as good as a parent of a newborn can
6 be at this moment.
7 Q. Congratulations to you on that. We'll try to
8 get through this as quickly as possible.
9 Have you done a Zoom deposition before?
10 A. I have not.
11 Q. Have you done any kind of deposition before?
12 A. No, I have not.
13 Q. All right. I assume you've had a chance to meet
14 with your counsel in preparation for giving testimony?
15 A. I have.
16 Q. All right. Did you -- did you spend some time
17 reviewing documents in order to also prepare for your
18 testimony?
19 A. Yes.
20 Q. Give me a thumbnail of what you did to prepare.
21 A. I just collected documents that I think your --
22 you had requested of us and sent them over, and I
23 explained the context of those documents.
24 Q. And about how much time did you spend collecting
25 documents and reviewing them in order to testify today?

1 A. I don't recall.
2 Q. More than an hour?
3 A. Yes. I was pulling down documents that -- I had
4 to dig through old emails and things like that. So yes,
5 more than an hour.
6 Q. Well, in terms of ground rules you -- you sat in
7 on at least one other deposition; right? I think
8 Mr. Herring's?
9 A. Yes.
10 Q. Okay. It's a little -- still trying to do this
11 by video -- we'll do our best. I will show you some
12 documents and share my screen, hopefully, from time to
13 time.
14 But it's important that we get your testimony
15 here today and not the testimony of others. And by that,
16 I mean you are not to communicate with others
17 electronically. I can't see your screen or your phone.
18 So during the course of giving testimony, will
19 you agree that you won't be communicating with other
20 parties?
21 A. Yes, of course. The only other party I might be
22 communicating with is my newborn, who might interject
23 occasionally. But we'll try and keep that at a minimum.
24 Q. Well, hopefully, you won't have to consult -- is
25 it a -- is it a girl? Did you have a girl?

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1 A. I had a boy. It will be baby's first
2 deposition. We'll get to put that in the baby book.
3 Q. Is your newborn in the room with you?
4 A. He is, yes. He's next to me.
5 Q. I'll try to use my soothing voice.
6 A. Appreciate it.
7 Q. Other than not communicating with other parties,
8 the other couple of ground rules that I like to ensure is
9 that you understand my questions. I tend to ask sometimes
10 long-winded questions. Sometimes I ask halting questions,
11 and you will interject.
12 But the important thing is that you and I are on
13 the same page. So if I ask you something and you don't
14 get what I'm asking, you don't understand what I'm asking,
15 will you stop me and ask me to phrase my question so that
16 you understand?
17 A. Yes.
18 Q. All right. Great.
19 And we won't be here long, but if you need a
20 break, that's perfectly fine. We probably will take one
21 or two. The only caveat there is you have to complete
22 your answer to a question that I have on the table before
23 you take a break. In other words, no timeouts during the
24 pendency of a question. Okay?
25 A. Understood.

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1 Q. All right. Since you sat in on Mr. Herring's
2 testimony, you should have heard him say that you
3 conducted extensive research in connection with the
4 "Dominion-izing the Vote" report.
5 Can you explain to me what specific research and
6 investigation you did in connection with that specific
7 report that was aired on OAN?
8 A. Of course. I had been working on this
9 OAN Investigates special for several weeks. I was looking
10 into documents that were submitted by Congress to voting
11 measuring companies, the three that dominate the market
12 now.
13 I was looking at congressional hearings. These
14 were all publically available documents.
15 Was watching prior media reporting on election
16 vulnerabilities. There were quite a few to pull from,
17 especially between 2016 and 2020.
18 I had seen -- I had been reading the reports
19 that were being put out by hackathons, like
20 Voter Village's DEF CON meetings. They would put out
21 reports and findings for the vulnerabilities they were
22 identifying in election systems in the United States
23 today.
24 I had been reading documents from secretary of
25 state's offices. They would put out reports about the

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1 security of their elections.
2 I had consulted -- I had seen several
3 documentaries on this, including Kill Chain -- HBO's
4 Kill Chain, where they laid out, you know, the hackathon
5 that I just mentioned by DEF CON. They would talk about
6 the vulnerabilities in our system today.
7 These were some of the things that I looked at
8 in -- in researching, generally, for the
9 "Dominion-izing the Vote."
10 And then, of course, I had interviews included
11 in the actual final product.
12 Q. Is it fair to say -- you said several weeks.
13 Can you be any more specific than that?
14 A. I can try to be. I think it was mid-October
15 when I first started reading and, kind of, mulling over
16 the topic and thinking about ways to put this into a
17 cohesive piece to air on OAN.
18 Q. Was the idea behind the germination of this
19 piece your own, or were you consulting with others at OAN
20 about running that type of the report?
21 A. I don't recall whose idea it was. I mean, this
22 was a -- as a news organization, we're dealing with the
23 news of the day, and the news of the day at the time was
24 very much the question of whether or not our elections
25 were secure.

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1 So this was something that we discussed -- we,
2 as a network, discussed amongst each other. I don't know
3 whose idea it was, but I was certainly working on it once
4 I started working on it.
5 Q. And you were physically located, as you are now,
6 in Washington, D.C. during this time period?
7 A. Yes, sir.
8 Q. And you produced this piece out of
9 Washington, D.C.?
10 A. Yes, sir.
11 Q. Who in Washington was assisting you on this
12 piece?
13 A. In Washington, I had a videographer/editor. I
14 don't recall all the videographers that may have worked
15 with me at the time, because we shoot in pieces. But we
16 had -- Young Richardson was my editor for this piece.
17 Q. Can you spell that name, please -- the first
18 name please?
19 A. Young, Y-o-u-n-g.
20 Q. And that you call your videographer and editor.
21 So this would be the person who would have done the camera
22 work while you were doing your piece and then would edit
23 the video?
24 A. Yes. And, again, I preface that with he may not
25 have been the only videographer to be taping for me at the

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1 studio. Because I don't remember the exact -- how --
2 how -- how long I actually taped in the studio. But we
3 would have various videographers work with us at any given
4 time.
5 So he may not have been the only videographer
6 physically taping my stand-ups, but he was certainly the
7 editor.
8 Q. Okay. And like, I guess, I alluded to, this all
9 occurred -- the studio you referred to would have been in
10 D.C. as well?
11 A. Correct.
12 And if you'll notice on my -- in
13 "Dominion-izing the Vote," behind me is the White House
14 when I'm doing the stand-ups. So I was at the White House
15 when I was taping portions of this piece.
16 Q. Okay. Have you covered, at least in general,
17 the research and investigation that you did prior to
18 recording this piece?
19 A. Didn't we just -- did we just go over that? Or
20 is this a question --
21 Q. Yeah. I just was giving you an opportunity
22 to -- if there's anything else that you neglected to
23 mention, to -- to summarize that for me.
24 A. Well, of course, we listened to
25 Michelle Malkin's interview of Joe Oltmann when it came to

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1 be the -- the Eric Coomer portion of our piece.
2 I discussed this with a handful of hackers that
3 I was able to discuss details with offline. LinkedIn -- I
4 mean, there were a variety of routes that I had used to do
5 my research. But I think gave you a good overview of what
6 I did.
7 Q. Okay. Well, we'll talk about some of the
8 offline discussions in a minute.
9 I want to -- I guess what I'm trying to cover is
10 more the physical research in terms of documentation. You
11 said -- and I won't repeat it -- but you went through
12 hearings and reports and things of that nature.
13 I will tell you that I got, late yesterday, a
14 letter from Mr. Rhodes that had a report attached to it.
15 I think --
16 A. That may have been DEF CON 27's report.
17 Q. Okay. And that's one of the --
18 (Simultaneous speakers.)
19 A. -- a couple years' worth of reports. I
20 specifically looked at DEF CON 27. I think that was
21 August 2019, if I'm not mistaken.
22 Q. Okay. Well, we'll take a look here in just a
23 second.
24 Actually, while I'm asking you some questions --
25 MR. CAIN: Rebecca, can you mark as the next

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1 exhibit, 56? In my private folder, I think it's 10-A.
2 It's OAN 1627 through 1680.
3 MS. DOMINGUEZ: Yes, sir.
4 Q. (By Mr. Cain) And while she's doing that,
5 Ms. Rion, you had indicated you had the one videographer
6 that help you work on this piece in Washington. Was there
7 anybody else, in terms of OAN staff in Washington, that
8 worked with you on this report?
9 A. I believe -- if I'm at the White House and I'm
10 taping at the White House, Jay Thompson may have been the
11 videographer.
12 But again, I think there were several
13 videographers involved. I don't remember which ones were
14 all involved in the physical taping of the piece.
15 Q. And while Mr. Richardson or another videographer
16 may have edited the video was there anyone that edited
17 your script that you wrote for the piece?
18 A. No, sir.
19 Q. So this was really, literally, your baby?
20 A. Well, I would discuss this with Charles Herring
21 over the phone. I would talk to him about what I was
22 finding and what I was putting together.
23 So he may not have physically been, you know,
24 writing my script, but we were talking about what I was
25 working on. So to the extent -- I hope that answers your

Page 17

1 question.

2 Q. How involved would you characterize Mr. Herring

3 in this "Dominion-izing the Vote" piece?

4 A. I would say fairly -- he was involved in, kind

5 of, the overview of it, not so much the individual details

6 of the report. So I didn't receive editorial guidance,

7 but we discussed what I was working on.

8 Q. And other than -- since you said Mr. Herring

9 didn't provide editorial guidance, was there anybody at

10 OAN who did?

11 A. Not that I recall.

12 Q. And going back to your earlier testimony when

13 you talked about the research you did, you said it took

14 several weeks, may have started in the mid-October

15 time frame.

16 Is it fair to say at the time that you began

17 thinking about this piece and working on it, it was not

18 intended to be a piece about Dr. Coomer?

19 A. No.

20 Q. Or, for that matter, Mr. Oltmann?

21 A. Not at all, right.

22 We had -- I had been lining up interviews for

23 this particular piece long before I was even aware of

24 Dr. Coomer's existence or Joe Oltmann's existence.

25 So they -- they ended up landing on my radar

Page 18

1 around the time that Michelle Malkin did her interview on

2 November 13th or so.

3 So about a day after or so, we started looking

4 into Joe Oltmann's story and his accounting. And then we

5 started looking into Eric Coomer. And that's about --

6 that's about -- about a week or ten days or so before the

7 piece went to air.

8 Q. Well, was it -- did that affect your air date?

9 In other words, were you planning on doing this

10 investigative report on the 21st when it aired?

11 A. I did not have a date set. I -- it's -- it's --

12 usually when we're working on these investigative pieces,

13 they are submitted when they're finished. And I did not

14 have a set date for this piece.

15 Q. Gotcha.

16 A. We were not in any particular rush to put it

17 out. I mean, it was just one of those stories that we

18 thought was evergreen.

19 It was talking about election-system

20 vulnerabilities, and that did not -- it wasn't like we

21 were rushing toward an election date or anything like

22 that. It was -- it would be finished when it was

23 finished.

24 Q. I gotcha.

25 Ms. Rion, I'm going to share my screen so that

Page 19

1 we can quickly look at Exhibit 56.

2 (Plaintiff's Exhibit Number 56 was introduced.)

3 Q. (By Mr. Cain) Do you see that okay?

4 A. Yes. DEF CON 27 Voting Machine Hacking Village.

5 Q. And this is one of the reports you referred to

6 previously; correct?

7 A. Correct.

8 Q. And you'll just see I've marked it as

9 Exhibit 56.

10 And in terms of this particular piece, it looks

11 like it was coauthored by Georgetown University

12 Professor Matt Blaze. Do you see that?

13 A. Yes.

14 Q. And do you consider Professor Blaze to be

15 authoritative on the subject of election vulnerability?

16 A. I don't -- I cannot speak to Matt Blaze's entire

17 career or his -- his credibility. But I can attest to the

18 fact that the findings in this report were credible to me

19 as I read it.

20 Q. Okay. And what findings, as you sit here today,

21 in particular did you rely on in order to compile your

22 report?

23 A. There were several things. I don't know if I

24 can list all of them off the top of my head.

25 But one of the major findings of this report was

Page 20

1 that Dominion Voting Systems had a way where hackers were

2 able to access the machines, access the USB ports, access

3 various portals of the Dominion machine. And they were

4 able to hack into it and install video games, for

5 instance.

6 They were able to do so, I believe, in the words

7 of one of the hackers, undetected. So this was highly

8 relevant to me as I was reading the report.

9 Q. So you read this report and the others. Did you

10 actually look at -- and we don't have time to go through

11 this, but you'll just confirm this is the report that

12 you're referring to with the findings that you stated;

13 correct?

14 A. Yes, sir.

15 Q. All right.

16 And as you said, you can't speak for the

17 credibility of Professor Blaze, but you did find his --

18 his -- the work done and the findings credible in that

19 particular --

20 A. If I'm not mistaken, there are over half a dozen

21 names on that -- on that list of coauthors. So I don't --

22 again, I can't -- I don't know Matt Blaze. I have never

23 met him. I don't know of his full resume.

24 But their findings seemed to speak for

25 themselves. And there's quite a few coauthors in that

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<p>1 report.</p> <p>2 Q. Well, if you found the findings were credible, I</p> <p>3 assume you felt comfortable in relying on</p> <p>4 Professor Blaze's work in this respect and his coauthors';</p> <p>5 correct?</p> <p>6 A. Correct. But I don't know what part of the</p> <p>7 report he actually coauthored.</p> <p>8 So again, I don't want to misspeak and say that</p> <p>9 I know Matt Blaze or his resume. But the report in its</p> <p>10 entirety seemed reasonable to me when I was reading it.</p> <p>11 Q. As part of your investigation leading up to</p> <p>12 producing this report, did you speak to</p> <p>13 Professor Halderman?</p> <p>14 A. I did not. But I used -- I used some of his</p> <p>15 work. I've read some of his testimony before Congress, I</p> <p>16 believe, in 2018. I also -- I used a clip of</p> <p>17 Professor Halderman in my piece.</p> <p>18 Q. Let's make sure we are talking about the same</p> <p>19 gentleman.</p> <p>20 A. I believe Mr. Halderman was the individual who</p> <p>21 was able to -- I think he participated in the DEF CON</p> <p>22 events, hackathons, and he was -- he was a voice that</p> <p>23 New York Times, Axios, Congress -- they all relied on his</p> <p>24 expertise when it came to the hackability of the voting</p> <p>25 machines and our votes system in the United States.</p> <p style="text-align: right;">Page 22</p>	<p>1 itself.</p> <p>2 A. Well, you always had the A/C job to get to.</p> <p>3 Q. There you go.</p> <p>4 I'm just going to see if we can get to the part</p> <p>5 with Professor Halderman. It was pretty early on in this</p> <p>6 piece. I'll start at 2:09 in the piece.</p> <p>7 (The video segment was played.)</p> <p>8 Q. (By Mr. Cain) That's Dr. Coomer there, is it</p> <p>9 not?</p> <p>10 A. It is.</p> <p>11 Q. So let me ask you a couple of things about</p> <p>12 that -- that short segment.</p> <p>13 I guess, going reverse, you mentioned that</p> <p>14 Dominion was a Canadian company. Have you now</p> <p>15 subsequently learned that Dominion, while it had an office</p> <p>16 in Canada, is actually a company that is formed and is a</p> <p>17 domestic U.S. company?</p> <p>18 MR. RHODES: I'm going to object to the question</p> <p>19 and the term that, quote, "Dominion," closed quote, is</p> <p>20 vague and ambiguous. Depends on which Dominion you're</p> <p>21 talking about, Mr. Cain.</p> <p>22 MR. CAIN: All right. Well, I'll rephrase that.</p> <p>23 Q. (By Mr. Cain) Dominion Voting Systems is a U.S.</p> <p>24 company, is it not?</p> <p>25 MR. RHODES: Same objection. There's more than</p> <p style="text-align: right;">Page 24</p>
<p>1 MR. CAIN: Rebecca, can you mark as the next</p> <p>2 exhibit, Exhibit 10-B in my private folder.</p> <p>3 Q. (By Mr. Cain) I believe this is going to be a</p> <p>4 screenshot, Ms. Rion, of Professor Halderman. I want to</p> <p>5 make sure, again, we're talking about the same gentleman.</p> <p>6 Can I ask you what your son's name is while</p> <p>7 we're waiting for the exhibit?</p> <p>8 A. Sure. We named him Atlas.</p> <p>9 Q. Any expectations there?</p> <p>10 A. Yes. Actually, right behind me is a letter from</p> <p>11 President Biden congratulating his birth. I don't know if</p> <p>12 you can see it. Can you see it?</p> <p>13 Q. I can't. I can see what you're talking about,</p> <p>14 though.</p> <p>15 A. He wished him a happy birthday on his birthday.</p> <p>16 So Atlas arrived with a bang.</p> <p>17 (Plaintiff's Exhibit Number 57 was introduced.)</p> <p>18 Q. (By Mr. Cain) Okay. So Plaintiff's Exhibit 57.</p> <p>19 This is a still shot from your piece; correct?</p> <p>20 A. Correct.</p> <p>21 Q. And is this Professor Halderman?</p> <p>22 A. It appears to be.</p> <p>23 Q. And I think I have -- you'll just have to pardon</p> <p>24 me, because I'm my own paralegal, and I'm not very good at</p> <p>25 it. Let me see if I have -- if I can get to the piece</p> <p style="text-align: right;">Page 23</p>	<p>1 one Dominion Voting Systems.</p> <p>2 MR. CAIN: Okay. Well, I think she can answer</p> <p>3 what her understanding is.</p> <p>4 Q. (By Mr. Cain) If there's a distinction you want</p> <p>5 to make, you can make it, Ms. Rion.</p> <p>6 A. Mr. Cain, my understanding is that</p> <p>7 Dominion Voting Systems was founded in Canada.</p> <p>8 Q. And that's based on what?</p> <p>9 A. Based, I believe, on Dominion Voting Systems'</p> <p>10 company profile. I -- I don't recall exactly, but I</p> <p>11 remember reading that they were founded in Canada.</p> <p>12 Q. Well, they may have been founded. I'm not --</p> <p>13 I'm not going to argue with you in terms of the timing of</p> <p>14 that.</p> <p>15 But as of the election in 2020, it was a</p> <p>16 domestic U.S. company, was it not?</p> <p>17 MR. RHODES: Same objection.</p> <p>18 A. I -- I don't know if I would agree with that.</p> <p>19 Q. (By Mr. Cain) And this is based on -- I know</p> <p>20 you referenced it, but is there some document that you're</p> <p>21 thinking of that you relied on when you made that</p> <p>22 statement?</p> <p>23 A. I believe I saw articles of incorporation</p> <p>24 showing that Dominion Voting Systems was founded in</p> <p>25 Canada. They may have offices in Denver. They may have</p> <p style="text-align: right;">Page 25</p>

1 offices, you know, in Antarctica. But that does not make
 2 them an Antarctic company.
 3 I don't think that -- just because you have
 4 offices somewhere does not mean you were founded there.
 5 Q. Well, for sure. I mean, Apple has an office in
 6 China. They're not a Chinese company; right?
 7 A. Exactly. And it was founded in the West. So I
 8 think that's the distinction.
 9 Q. Okay. And you -- you obviously saw Dominion's
 10 web page, because I think you produced that to us, where
 11 they identify the fact that they are not a Canadian
 12 company at present; true?
 13 A. Yes. I used that page, I believe, in my
 14 "Dominion-izing the Vote" several times. I referenced it
 15 several times.
 16 Q. Yeah. And we'll look at that in a minute.
 17 I just want to make sure I understand where
 18 you -- where you -- what you were relying on when you made
 19 that particular statement
 20 And what you're saying, as I -- as I appreciate
 21 it, is the original articles of incorporation of a
 22 Dominion entity, you reviewed prior to this report, and
 23 that's what you were basing this on; true?
 24 A. Yes.
 25 Q. You also said in that segment that we looked at

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1 when you were showing Mr. Halderman that to -- to "ignore
 2 that." You used the term, "You can ignore that."
 3 Can you tell me why you said that in this piece?
 4 A. Yes.
 5 That -- that was clearly a tongue-in-cheek
 6 comment meant to add to the -- I guess, the flow of the
 7 piece. I occasionally include tongue-in-cheek comments in
 8 my reporting.
 9 Q. Okay. Well, I'm not the most humorous person in
 10 the world, so I didn't quite get it, which is why I asked
 11 question.
 12 You showed Mr. Halderman in the piece, and then
 13 you said, "Ignore that," and then you went on to
 14 Dominion Voting Systems. So what's tongue-in-cheek about
 15 that?
 16 A. I think that most viewing it might understand
 17 that as being ironic. It's clearly a statement from
 18 Professor Halderman that is highly relevant to the
 19 conversation.
 20 But we are asked by mainstream media or large
 21 entities to ignore important statements from experts like
 22 Professor Halderman. So it was a statement in irony.
 23 Q. I see.
 24 And the importance, in your mind, here was that
 25 there are potential vulnerabilities in these -- in the

Page 27

1 voting systems, and you wanted to make that clear; right?
 2 A. Absolutely.
 3 Q. All right. And you want to make it clear, also,
 4 to the audience -- and did in this piece -- that if
 5 there's important and relevant information concerning
 6 these vulnerabilities, you were trying to document that
 7 and educate your listeners and viewers; true?
 8 A. I would say that's fair, yes.
 9 Q. All right.
 10 And in terms of -- sort of, a 30,000-foot
 11 overview of this piece, are there areas that you can cite
 12 us to where you identified, sort of, the other side of
 13 that -- that particular issue? And I'm talking about
 14 vulnerabilities.
 15 It's one thing for there to be potential
 16 vulnerabilities. It's another thing, I think you would
 17 agree with me, for those vulnerabilities to actually be --
 18 I'm struggling with the word -- but, essentially, utilized
 19 to rig the election. Those are two different concepts;
 20 right?
 21 A. Not necessarily, not in this context, I don't
 22 believe.
 23 We were citing documents from
 24 Dominion Voting Systems, their own user guides, that, in
 25 those user guides, there were some vulnerabilities that

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1 penetration testers easily were identifying.
 2 So I don't think that's a fair statement. I
 3 think that there were confirmable vulnerabilities in these
 4 machines, and they were being highlighted in our report.
 5 Q. Okay. And, again, from -- you consider yourself
 6 a journalist; correct?
 7 A. Yes.
 8 Q. And I wasn't being pejorative on that. I just
 9 want to make sure that we're on the same page.
 10 Do you actually have -- prior to coming to OAN,
 11 did you have some experience in journalism as a reporter?
 12 A. None whatsoever. I had a degree in
 13 international relations, and that was my -- my educational
 14 background.
 15 But -- well, in fairness, actually, the one
 16 journalistic course I ever took at my school, at Harvard
 17 University, was under Professor Allan Ryan. We did a
 18 course on journalism in the Fourth Estate. And I wrote
 19 the top paper. I was the top student in that course.
 20 He was a rather famous attorney in D.C. and in
 21 Cambridge. That's about the only journalism formal
 22 education that I have had. But I believe my international
 23 relations background is sufficient for what I'm doing.
 24 Q. Well, I'm just -- I'm just trying to get the
 25 experience. And it's fair to say you took one course when

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1 you were getting your degree in international relations at
 2 Harvard by Professor Ryan, but you didn't have any actual
 3 experience in the field working as a journalist before
 4 coming to OAN; is that true?
 5 A. No. No experience beforehand.
 6 MR. CAIN: Rebecca, let's mark another exhibit
 7 from my private folder: 10-C. It starts 10-C, Expert
 8 Statement.
 9 MS. DOMINGUEZ: Yes, sir.
 10 Q. (By Mr. Cain) Can I ask, while she's doing
 11 that, if you didn't have experience as a journalist, how
 12 did you come to be hired by OAN?
 13 A. I was recruited. I was at an event in D.C., and
 14 I was talking as -- as one does in D.C., talking to
 15 someone. And one thing led to another. I was invited to
 16 the OAN studio, and I was called on to do a screen test.
 17 I met with Charles Herring. He interviewed me,
 18 reviewed my background, and hired me from there about
 19 two years ago.
 20 Q. So you went from -- when you were originally
 21 hired, what were you hired to do?
 22 A. I was hired to be the weekend White House
 23 correspondent and to -- outside of that weekend, to spend
 24 about three days doing regular reporting out of the
 25 D.C. bureau.

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1 Q. Since you were new to the industry, did OAN
 2 supply you with information concerning journalistic
 3 standards of the news organization?
 4 A. I don't remember that as much as I remember the
 5 mentorship that I received from my bureau chief,
 6 John Hines, and from our invest- -- our chief
 7 investigative reporter Neil McCabe.
 8 They were -- they were my mentors, and they
 9 thought me everything, I think, I needed to know to get
 10 started in the -- in the news business.
 11 Q. Okay. So fair to say you had, essentially,
 12 on-the-job training by John Hines and Neil McCabe was part
 13 of your mentoring to become what you are now?
 14 A. Yes. But I wouldn't want to wish them -- wish
 15 on them the full responsibility. But, yes, they were my
 16 mentors, and they taught me what I needed to know.
 17 Q. But aside from that mentoring, my question was
 18 geared towards the company actually supplying its
 19 journalists with either journalistic standards in writing
 20 or ethical standards for reporting.
 21 And is it fair, then, to say that you never
 22 received that type of information from OAN?
 23 A. No, not fair at all. I think I received a lot
 24 of guidance, in terms of just candid guidance on the job.
 25 And that either came from my D.C. bureau, and

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1 sometimes it came from my San Diego bureau, the San Diego
 2 side, where I would put reports together, and they might
 3 say, Here are some tidbits or hints and clues how to do
 4 this right.
 5 I received a lot of guidance at the very
 6 beginning from a variety of sources at OAN.
 7 Q. You and I are talking past each other.
 8 My question was -- some news organizations
 9 actually have written standards for their journalists in
 10 terms of fact checking, in terms of vetting sources, in
 11 terms of ethical responsibilities. And that's reduced --
 12 some put them on their website. Some put them in a -- in
 13 little booklet that they give out.
 14 So it's a set of practices that the news
 15 organization expects their journalists to abide by.
 16 So putting aside what you told me about
 17 mentoring -- I get that -- is there anything that you
 18 received that would meet that definition I just gave you?
 19 A. Verbal training, I would say. I think that's a
 20 fair way to say it.
 21 Q. Now, in the reading that you did -- let me back
 22 up.
 23 Can we agree that the "Dominion-izing the Vote"
 24 piece was first broadcast on November 21st of 2020?
 25 A. I believe so, yes.

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1 Q. Okay. And when I took Mr. Herring's deposition,
 2 the report was still available on YouTube. Do you know
 3 whether it's been taken down since his deposition?
 4 A. No. I believe the report you're referring to is
 5 the -- the report that was shared by the Donald J. Trump
 6 YouTube page, and we had nothing to do with their posting
 7 that report. And I believe it is still up today.
 8 Q. Okay. I did a search the other day, and I
 9 couldn't find it. But that doesn't mean it's still there.
 10 As far as you're concerned, it's still available
 11 through that page; true?
 12 A. At last I have seen, yes.
 13 Q. Okay.
 14 I'm going to show you what's been marked as
 15 Plaintiffs Exhibit 58. I'm going to share my screen
 16 again.
 17 (Plaintiff's Exhibit Number 58 was introduced.)
 18 Q. (By Mr. Cain) So this is dated November 16th
 19 of 2020: "Scientists say no credible evidence of computer
 20 fraud in the 2020 election outcome, but policymakers must
 21 work with experts to improve confidence."
 22 And it's, obviously, Plaintiff's Exhibit 58.
 23 It's a short document, and it's signed.
 24 Now, in terms of this particular document, have
 25 you seen this before, Ms. Rion?

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1 A. I don't believe I have seen this. But I've
 2 heard of the pushback from various sources saying that the
 3 election was perfect, and there was no chance for it --
 4 for it being vulnerable, all of a sudden, in 2020.
 5 Q. Okay. So let's break that down a little bit.
 6 The first question was, had you seen this
 7 document before -- before I showed it to you. And I think
 8 your answer to that question is, no, you have not?
 9 A. No, I have not seen this particular document.
 10 Q. But you certainly -- it made news, and you
 11 certainly would have heard of this document being
 12 circulated on or around November 16 of 2020; right?
 13 A. I don't remember. But I -- I know that the
 14 sentiment was certainly discussed as far as individuals
 15 who wanted to convince the public that our elections were
 16 perfect.
 17 Q. And that's how you're characterizing this
 18 particular document, as the attempt to characterize the
 19 election as perfect?
 20 A. I'm only judging it based on the headline that
 21 you've -- you've provided here. I'm assuming that this is
 22 "Scientists say no credible evidence of computer fraud in
 23 the 2020 election outcome, but policymakers must work with
 24 experts to improve confidence."
 25 That was a sentiment that, I think, news

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1 organizations affiliated with the left would push as well.
 2 We were -- we were simply questioning this logic, saying
 3 that the election was questionable in 2016, but suddenly
 4 perfect in 2020. So that's -- that was our position.
 5 Q. All right. Well, you talked about
 6 vulnerabilities. And that's -- that certainly was the
 7 subject of -- at least one of the subjects of your piece:
 8 potential vulnerabilities in the system; right?
 9 A. Correct.
 10 Q. All right. And here you have a group of 59
 11 election experts, including Matt Blaze, who -- whose
 12 research you found to be credible -- and also including
 13 Professor Halderman, who was on the piece itself, at least
 14 in part, issuing this statement in November 16th of 2020.
 15 Now, why didn't you consider this report as part
 16 of your piece?
 17 MR. ARRINGTON: Object to form. Identified as
 18 Barry Arrington.
 19 A. I don't -- again, as in the other report I
 20 believe you showed us, I don't under- -- I don't know who
 21 was responsible for what parts of this report.
 22 But I was relying on the experts that you just
 23 named having identified known vulnerabilities in our
 24 election system, and those claims, I don't think they were
 25 retracting. They're not retracting their identifying

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1 known vulnerabilities in our election system in this
 2 statement.
 3 Q. (By Mr. Cain) Okay. Some we can agree, then,
 4 if you look at the statement -- it's fairly short -- it
 5 starts, "We are specialists in election security, having
 6 studied this, security of voting machines, voting systems,
 7 and technology used for government elections for decades.
 8 "We and other scientists have warned for many
 9 years that there are security weaknesses in the voting
 10 systems and have advocated that election systems be better
 11 secured against malicious attack." And it goes on to talk
 12 about that.
 13 So that -- that's a statement, I think, that you
 14 and I can agree on; correct?
 15 A. Correct.
 16 Q. All right. Now the second -- the next paragraph
 17 goes on to say, however, quote, "Anyone asserting that a
 18 U.S. election was rigged is making an extraordinary claim,
 19 one that must be supported by persuasive and verifiable
 20 evidence. Merely citing to the existence of technical
 21 flaws does not establish that an attack occurred, much
 22 less that it altered an election outcome. It is simply
 23 speculation."
 24 Do you agree with that statement?
 25 A. I don't think it's extraordinary to say that

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1 there were some massive vulnerabilities in our system, and
 2 that there are still questions that we pose about our
 3 election system as it stands today.
 4 But after the "extraordinary claim," I agree
 5 that all -- all statements should be backed by -- by
 6 reasonable facts and evidence, and that's what we used in
 7 our report.
 8 Q. Well, as you sit here today, you obviously are
 9 aware of no persuasive and verifiable evidence that the
 10 election was actually rigged; true?
 11 MR. REAGOR: Object to form.
 12 A. I disagree with that statement.
 13 Q. (By Mr. Cain) All right. Tell me what
 14 persuasive and verifiable evidence you have that you can
 15 share with us here today that the 2020 presidential
 16 election was rigged.
 17 A. Off the top --
 18 MR. REAGOR: Object to form.
 19 A. Off the top of my head, I mean, there are dozens
 20 of stories that I can point you to. But, at present, I
 21 don't want to give false details.
 22 But if you look at the Arizona election, for
 23 instance, that election was won by a margin of about
 24 10,000. And to this day, there are questions about the
 25 voter rolls that were involved in that election.

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1 There were well over 10,000 votes that were
 2 involved in the Arizona presidential election that should
 3 not have been qualified to vote in that election.
 4 So you could compare that -- the voter rolls
 5 from these states with the margins of victory for these
 6 states, and I think that's one example that I can give you
 7 at this time.
 8 Q. (By Mr. Cain) Okay. If you think of any others
 9 during the course of your deposition, flag those for me,
 10 and we can talk about them.
 11 But you're talking about voter roll issues in
 12 Maricopa County as being some evidence that there was
 13 rigging of the 2020 presidential election?
 14 A. But, Charlie, this is also still very much in
 15 question. I don't think we can stand here today and say
 16 with certainty that the election in 2020 was infallible;
 17 it was perfect.
 18 So I don't think that it's fair to come to a
 19 conclusion even now. There's an audit that's still
 20 ongoing down in Arizona in Maricopa County, and now audits
 21 that are starting to crop up in Wisconsin, potentially in
 22 Georgia and Pennsylvania, indicating that there are still
 23 lingering questions that need to be answered about our
 24 elections and the vulnerabilities that are posed in them.
 25 Q. You keep using the term, Ms. Rion, "perfect."

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1 You've said that now three or four times. Who is it that
 2 you're referring to as indicating that the election in
 3 2020 was, quote, "perfect?"
 4 A. I am paraphrasing, Charlie.
 5 So in this case, it's just -- you have
 6 scientists saying no credible evidence of computer fraud.
 7 I think that's a big statement considering that many of
 8 these individuals were also involved in years of
 9 hackathons showing that there were vulnerabilities that
 10 could be easily exploited undetected.
 11 For example, the professor you cited down here,
 12 J. Alex Halderman, he himself was able to hack into these
 13 machines in a period of a few hours, and he was able to do
 14 so undetected.
 15 So it seems rather extraordinary to say that
 16 there is no -- there is no capacity for -- for
 17 vulnerability here.
 18 Q. I don't think -- I think we've talking about two
 19 different things: capacity for vulnerability and actual
 20 exploits. And we'll talk about that in a little more
 21 detail.
 22 A. Again, that's still in question. Right now,
 23 there are audits taking place trying to answer that
 24 question.
 25 Q. Yeah. I hear what you're saying in terms of

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1 ongoing audits. The one you referred to is a -- well, let
 2 me ask you about the Maricopa County audit.
 3 Are you participating in that audit, either
 4 through a financial investment or through your reporting?
 5 A. I've certainly reported on it. I don't -- I
 6 don't know what you mean by financial involvement.
 7 Q. Yeah. That's a lawyer word for -- are you --
 8 are you paying any money in support of that audit,
 9 contributing to a fund?
 10 A. I personally am not doing that.
 11 Q. Are you aware of anyone at OAN contributing to
 12 that?
 13 A. There's -- with my colleague, Christina Bobb --
 14 she is the CEO of Voices and Votes. This is an
 15 organization has been raising funds to help provide for
 16 audit needs in Arizona or Maricopa County.
 17 As far as being personally compensated, none of
 18 us have been personally recompensated. All donations have
 19 been raised through Voices and Votes have gone towards --
 20 towards the audit in Maricopa County.
 21 Q. Have you personally contributed to
 22 Voices and Votes in support of that audit?
 23 A. I have not in terms of monetary; but in terms of
 24 time, I have certainly contributed time and reportage on
 25 it.

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1 Q. When you say "time," what do you mean by that?
 2 A. I am the marketing director for
 3 Voices and Votes, providing some -- I'm providing the
 4 email updates for individuals who are subscribed to
 5 Voices and Votes.
 6 Q. And what is your -- is -- is -- are we getting
 7 feedback from someone else? I keep hearing --
 8 A. I think we heard someone laughing the
 9 background, and my newborn is starting to rustle.
 10 Q. Okay. Let's power through until we can't.
 11 Tell me what your role is as marketing director.
 12 What do you do object a day-to-day or weekly or monthly
 13 basis?
 14 A. I provide email updates.
 15 Q. Is that it?
 16 A. Yes.
 17 Q. And then Ms. Bobb, she's a -- is she also a
 18 journalist for OAN?
 19 A. She's a journalist, and she hosts the opinion
 20 show on the weekends called Weekly Briefing based here in
 21 D.C.
 22 Q. And you don't host an opinion show. Your
 23 reporting is fact-based; true?
 24 A. I don't think I can answer that with a yes or
 25 no. Sometimes I add -- as you saw in my

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1 "Dominion-izing the Vote," sometimes I add tongue-in-cheek
 2 statements which are categorized as opinion.
 3 But for the most part, I report on fact-based
 4 stories with a dash of tongue-in-cheek, sometimes, in my
 5 OAN Investigates specials.
 6 Q. Let's circle back to the exhibit, since still
 7 have it up on the screen.
 8 We were talking about exploits versus actual
 9 vulnerabilities. The next paragraph of this statement
 10 from the election security experts starts, "The presence
 11 of security weaknesses in election infrastructure does not
 12 by itself tell us that any election has actually been
 13 compromised.
 14 "Technical, physical, and procedural safeguards
 15 complicate the task of maliciously exploiting election
 16 systems, as does monitoring of likely adversaries by law
 17 enforcement and the intelligence community. Altering an
 18 election outcome involves more than simply the existence
 19 of technical vulnerabilities."
 20 Do you agree with that statement?
 21 A. I do. I agree with that. And I believe that
 22 we, as a network, agree with showing these vulnerabilities
 23 and reporting on it. So that's what we did -- that's what
 24 we had done with "Dominion-izing the Vote."
 25 Q. Well, it's fair to say that part of that report,

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1 "Dominion-izing the Vote," is about Dr. Coomer; true?
 2 A. A portion of it is about Dr. Coomer.
 3 MR. RHODES: Charlie, Ms. Rion, I -- I hear
 4 Atlas. Do we need take a break?
 5 MR. CAIN: Yeah. I -- I -- we can't have that.
 6 It's not going to be okay to have Atlas in the background
 7 during this. So let's go off the record.
 8 THE VIDEOGRAPHER: Going off the record. The
 9 time is 12:54.
 10 (Recess from 12:54 p.m. until 1:06 p.m.)
 11 THE VIDEOGRAPHER: We're back on the record.
 12 The time is 1:06.
 13 Q. (By Mr. Cain) Okay. We were talking about
 14 Exhibit 58 to your deposition, Ms. Rion.
 15 The next paragraph that I haven't addressed is
 16 the one that starts "We are aware":
 17 "We are aware of alarming assertions being made
 18 that the 2020 election was rigged by exploiting technical
 19 vulnerabilities. However, in every case of which we are
 20 aware, these claims either have been unsubstantiated or
 21 are technically incoherent.
 22 "To our collective knowledge, no credible
 23 evidence has been put forth that supports a conclusion
 24 that the 2020 election and outcome in any state has been
 25 altered through technical compromise."

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1 Now, in your report, "Dominion-izing the Vote,"
 2 a claim is being made that Dr. Coomer was in a position to
 3 exploit technical vulnerabilities in the system; true?
 4 A. I believe so.
 5 Q. And your report indicates that Dr. Coomer, in
 6 fact, boasted about rigging the election himself; true?
 7 A. As relayed to us through Joe Oltmann.
 8 Q. Right. You aired Mr. Oltmann's statements about
 9 that episode; correct?
 10 A. Correct. We interviewed Joe Oltmann for the
 11 piece.
 12 Q. All right.
 13 Now, in terms of Dr. Coomer's ability to exploit
 14 technical vulnerabilities in the system, is there a basis,
 15 in your mind, for Dr. Coomer to actually do that as a
 16 practical matter?
 17 A. When researching Dr. Coomer and his background,
 18 it was very clear to us that he had a very high level of
 19 expertise in voting systems, and especially at
 20 Dominion Voting Systems.
 21 This was evidenced by the fact that I had found
 22 six -- six patents filed in Eric Coomer's name for
 23 Dominion Voting Systems, and an additional six
 24 applications as well, I believe, but multiple patents
 25 under Coomer's name, where he had not only a role, but it

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1 seemed, with his name on the patent, he actually invented
 2 means to adjudicate ballots and adjudicate imagery that
 3 was going into these machines.
 4 And in discussing with -- with experts who were
 5 look at the vulnerabilities of these machines, we knew
 6 that there were some vulnerabilities on the image
 7 adjudication side of things. And so this made sense to us
 8 as we were looking at Eric Coomer's background, his
 9 expertise, as confirmed by the U.S. patents he had under
 10 his name.
 11 Q. Well, if -- you would agree with me, if -- if --
 12 the implication from your story is that Dr. Coomer
 13 actually exploited technical vulnerabilities in the
 14 system; fair?
 15 A. We posed that question, and we simply exposed
 16 the fact that he had this ability.
 17 I don't -- I don't know that we said that he
 18 particularly did that. But we are exposing the fact that
 19 he had this means and the access and the expertise, and
 20 this is something that we were looking at as a story.
 21 Q. Okay. Let's break those down, Ms. Rion.
 22 The means -- what means were you exposing that
 23 Dr. Coomer had access to the system in order to exploit
 24 the security vulnerability?
 25 A. Means in terms of his actual job title. He is

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<p>1 the head of secur- -- he is the vice president of security 2 and strategy at Dominion Voting Systems. 3 Our research found that he was a representative 4 for Dominion Voting Systems in some key states across the 5 country in selling these systems. 6 He was very intimately involved, it seems, from 7 the outside, with the operation of these machines, the 8 design of certain elements of these systems, and 9 representing them to states that were considering 10 purchasing these systems. 11 Q. All right. Well, my question again, I think, 12 was a little more specific as to what means were available 13 to him in order to exploit a technical vulnerability in 14 any of the swing states. 15 A. I think we did a fairly good job in our piece in 16 showing that he had the access. 17 Now, as to the exact physical date and time in 18 which he would have had the means to do this, I think 19 that's a question for your client. 20 Q. Well, I think it's a question that needs to be 21 answered about your piece. Because the suggestion is that 22 he had the means, and he acted on that. 23 And my question to you is, give me your view of 24 how he had the actual means to infiltrate and exploit a 25 vulnerability in the system. I have not heard an answer</p> <p style="text-align: right;">Page 46</p>	<p>1 answering this question. 2 I believe Dr. Coomer was also head of 3 engineering at Dominion before he became vice president of 4 strategy and security. 5 So I think we were looking at those pieces, 6 those facts, and the fact that he had these rabid, it 7 seemed, very, very harsh feelings about the election, 8 about Donald Trump. And he was -- he seemed to be someone 9 who took his anger out into action by his Facebook posts. 10 So we were looking at those pieces and simply 11 presenting them in our "Dominion-izing the Vote." 12 MR. CAIN: Objection. Nonresponsive. 13 Q. (By Mr. Cain) My question, Ms. Rion, was as to 14 remote access. You raised that issue of the potential for 15 remote access. 16 The question was, in your reporting, did you 17 find any evidence that Dr. Coomer actually had remote 18 access to any machine in a battleground state -- 19 A. I think -- 20 Q. Let me finish. 21 -- and actually acted upon that? Do you know of 22 any evidence of that? 23 A. We never -- Mr. Cain, I don't think we ever 24 boasted of having that evidence. We simply highlighted 25 the fact that Dr. Coomer had the particular expertise that</p> <p style="text-align: right;">Page 48</p>
<p>1 to that. 2 MR. REAGOR: Michael Reagor. Object to form. 3 A. Mr. Cain, if you look at -- I think it was in 4 the DEF CON report -- I'm sorry. I'm citing the wrong 5 document. 6 I think it's in the user guide itself of 7 Dominion Voting Systems. In the user guides for 8 Dominion Voting Systems, there are two manuals that I read 9 in the research -- doing research for this piece. And in 10 both manuals -- and I can't -- I don't know if I can cite 11 the exact page numbers. 12 But in both manuals, there are ways in which an 13 engineer can remotely access these machines and fix 14 problems, to put it in layman's terms, with the system. 15 If there were any -- any problems with the system, there 16 are ways that a Dominion engineer either exclusively had 17 to access these machines or could remotely do so. 18 That's one way. I'm not saying that is the way, 19 but that is one possible way. And it's in Dominion Voting 20 Machines' [sic] manual in their own words. 21 Q. Did you, as part of your reporting, come up with 22 some evidence that there was remote access by either 23 Dr. Coomer or anyone at Dominion Voting Systems in any of 24 the battleground states during the election? 25 A. There's a point I'd like to highlight in</p> <p style="text-align: right;">Page 47</p>	<p>1 he had; that he had the position that he had at 2 Dominion Voting Systems, this high-level position. 3 He had the -- the motive. It seemed he was very 4 motivated to not -- to ensure that Donald Trump was not 5 elected, it seemed, through his Facebook posts. We were 6 simply highlighting that fact. 7 So I don't think we were giving a name, a date, 8 and a place, because, obviously, we're not God. We're not 9 everywhere at once, so we couldn't see any of this. 10 But Dr. Coomer had the means; he had the 11 expertise; and I think we highlighted that fairly well in 12 our piece. 13 MR. CAIN: Objection. Nonresponsive. 14 Q. (By Mr. Cain) The question that you need to 15 answer is, do you -- are you aware of any evidence that 16 Dr. Coomer actually accessed any of the voting machines in 17 the battleground states remotely during the election? Yes 18 or no? 19 A. No. 20 Q. When looking at Exhibit 58, what I'm trying to 21 gauge, Ms. Rion, is the likelihood or probability that 22 Dr. Coomer could exploit technical vulnerabilities. 23 Because, as you've said now many times, you were 24 highlighting the fact that he had the means and the access 25 to do so.</p> <p style="text-align: right;">Page 49</p>

<p>1 So with that in mind, I want a probable scenario 2 under which Dr. Coomer could affect the election outcome 3 in 2020. What probable scenario can you identify for the 4 Court that would support that notion? 5 A. There are many scenarios. I mean I can't, 6 obviously, list all of them. 7 But one that comes immediately to mind is -- and 8 it was previously highlighted in my special -- was the 9 fact that Dr. Coomer had patents in image adjudication, 10 ballot adjudication, image cast systems -- I don't know 11 the exact terminology. But it was -- he had several 12 patents in ballot adjudication using the images of 13 ballots. 14 We know that in Arizona, in Maricopa County, for 15 example, ballots were printed on two sides in the vast 16 majority of precincts. It may have been all precincts, 17 but the vast majority of precincts had double-sided ballot 18 printing. 19 And we also know that there were Sharpie pens 20 used that -- Dominion Voting Systems itself says Sharpie 21 pens were not an issue, but we know -- we have seen 22 pictures from voters in Arizona showing that the 23 double-sided ballots were bleeding through when they used 24 Sharpie pens. 25 That's relevant in the following sense: When Page 50</p>	<p>1 Maricopa County is. 2 Q. Did Dr. Coomer, to your knowledge, calibrate 3 settings on the devices in Maricopa County, as you refer 4 to the gamma settings? 5 A. I don't know. But I know that he designed the 6 system to help that system exist. And he was also -- he 7 also had a presence -- Dr. Coomer had a presence in 8 Arizona when he was, I guess, representing 9 Dominion Voting Systems. 10 We have, I believe, video or documentation 11 showing Dr. Coomer in Arizona discussing these systems and 12 explaining these systems to -- to local officials. 13 So we have his presence in Arizona, his role in 14 inventing a system for ballot adjudication. Those are 15 just a couple of items that are notable. 16 MR. CAIN: Object as nonresponsive to everything 17 after "I don't know." 18 Q. (By Mr. Cain) You don't know if Dr. Coomer had 19 any direct role in controlling the gamma settings in 20 Maricopa County; fair? 21 A. Fair. And again, I did not say that that's what 22 he did. You asked me for an example, and I gave you one 23 that, I think, is reasonable. 24 Q. Well, it's reasonable if -- if it's probable or 25 if there's some likelihood that he had the ability to do Page 52</p>
<p>1 you're feeding a ballot into a machine, if the machine has 2 its gamma settings adjusted so that it's extremely 3 sensitive, there's a way for, for example, every single 4 ballot in a given precinct to be set aside for 5 adjudication. 6 Now, if, say, 2,000 ballots were set aside for 7 adjudication here and there, and you combine those and you 8 have, maybe, five or six precincts in Maricopa County 9 where a couple thousand ballots were set aside for ballot 10 adjudication because the image casting technology was 11 used, and those ballots were set aside for someone to 12 adjudicate, that's a vulnerability. 13 That's a possible way that a couple thousand 14 votes here and there could have affected an entire state 15 and, therefore, an entire election. 16 Again, I'm not a technical expert, but that's an 17 overview of one of many scenarios in which, through nicks 18 and cuts here and there, an entire election could be 19 affected through these systems. 20 Q. Okay. Well, let's run with that one, since you 21 mentioned it. 22 Is Dr. Coomer, to your knowledge, responsible 23 for the design of the balloting in Maricopa County, or is 24 that done by the county? 25 A. I don't know what his involvement in Page 51</p>	<p>1 that. And that's why I'm asking you these questions. 2 Because in this report that we're looking at, or 3 at least the statement, we're talking about something that 4 is either simply speculation or there's some factual basis 5 to it. So that's -- that's what we're exploring right 6 now. 7 A. And again, I don't -- I have not read this 8 entire document. But from what I've read, I see no 9 mention of Dr. Coomer in this document and no mention of 10 the fact that the election wasn't rigged. 11 So I -- I understand the relevance of this 12 document, but I also think it's important to note those 13 facts. 14 Q. Well, I don't -- we don't need to quibble over 15 it, because the Court can read it. 16 But it says: "To our collective knowledge, no 17 credible evidence has been put forth that supports a 18 conclusion that the 2020 election outcome in any state has 19 been altered through technical compromise." 20 That's a -- a fair reading of that, We've come 21 to the conclusion there's no evidence that the election 22 but rigged through technical means. 23 A. I think we can read that phrase, but also agree 24 that it's not -- I don't think anyone can really say 25 whether this statement is true or not. It still -- Page 53</p>

1 Q. Well, at least -- I'm sorry. I didn't mean to
2 interrupt you.
3 You obviously don't consider yourself -- I know
4 you've read up on some of these aspects, but I think
5 you've stated you're not a -- an election expert. That's
6 not your expertise; true?
7 A. Not an election expert.
8 Q. Correct?
9 A. Correct.
10 Q. All right. And so to the extent that you're
11 reporting on this, you're relying on other experts to --
12 to explain the technical aspects of voting systems; fair?
13 A. Correct. And we would use voices that,
14 obviously, would contradict this report. And I think
15 that's newsworthy, and that's what we put out.
16 Q. Well, let me ask you this: I mean, if you're
17 making the claim, as they say, that the election was
18 rigged -- and you cited to Maricopa County --
19 A. I -- can I interrupt? May I interrupt?
20 Q. Yeah. Sure.
21 A. I never -- don't believe I've ever used the
22 phrase "The election has been rigged."
23 Q. I see. Well, I don't mean to put words in your
24 mouth.
25 I guess, let me ask this way. What I'm trying

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1 to figure out -- if the implication -- well, let me -- let
2 me start with that.
3 The implication from your report is that
4 Dr. Coomer, as you put it, had the means and access to
5 exploit the voting system software and hardware; fair?
6 A. That is one portion of my report. I think
7 there's about 24 minutes or so of additional content
8 that's not about Eric Coomer. But, yes.
9 Q. Okay. And I don't represent the rest of the
10 folks on the video. I represent Dr. Coomer, which is why
11 I'm asking about him.
12 What I need to understand, ma'am, is whether
13 your -- your implication in your piece has some inherent
14 probability that it could actually be true; right?
15 So we can speculate all day long about what
16 Dr. Coomer could or couldn't do, but is there any theory
17 that you can think of that makes it likely or probable
18 that Dr. Coomer actually had access and did the things
19 that you're suggesting?
20 MR. RHODES: Objection. I'm sorry. I thought
21 you were finished. Are you finished, Charlie? I'm sorry.
22 MR. CAIN: Yes. "Anything," question mark, was
23 the last one.
24 MR. ROGERS: Okay. Objection. Asked and
25 answered several times.

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1 Q. (By Mr. Cain) You can answer.
2 A. Would you repeat the question?
3 MR. CAIN: Sara?
4 THE REPORTER: Yes.
5 MR. CAIN: Oh. I'm sorry. I'm used to working
6 with Bill Fredericks. So when I say, "Bill," he knows to
7 read the question back under the circumstances.
8 THE REPORTER: No. I heard you. I just -- it's
9 a long question, so I'm trying to figure out where to
10 start.
11 (The reporter read back the last question.)
12 MR. RHODES: Objection. Asked and answered.
13 A. Yes. Absolutely. There's -- and I have
14 answered this question.
15 I think that he had the means, the access, and
16 he was physically in these states, as he was representing
17 the Dominion Voting Systems.
18 There are -- the system is designed so that they
19 can be remotely accessed. There's a number of scenarios.
20 And so, yes, it's highly likely.
21 And that's how we represented this in our -- in
22 our "Dominion-izing the Vote." We represented the facts.
23 We represented Eric Coomer's own words, his title, his
24 role at Dominion, his expertise, his battleground.
25 And you take all of these facts into account,

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1 and most reasonable people who are watching will say that
2 there is a likelihood this individual, with the
3 sentiments, the anti-Trump sentiments that he had, would
4 have been able to act upon them.
5 Q. (By Mr. Cain) You mention the remote access to
6 the systems. Are you aware of any instance in any of the
7 battleground states that -- that the systems were remotely
8 accessed by Dominion employees?
9 A. I -- I don't know. But I think that when you
10 look at the DEF CON reports showing these hackers
11 accessing these machines and doing so undetected,
12 that's -- that is also an answer.
13 There's a way that all of these machines could
14 have been accessed. And it's possible that they were not
15 detected, as proven by the DEF CON hack of --
16 Hackers Village.
17 Q. Which battleground states had machines with
18 remote access capabilities?
19 A. I don't know that I can answer that question. I
20 assume that these user guides were -- are describing
21 Dominion Voting Systems as a whole.
22 So we're talking about anywhere
23 Dominion Voting Systems using these manuals would have
24 been, so Georgia, Arizona. I believe there are 20 states
25 that Dominion Voting Systems was operating in, or at least

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1 providing machines services for.
 2 Q. I'm just asking about the battleground states.
 3 Which of the battleground states, if you know, had
 4 Dominion voting machines with remote access?
 5 A. Well, again, assuming that these user guides are
 6 describing the machines that were in battleground states,
 7 Georgia -- I think every precinct in Georgia was using
 8 Dominion Voting Systems -- Arizona, Michigan.
 9 These are battleground states that were using
 10 Dominion voting machines, assuming those user guides are
 11 accurately representing those machines.
 12 Q. And did you produce the user guides that you're
 13 relying on?
 14 MR. RHODES: Yes, we did.
 15 Q. (By Mr. Cain) So in terms of your last
 16 response, which you said twice "assuming" these user
 17 guides or user manuals were applicable to these states,
 18 the user guides that you're mentioning are the ones that
 19 you provided to your counsel and have been produced to us?
 20 A. Correct. And assuming that those user guides
 21 are accurate from Dominion Voting Systems; assuming
 22 they're not misrepresenting their own machines.
 23 Q. Yeah. Well, you're not -- well, as you sit here
 24 that, kind of, begs the question: Do you know whether or
 25 not the guides misrepresent the actual machine

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1 capabilities?
 2 A. I don't. I assume that those user guides are
 3 accurately representing their own machines. I don't
 4 understand why they would not. I wouldn't know for
 5 certain.
 6 Q. Okay. And then, kind of, going back -- and I
 7 know we've gotten in the weeds on some of the technical
 8 issues. But did your research turn up how the
 9 certification process was administered on a
 10 county-by-county basis in the battleground states?
 11 A. I may have looked at that. I don't recall at
 12 this moment.
 13 Q. Did your research --
 14 A. You're saying -- I'm sorry. Can I understand
 15 your question?
 16 You're saying the certification process from
 17 each of these states for Dominion Voting Systems?
 18 Q. Yes, ma'am.
 19 A. Oh, yes.
 20 So I looked at -- again, I think I mentioned
 21 this at the top of our conversation. But the secretaries
 22 of states for Texas, Pennsylvania, I believe -- and I
 23 don't remember if it was Arizona or another state. But I
 24 certainly know that I looked at the documents out of the
 25 secretaries of state's offices from Texas and

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1 Pennsylvania.
 2 And in those certification, I guess, documents
 3 that they had, they -- Texas listed vulnerabilities that
 4 caused the state of Texas to not purchase Dominion
 5 machines for their voting -- for their precincts.
 6 Pennsylvania, I think, did use Dominion voting
 7 machines. And I looked at their documents as to why they
 8 certified Dominion.
 9 Q. Okay. So you are aware, then, and were at the
 10 time of this report that the states have their own
 11 certification process that is a condition preceding to
 12 this -- the voting systems actually being used in their
 13 jurisdiction?
 14 A. Yes.
 15 Q. Okay. And likewise -- well, not "likewise," but
 16 going back to this issue of these gamma settings, did your
 17 research inform you on who actually has the ability to
 18 control those settings?
 19 A. I -- again, I'm not an expert in this, but I'm
 20 sure a hacker could answer this question. I don't know
 21 that.
 22 I know that there -- the Texas document -- the
 23 Texas Secretary of State's certification, I guess, decline
 24 letter listed how there were vulnerabilities in the USB
 25 drive -- not necessarily the image, but the USB drive --

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1 and how that was a gaping vulnerability to an election
 2 system.
 3 That's another example of one way that ballots,
 4 en masse, could be tampered with. But I think that
 5 answers your question.
 6 Q. Okay. Well, we may swing back into that for a
 7 second, but I need to move on to a few other things that I
 8 think I need to know about.
 9 Remember, we talked about you putting this piece
 10 together in D.C. You mentioned that you -- you wrote the
 11 piece. And I asked you, Did anybody else edit the actual
 12 portion of it? And I think your answer was no. It was,
 13 essentially, your baby, as we said; true?
 14 A. True.
 15 Q. Okay.
 16 A. And I would be -- again, I discussed the -- I
 17 discussed my piece with Charles Herring and, I think,
 18 John Hines occasionally.
 19 But just over the course of discussing the
 20 progress of the piece, discussing details of it -- I don't
 21 remember all of those conversations, but I know that I
 22 discussed with Charles Herring portions of the piece
 23 before it went to air. And I know that he watched the
 24 whole thing before it went to air.
 25 Q. Okay. Did you have any discussions with

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<p>1 Brandon Gadow about this piece?</p> <p>2 A. Only technical ones, that I remember. He's --</p> <p>3 he would edit in San Diego, so we would send -- I would</p> <p>4 send him progress reports: Hey, my editor is 75 percent</p> <p>5 of the way there, or he's almost finished, or we should be</p> <p>6 submitting this piece in a few hours. Those are the</p> <p>7 extent, I believe, that I would have discussed with</p> <p>8 Brandon Gadow.</p> <p>9 Q. Okay. These progress reports, are those in the</p> <p>10 form of an email that you would send to him?</p> <p>11 A. No. I think we would be chatting on the phone.</p> <p>12 Q. Okay. Help me with -- I'm not in the news</p> <p>13 business. How would Mr. Gadow be in a position to edit</p> <p>14 your report over the phone? Would you just read a section</p> <p>15 to him, or how would that work?</p> <p>16 A. No. When I -- when I say "edit" -- I'm sorry.</p> <p>17 I didn't clarify. When I said "edit," I believe what</p> <p>18 Brandon is doing is just, you know, he's listening to the</p> <p>19 piece. He's watching the piece.</p> <p>20 He would ensure that, technically, it had all</p> <p>21 the sound elements ready to broadcast. I think he's</p> <p>22 largely in charge of the technical side of ensuring that</p> <p>23 our pieces go out broadcast-ready.</p> <p>24 Q. Okay. Well, that's -- I -- I get the technical</p> <p>25 part. What I'm trying to get to is, did he have some</p> <p style="text-align: right;">Page 62</p>	<p>1 knowledge. So let's limit it to that.</p> <p>2 You said there's always fact-checking going on.</p> <p>3 That's not what I was asking.</p> <p>4 In this piece, do you have any personal</p> <p>5 knowledge --</p> <p>6 A. Yes. In my discussion with Charles Herring, I</p> <p>7 mean, we would talk about trying to find, for example --</p> <p>8 one example -- and this is one of many for this piece,</p> <p>9 including -- we would -- I would talk with Charles Herring</p> <p>10 about the various interviewees or -- or elements of the</p> <p>11 story.</p> <p>12 One example is when Charles Herring called me</p> <p>13 and said, Look. This -- this Eric Coomer story is</p> <p>14 interesting. Can you find Eric Coomer? Please try and</p> <p>15 contact him. Can we verify this is him?</p> <p>16 So these are the kinds of efforts that I would</p> <p>17 then execute. And then Charles Herring, I know, was doing</p> <p>18 his own research into this, and he was very interested in</p> <p>19 this particular story.</p> <p>20 So I know that Charles Herring did a lot of -- a</p> <p>21 lot of research into this. I did research into this.</p> <p>22 I know we had several producers in San Diego,</p> <p>23 independently of my knowledge -- I've now learned later</p> <p>24 that they were also doing deep-dive verification of the</p> <p>25 Eric Coomer story and Joe Oltmann. They were collecting</p> <p style="text-align: right;">Page 64</p>
<p>1 editorial content to this particular piece, if you know</p> <p>2 one way or the other? And did he have any fact-checking</p> <p>3 role?</p> <p>4 A. I believe that all of our OAN Investigates</p> <p>5 pieces go through a fact-checking process. I don't know</p> <p>6 what that is.</p> <p>7 I've never actually met Brandon. But I know</p> <p>8 that several eyes do the fact-checking, including Charles</p> <p>9 Herring and Brandon Gadow. But I don't know what that</p> <p>10 process is.</p> <p>11 I know that Brandon is a technical editor, and</p> <p>12 he edits the technical aspects and listens to the entire</p> <p>13 piece from beginning to end to ensure that it's</p> <p>14 broadcast-ready. And whether that's editorial or</p> <p>15 technical, I can't say for all of his work descriptions.</p> <p>16 But as far as this piece is concerned, I recall</p> <p>17 only technical elements being edited.</p> <p>18 Q. But as you sit here, you have no personal</p> <p>19 knowledge of any fact-checking that was done in San Diego</p> <p>20 relating to this piece; true?</p> <p>21 A. There was plenty of fact-checking in San Diego.</p> <p>22 I don't know -- I can't speak to exactly what all they</p> <p>23 did, but there's always fact-checking going on, on both</p> <p>24 sides, both bureaus.</p> <p>25 Q. Ma'am, I was asking you about your personal</p> <p style="text-align: right;">Page 63</p>	<p>1 information, as far as I know, from what I've seen in</p> <p>2 these past -- in these past depositions.</p> <p>3 Q. Okay. I heard what you said about Mr. Herring.</p> <p>4 My question was personal knowledge about fact-checking.</p> <p>5 You gave me that example.</p> <p>6 Then you just said you know that there were</p> <p>7 deep-dive verifications of this story. You know that for</p> <p>8 a fact. So tell me about that.</p> <p>9 A. Documents that, I think, we produced to --</p> <p>10 Q. Ma'am -- ma'am, please. Sara's going to get</p> <p>11 upset if we talk over each other.</p> <p>12 What information can you give me to support that</p> <p>13 statement that there was people doing a deep-dive</p> <p>14 verification of the information in this story?</p> <p>15 A. I believe you presented one of our own emails,</p> <p>16 an email sent to OAN where information was being shared</p> <p>17 about -- about Eric Coomer. And then one of our</p> <p>18 producers -- I don't remember which one -- started looking</p> <p>19 into this story.</p> <p>20 Q. Taylor, maybe? Or Scott? I can't recall --</p> <p>21 A. Yes. Something like that. And they started</p> <p>22 looking into it.</p> <p>23 I don't -- I can't speak to their research. I</p> <p>24 wasn't there.</p> <p>25 Q. But you said -- I'm sorry.</p> <p style="text-align: right;">Page 65</p>

<p>1 A. They clearly were pursuing an investigation into 2 the story before I even reached the story, actually. 3 Q. Okay. And I don't want you to speculate. 4 That's why I'm asking you from your personal knowledge, 5 meaning you saw it, you were involved in the conversation, 6 you know for a fact because you witnessed it. 7 Other than the statements about Charles Herring 8 and the interactions you had, what personal knowledge do 9 you have that your story was fact-checked and verified in 10 San Diego? 11 A. I think I answered that question with Charles. 12 Charles and I would have those conversations about various 13 piece -- elements of the story, and we would verify it. 14 Q. Who was your news director, or the news 15 director, at OAN in November of 2020? 16 A. You mean -- we have a news director in 17 San Diego, and we have a bureau chief in D.C. I don't 18 know -- I'm unclear what your question is. 19 Q. I asked who was the news director. 20 A. The news director in San Diego is 21 Lindsay Oakley. And our bureau chief in D.C. is 22 John Hines. 23 Q. Okay. And is Ms. Oakley still at OAN? 24 A. As far as I know. 25 Q. Okay. And in terms of structure, the frontline</p> <p style="text-align: right;">Page 66</p>	<p>1 collaborate for "Dominion-izing the Vote." 2 Q. Okay. And then, you had mentioned early on, 3 again -- what I want to turn you to now is your sources 4 for this reporting. 5 You mentioned some -- I don't know if you'd call 6 them white-hat hackers, but hackers that you talked to. 7 Can you identify who you talked to that fits that bill? 8 MR. RHODES: On behalf of Ms. Rion, we object to 9 the identity -- providing the identity of these hackers on 10 the grounds of the reporter's privilege. 11 MR. CAIN: Okay. Well, I think that has been 12 ruled on and dispensed with by Judge Moses. So -- 13 MR. ROGERS: Judge Moses has never even heard of 14 the idea that there were hackers who provided information 15 not about Dr. Coomer whatsoever. And so I disagree 16 vehemently with you that she has already ruled on that. 17 MR. CAIN: Okay. Well, again, you and I can 18 agree to disagree. 19 Q. (By Mr. Cain) If -- let's take it this way, 20 Ms. Rion. Did you identify and interview hackers in 21 connection with your investigation and research for 22 "Dominion-izing the Vote"? 23 A. The one that I can comfortably say on camera to 24 you, Mr. Cain, is Ron Watkins. I interviewed Mr. Watkins. 25 He is in my piece. He shows his face on camera.</p> <p style="text-align: right;">Page 68</p>
<p>1 producers in San Diego would report to Ms. Oakley as the 2 news director; is that true? 3 A. I believe so. Again, I'm -- I haven't even 4 stepped foot in the San Diego headquarters, so I don't 5 know the exact details. But I believe that is the 6 structure. 7 Q. Okay. What -- what role, if any, did the news 8 director at OAN have in producing this piece? 9 A. I don't recall ever discussing this piece with 10 Lindsay Oakley. 11 Q. How about Robert Herring Sr.? We talked about 12 Charles Herring. What role did he have, if any? 13 A. I don't know. I mean, we discussed stories 14 amongst one another. And sometimes Mr. -- Robert Herring 15 is on conference calls. So he may have been on conference 16 calls sometimes when I was discussing this story with 17 Charles Herring. 18 So I'm -- I cannot answer, with confidence, that 19 question. 20 Q. Mr. Herring, Charles Herring, testified that 21 Pearson Sharp may have had a role in this story. What 22 role, if any, are you aware of him having in the 23 production of this report? 24 A. I'm aware that he was reporting on general 25 election vulnerabilities. He did not -- we did not</p> <p style="text-align: right;">Page 67</p>	<p>1 He is a systems penetration tester, which is, I 2 guess, a long-form or technical way of saying you're, kind 3 of, a hacker. You're someone who goes through systems and 4 tests out their vulnerabilities. 5 Q. Okay. And is this the only person that you can 6 think of that fits that category when you gave me the 7 testimony earlier? 8 A. I have other sources, but I don't -- they -- by 9 nature of what they do, they -- I don't want to reveal 10 their identities. 11 Q. Well, were these sources that you used in this 12 piece in connection with investigating and researching for 13 this piece? 14 A. In my discussions to verify, for example, what 15 Ron Watkins was telling me about the vulnerabilities he 16 was identifying from a technical side, I may have 17 discussed with these individuals -- tried to verify that 18 what he was saying was correct or was sound or reasonable 19 from a technical standpoint. 20 Q. Well, that's -- that's a "may". 21 Did you get advice or information from other 22 hackers that what Mr. Watkins was saying in your piece was 23 technically sound, as you put it? 24 A. Yes. They -- not in writing. I would discuss 25 this with them. But in my discussions, they would affirm</p> <p style="text-align: right;">Page 69</p>

1 or, at least, put a thumb of approval on the analysis that
2 Ron Watkins had provided to us at the time.

3 Q. Okay. And -- and so your piece, you talk about
4 Dr. Coomer having the means and access to exploiting
5 technical vulnerabilities; right?

6 A. Yes.

7 Q. That's -- that's step one.
8 Step two was you had Ron Watkins explaining his
9 view on the technical vulnerabilities; correct?

10 A. Correct.

11 Q. And then step three is you had other sources
12 that were grading Ron Watkins' paper, for lack of a better
13 word, in terms of whether or not his theory was credible;
14 fair?

15 A. "Theories" plural. He had several theories
16 about the identified vulnerabilities in Dominion systems.
17 Fair.

18 Q. Okay. And you're refusing, based on the
19 assertion of privilege, to identify these individuals that
20 you consulted with; true?

21 A. Absolutely.

22 Q. And you're refusing to divulge the substance of
23 any conversations you had with these individuals?

24 A. I can -- I'm comfortable giving you the general
25 substance that I can recall.

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1 I -- when -- when confronting a story of this
2 kind of technical depth, if you will, it's, of course,
3 important to not be -- not just be pulling from one source
4 when it comes to that technical expertise.

5 And so it is -- it is incumbent upon my own
6 understanding of this explanation that I was receiving
7 from Ron Watkins to ensure that I was getting a sanity
8 check from others in his field, and that's what I was
9 doing.

10 Q. Okay. But as you sit here, can you recall
11 anything specific concerning the technical verification of
12 Ron Watkins' statements on your report?

13 A. Yes. He goes through several vulnerabilities,
14 including the gam- -- adjust- -- the adjustment of the
15 gamma settings on the machines and the accessibility of
16 the USB portals; the fact that it was -- it was fairly
17 easy for these machines to access the internet and thereby
18 expose the entire precinct or system to vulnerabilities.

19 The fact that some of these machines were
20 operating off of one key, and that key controlled an
21 entire precinct. These were verified by myself.

22 Q. Okay. We may be talking past each other again.
23 I think you were answering as it relates to what
24 Mr. Watkins said in your piece, and my question was
25 what -- what -- with these other sources, what technical

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1 verification did they provide to you that you can recall
2 that supported Mr. Watkins on your show?

3 A. I think I just listed them.

4 Those -- the capacity for these systems to be
5 vulnerable in the ways that I just listed were confirmed
6 by my other sources in discussing Ron Watkins' analysis.

7 Q. How many other sources did you contact that
8 you're claiming a privilege of? How many, like, total
9 number of people?

10 A. At this time, I'll say two. There may have been
11 three, but I think I can comfortably say two.

12 Q. And these individuals reviewed your interview of
13 Mr. Watkins prior to it going to air?

14 A. I would discuss with these sources what I was
15 hearing. I would, you know, discuss the vulnerabilities
16 that Ron Watkins listed, and I would relay that to my
17 sources, and they would converse with me about those --
18 those findings from Mr. Watkins.

19 Q. Okay. So we've got Mr. Watkins who -- who was
20 one of your sources who ended up on the -- on the program.
21 We've got these other unnamed individuals. Let's just --
22 let's just complete the list.

23 You interviewed Mr. Oltmann, and he's one of
24 your sources; right?

25 A. Yes.

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1 Q. You interviewed Sidney Powell; is that -- in
2 connection with this?

3 A. I tried to interview Sidney Powell, but she did
4 not appear in my special. I did not interview her,
5 ultimately.

6 Q. Well, I think she may have appeared just on a
7 video cut, but not -- no any substance; right?

8 A. Correct. I used a press conference she appeared
9 in, in lieu of my interview. We had anticipated having
10 Sidney Powell interviewed in this piece, but it did not
11 work out. She just never showed up for us.

12 Q. The other sources -- Rudy Giuliani -- was he one
13 for this piece?

14 A. For this piece -- not about Dr. Coomer, but
15 about election vulnerabilities in general.

16 Q. Anybody else that you used as a source for the
17 segment that related to Dr. Coomer?

18 A. I listened to Michelle Malkin's interview of
19 Joe Oltmann. I interviewed Joe Oltmann. And then as far
20 as sources, we used Eric Coomer's own words.

21 Q. Well, okay. When you say "Eric Coomer's own
22 words," he's not interviewed for this piece; right?

23 A. No. But he was posting on Facebook, and we
24 assume that is in his own words. That's what I mean when
25 I say "in his own words," he was posting on Facebook.

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<p>1 We were looking at about 80 screenshots provided 2 to us by Joe Oltmann. We had no reason to believe that 3 those screenshots were not of Dr. Coomer of Dominion, and 4 we sourced our report on Eric Coomer's own words. 5 Q. Okay. Well, I -- I misunderstood, then. 6 I -- part of the statements that are attributed 7 to Dr. Coomer are from Mr. Oltmann about the Antifa 8 conference call; right? 9 A. I believe it's just one statement. The vast 10 majority of the statements we pull from are from 11 Eric Coomer's Facebook postings, I believe. 12 Q. Well, we don't need to weigh the number. 13 The statement in question that you actually put 14 on Twitter comes through Mr. Oltmann. It's not -- you 15 can't confirm that it's actually Dr. Coomer -- 16 A. It comes through Mr. Oltmann. That's correct. 17 Q. Right. So you -- you are not and we're not in a 18 position to independently confirm those are actually 19 Dr. Coomer's statements; true? 20 A. We confirmed it in the sense that we were 21 looking at the language that was used, the context of the 22 setting, the group that the call was made in or the group 23 that the call was, and matching that up with Dr. Coomer. 24 Q. Okay. But as you sit here -- I hear what -- 25 what you've said. But you're not in a position to</p> <p style="text-align: right;">Page 74</p>	<p>1 THE VIDEOGRAPHER: Going off the record. The 2 time is 1:55. (Recess from 1:55 p.m. until 2:08 p.m.) 3 THE VIDEOGRAPHER: We're back on the record. 4 The time is 2:08. 5 Q. (By Mr. Cain) Let's talk a little bit more 6 about corroboration relating to some statements attributed 7 to my client. 8 I'm going to share my screen. Give me a moment. 9 This was previously marked as Exhibit 33. And 10 this is -- this is a tweet you sent out -- see if I can 11 get the date -- November 17th. Is that -- is that true? 12 A. It appears so, yes. 13 Q. Okay. And we were talking about the gist of 14 your reporting on Dr. Coomer. In this particular tweet, 15 you chose to cite to a quote from Dr. Coomer from your 16 piece; correct? 17 A. I used the hashtag #Eric Coomer, which, by this 18 time, I think his story was trending for about three days 19 on Twitter and social media. So I used the hashtag 20 #Eric Coomer, along with the phrase that everyone was 21 using with that hashtag. 22 Q. Okay. And this phrase was something that was 23 repeated in your -- in your interview of Mr. Oltmann from 24 "Dominion-izing the Vote"; correct? 25</p> <p style="text-align: right;">Page 76</p>
<p>1 confirm, though, that it actually was Dr. Coomer; fair? 2 A. I think it's unreasonable to assume that he -- 3 that wasn't Dr. Coomer, especially when you look at the 4 syntax, the -- the place setting, and the group it was in, 5 and the fact that the statement was "Eric from Dominion." 6 The newsworthy side of this entire story was not 7 so much the notes or the phone call; but the newsworthy 8 element that we put out was sparked by notes, was sparked 9 by Joe Oltmann's testimony. 10 But that, ultimately, wasn't gist of our story 11 about Eric Coomer. The gist of our story about 12 Eric Coomer was the fact that he had background, a 13 technical battleground, with Dominion Voting Systems. He 14 was a high-level individual at Dominion Voting Systems. 15 His own Facebook postings showed that he had -- 16 he was very motivated and very anti-Trump in his 17 sentiments, and he seemed to be acting upon those 18 sentiments. 19 Those were the newsworthy elements of our 20 reporting on Eric Coomer. And I think that stands today. 21 Q. Respectfully, I'm going to object as 22 nonresponsive, because that did not answer my question. 23 But we also have Atlas crying again. So I 24 think, maybe -- we need to get a clean record. Let's go 25 off.</p> <p style="text-align: right;">Page 75</p>	<p>1 A. Yes, attributed to Dr. Coomer. 2 Q. Right. 3 So back to my -- my prior questions, other than 4 what you testified to previously, what other 5 corroboration, if any, do you have that Dr. Coomer 6 actually made these statements, or this statement? 7 A. We were just matching up his -- his syntax, his 8 Facebook posts, his sentiments on his Facebook posts, his 9 title, his job title, and his education and background. 10 Q. Okay. And that's why I phrased my question 11 "other than what you previously reported -- or testified 12 to." 13 Is there anything else beyond that that you used 14 to corroborate this statement was made by Dr. Coomer? 15 A. I think that -- I think I've stated my answer. 16 The answer I just gave you, I think, is the answer. 17 Q. Okay. Thank you. 18 Obviously, there's no recording of this Antifa 19 conference call to your knowledge; right? 20 A. To my knowledge, there is not. 21 Q. Did Mr. Oltmann tell you anything more about how 22 he was able to get on this call in the first place? 23 A. I believe in his Conservative Daily podcast, he 24 enumerated how he came on to this call. 25 He shared with us the reason why he was on this</p> <p style="text-align: right;">Page 77</p>

1 call, and the reason given was he was -- he was
 2 investigating local, as in Colorado -- local journalists
 3 who were affiliated with Antifa.
 4 These journalists, he suspected, were the
 5 journalists who were attacking his organization,
 6 FEC United. And this, to us, was reasonable as to why he
 7 was on this call.
 8 As far as the Antifa call itself, this -- around
 9 this time, we were also -- I was reporting personally on
 10 stories where groups like Antifa, such as the
 11 Sunrise Movement, for instance, were convening on
 12 conference calls and colluding on ways to act upon their
 13 rage against Donald Trump and create chaos during the
 14 election season.
 15 So all of this came -- combined contextually
 16 gave us a lot of reason to believe that Joe Oltmann was on
 17 this call for the reasons he stated.
 18 MR. CAIN: Objection. Nonresponsive.
 19 Q. (By Mr. Cain) I'll try to break it down into
 20 little pieces.
 21 Did Mr. Oltmann share with you how he was able
 22 to get on the call, just from a functional standpoint?
 23 A. I believe he stated that he was on a phone --
 24 like, a phone call. It wasn't a Zoom call or a Skype
 25 call, as far as I understand, but it was a telephone call.

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1 I don't recall him telling me exactly. I
 2 remember seeing his reports -- or his own statement saying
 3 that he had been working on this for a long time, and he
 4 had been listening in on these calls for quite some time
 5 before he came upon this statement about Eric Coomer.
 6 Q. Okay. And for purposes of these questions that
 7 I'm going to ask you right now, I want to limit it to not
 8 what -- what's publically available, for example, on the
 9 Conservative Daily podcast. I just want to talk about
 10 your interaction with him as part of this piece. Okay?
 11 A. Okay.
 12 Q. All right. So did he tell you when this call
 13 occurred, like a specific date?
 14 A. I don't -- I don't recall. I think he said -- I
 15 think he said sometime in October.
 16 Q. Did he -- did he identify for you, aside from
 17 himself and, allegedly, Dr. Coomer, who else was on the
 18 call specifically? Not numbers, but identity of
 19 individuals?
 20 A. I don't recall discussing other names on the
 21 call. My interest was in his story about Eric Coomer.
 22 Q. Did you ask him to identify any other potential
 23 witnesses to the statement that was made, allegedly, by
 24 Dr. Coomer on this call?
 25 A. I don't think so. My -- again, my focus was on

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1 the statement made by Eric Coomer and what Joe Oltmann had
 2 heard on this call. So I only wanted to focus on the --
 3 on this portion of Mr. Oltmann's story.
 4 Q. On -- I'm sorry. Which portion are you
 5 referring to?
 6 A. The portion where he's talking about
 7 Eric Coomer.
 8 Q. Okay. Well, I'm asking about the statement here
 9 on the exhibit we're looking at.
 10 My question was, did you ask him to identify any
 11 other witnesses that you could confirm, you know, that
 12 Dr. Coomer was actually on this call and made the
 13 statement?
 14 A. No. That was not relevant to me.
 15 What was relevant to me was the statement that
 16 Oltmann was telling us that Eric Coomer had made on this
 17 call.
 18 What was relevant was then confirming
 19 Eric Coomer's identity, his background, his role at
 20 Dominion; in fact, if he was, in fact, working on
 21 Dominion, and then his own Facebook postings showing his
 22 radicalism.
 23 Q. But you had -- you had one source available to
 24 you, in the form of Mr. Oltmann, to confirm that
 25 Dr. Coomer actually made this statement; right?

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1 A. Correct.
 2 Q. And it's -- it's fair to say that if you -- if
 3 you wanted to fact-check that or verify it, that you had
 4 the potential to talk to other witnesses to confirm this
 5 story. But you didn't --
 6 A. There's always -- yes, sir. Sorry.
 7 Q. Okay. But you didn't -- you didn't do that?
 8 A. There's always potential to talk to any number
 9 of witnesses in any given element of a story.
 10 Again, this -- the notes that Joe Oltmann had
 11 made about this call, this is not focus of our story about
 12 Eric Coomer. Our focus of the story was verified in the
 13 fact that we were looking at Dr. Coomer's role, title, and
 14 his own statements. So that was the part of the story
 15 that we were verifying.
 16 Q. Well, so you weren't verifying other parts of
 17 the story that wasn't the focus in your mind?
 18 A. In my mind, this statement from Dr. Coomer
 19 quoted -- attribute -- that Joe Oltmann had shared with us
 20 was relevant, in that this was the statement that caused
 21 us to look at Eric Coomer to begin with.
 22 Without that statement, without the interview
 23 with Michelle Malkin, we never knew about Dr. Coomer. So
 24 that statement --
 25 Q. That statement --

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1 A. Correct.
 2 (Simultaneous speakers.)
 3 Q. I apologize. I just wanted to make sure that I
 4 understood when you say "this statement," you're referring
 5 to the one on the screen?
 6 A. Yes. I'm sorry. I didn't clarify.
 7 Yes. The statement "Trump won't win. I made
 8 F-ing [sic] sure of that," was the phrase that was
 9 associated with Eric Coomer, was causing Eric Coomer to
 10 be, hashtag, #trending, on Twitter for several days, I
 11 believe. And that was the entire reason we even knew of
 12 Eric Coomer.
 13 So it's relevant to show the spark that created
 14 the blaze that ultimately is Dr. Coomer's own story, the
 15 facts that are indisputable about him.
 16 Q. This being one of them, that he said this --
 17 indisputable?
 18 A. This -- yeah. This statement is coming from a
 19 witness: Joe Oltmann. And any viewer can look at
 20 Joe Oltmann and decide for themselves whether or not they
 21 believe Joe Oltmann is telling the truth or not.
 22 We believed Joe Oltmann is telling the truth, in
 23 that he was on Antifa call; that he heard Eric from
 24 Dominion make the statement "Trump won't win." We
 25 believe -- we have no reason not to believe Joe Oltmann in
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1 this case.
 2 But this -- not an indisputable fact. The
 3 indisputable facts that we moved forward as a news network
 4 and put in "Dominion-izing the Vote" was the fact that you
 5 have an individual who is in a very high-level position at
 6 a company that dominates one-third of the U.S. election
 7 system, with very partisan, radically partisan,
 8 sentiments, and evidence that he was acting on those
 9 sentiments. That was the portion that was newsworthy, and
 10 that is undisputable.
 11 MR. CAIN: Objection. Nonresponsive.
 12 Q. (By Mr. Cain) Let's -- I want to talk about
 13 nuts and bolts, not -- not the determination of relevance,
 14 because that's ultimately going to be someone else's job
 15 here.
 16 Just as far as this call goes, that's the focus
 17 of what I'm asking about. Obviously, you weren't on the
 18 call, so you don't have any firsthand knowledge; correct?
 19 A. Correct.
 20 Q. Your only witness to the call is Mr. Oltmann;
 21 correct?
 22 A. Correct.
 23 Q. Mr. Oltmann disclosed to you that he made notes
 24 of the call, did he not?
 25 A. Yes.
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1 Q. Mr. Oltmann was never asked by you or your
 2 organization for copies of those notes; correct?
 3 A. Mr. Cain, with respect --
 4 Q. Just answer my -- did you ask him for the notes
 5 or not?
 6 A. His notes were about as relevant to me in this
 7 story as, say, Mike Tyson's bodyguard. It really was not
 8 the focus of the story regarding Eric Coomer. It was the
 9 spark that caused us to look deeper into Eric Coomer. And
 10 that's my answer.
 11 Q. So did you ask for the notes or not?
 12 A. I did not ask for the notes. I did not need the
 13 notes.
 14 Dr. Coomer spoke to me, he spoke to you, he
 15 spoke to his friends and family through his Facebook
 16 postings that we were looking at, provided to us by
 17 Joe Oltmann -- 80 screenshots of Dr. Coomer's own words.
 18 Q. Okay. Well, the statement that's on the screen
 19 is attributing the potential than Dr. Coomer was rigging
 20 the election and boasting about that. That's a fair
 21 interpretation of that statement, isn't it?
 22 A. That is a fair interpretation of that statement.
 23 Q. So don't you think that would be important to
 24 Dr. Coomer to be quoted as such in national media?
 25 A. Important to him, how so?
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1 Q. Well, he's been accused of a crime here. He's
 2 being quoted as saying he rigged the election; he made
 3 sure of it.
 4 So to be fair to Dr. Coomer --
 5 (Simultaneous speakers.)
 6 A. -- he was rigging the election.
 7 MR. RHODES: That -- that -- I was about to
 8 object to the question, but Ms. Rion has taken care of it
 9 herself.
 10 THE REPORTER: I didn't hear the answer.
 11 A. I'm sorry. I don't believe Dr. Coomer said he
 12 was rigging the election.
 13 Q. (By Mr. Cain) Well --
 14 A. We don't -- we don't have evidence that
 15 Eric Coomer said -- stated that he rigged the election.
 16 Q. All right. You and I can agree to disagree.
 17 The point of my -- my questions is to find out
 18 exactly -- it may not be relevant to you, as you've
 19 testified, but it's relevant to Dr. Coomer.
 20 You didn't have -- did you ask Mr. Oltmann for
 21 anything to verify, beyond what we've discussed, that this
 22 call actually ever happened?
 23 A. I asked if there was a recording of this
 24 conversation, and Joe Oltmann provided me with an answer,
 25 to me, that was reasonable.
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1 His answer, I believe, was that he was -- he
2 was -- this was a long-form series of calls that he was
3 listening into. He never really expected anything
4 newsworthy or notable to come out of these calls, so he
5 didn't sit down and record hours of phone calls that he
6 was on; rather, he was simply trying to identify who was
7 on the calls.

8 It was for the purpose of identifying the
9 journalists who were activists affiliated with Antifa
10 attacking his organization, FEC United.

11 This is the story he told me, and I found that
12 to be a reasonable explanation as to why there was no
13 recording of this particular statement.

14 Q. Had -- had you used Mr. Oltmann as a source for
15 any of your reporting prior to this piece?

16 A. I don't believe so.

17 Q. And you stated a couple of times that you
18 thought he was credible. Can you tell me what about
19 Mr. Oltmann you thought was credible?

20 A. Well, there are two parts to that -- two parts
21 to my answer.

22 So, number one, you're looking at the
23 credibility of Mr. Oltmann's -- how he's representing
24 himself. He represents himself as a -- an entrepreneur,
25 the owner of a data company.

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1 He represents himself as a political activist, a
2 conservative, who was actively seeking to expose Antifa in
3 the state of Colorado.

4 Those parts we were able to verify by looking at
5 his own data website. He had a website -- a company
6 called PIN Networks, and it has over -- over 50 employees.
7 He is clearly the CEO. So he was representing himself
8 correctly there.

9 He was affiliated with FECUnited.org. We looked
10 at his website. Indeed, he is an activist. We saw an
11 October 16 article from Colorado Political or
12 Political Colorado. I forget what the exact title of that
13 article was.

14 But it's dated October 16, where Joe Oltmann is
15 cited as being an activist against Antifa, trying to
16 expose radical leftists who were creating -- causing havoc
17 in his state and against him and his group.

18 We listened to his podcast, his
19 Conservative Daily podcast, confirmed that he was, indeed,
20 a conservative, and he was an activist.

21 As far as the motives -- that's the second part.
22 The second part of verifying his credentials, kind of,
23 viewing him as a credible witness, was looking at his
24 motives.

25 He wasn't -- he stated to us, and we found it

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1 reasonable, that he was not on this call seeking to
2 destroy Dominion Voting Systems, or he was not on this
3 call this -- Antifa call -- to expose Eric Coomer.

4 He encountered Eric Coomer of Dominion by
5 accident. And that accident was confirmed by the fact
6 that he was listening in to these calls for a long period
7 of time.

8 Eric -- Joe -- Joe Oltmann was -- his stated
9 reasons for being on these calls was that he was trying to
10 get to the bottom of which journalists in Colorado were
11 affiliated with Antifa and actively attacking his group,
12 FEC United.

13 Those -- that explanation that Joe Oltmann gave
14 to us established for us his motives, and his motives, to
15 us, were reasonable.

16 Q. What about his status as a -- as you put it, a
17 conservative activist increased the credibility of
18 Mr. Oltmann in your eyes?

19 A. It increased the credibility in that he was
20 trying to expose Antifa, a radical leftist organization or
21 a group-of-people movement. He was radically against
22 Antifa.

23 And this was stated in news articles that we had
24 found, as I mentioned just now. That, for us, affirmed
25 his credibility in that realm.

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1 Q. Thank you, ma'am.

2 In terms of his credibility, are you in a
3 position to gauge Mr. Oltmann's credibility with that of
4 Dr. Coomer?

5 A. How -- how so?

6 Q. Well, if he's a credible source to you as a
7 conservative activist, is Dr. Coomer a credible source of
8 information for this story to you as a -- in your mind, a
9 left -- left-leaning activist or Antifa member?

10 A. As far as his own words, yes. He had Facebook
11 postings showing Antifa sympathies. So, yes, in that
12 regard, he is a very credible witness against himself.

13 Q. And how about when you reached out to
14 Dr. Coomer? Were you able to get a comment from him to
15 either verify he was on this call or not?

16 A. I was unable to procure a comment from
17 Dr. Coomer. Charles Herring called me about a day after
18 the Michelle Malkin interview, right in the middle of my
19 working on "Dominion-izing the Vote," and asked me if I
20 could get a hold of Dr. Coomer.

21 So I tried to find way to contact Dr. Coomer,
22 and I did not succeed in that. As -- as -- as I would
23 later experience and confirm, he became a ghost. He
24 seemed to have scrubbed his profile online.

25 Q. How long did you try to contact him? And

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1 describe your efforts in detail.
 2 A. I don't remember the span of time, but I
 3 remember putting an effort into finding him.
 4 I remember looking on all the social media
 5 platforms. I remember looking for his -- trying to find
 6 out what his middle initials were to find out if there was
 7 a way to find him on other sources.
 8 I don't remember all the ways, but I remember I
 9 put an effort, because it was a request from my boss,
 10 Charles Herring, to go find this guy. So I put in the
 11 effort. I just don't remember all of the methods that I
 12 did to try and find him. But he was -- I could not find
 13 him, at the end of the day.
 14 Q. Did you task anyone else in your -- on your team
 15 to try to locate Dr. Coomer for a comment?
 16 A. I don't recall that I did. I may have. I don't
 17 remember.
 18 Q. Did you send any communications to Dominion
 19 asking that they make Dr. Coomer available for this story?
 20 A. I did not.
 21 MR. CAIN: Rebecca, are you asleep yet, or are
 22 you paying attention?
 23 MS. DOMINGUEZ: I am paying attention.
 24 MR. CAIN: I know you are. Let's mark Item 11
 25 in my folder. That relates to Watkins.

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1 Q. (By Mr. Cain) So let's -- let's talk about --
 2 we talked about, briefly, your outreach to Dr. Coomer and
 3 to Dominion.
 4 We've talked about your outreach to Ron Watkins.
 5 I'll turn to that in just a minute.
 6 And I forget -- forgive me. I'm having a senior
 7 moment. Did we talk about whether you actually sent a
 8 message or an outreach to any of the election experts that
 9 I showed you on the screen from that letter we looked at
 10 this morning?
 11 A. I don't believe we discussed that, no.
 12 Q. Okay.
 13 A. Do you want me to answer -- I'll answer the
 14 question.
 15 Q. I'd like to facilitate it as easy as possible.
 16 What I'll do -- maybe this will be the fairest way. Let
 17 me put this back.
 18 Okay. You remember this when we were talking
 19 about it earlier?
 20 A. Yes.
 21 Q. Okay. And it's -- we talked about
 22 Professor Blaze and Professor Halderman. In connection
 23 with the "Dominion-izing the Vote" story, specifically did
 24 you reach out to any election experts outside of,
 25 potentially, Mr. Watkins?

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1 A. I used the statements from Professor Halderman,
 2 and I included that in my special. But I don't recall
 3 reaching out to the individuals -- I can't see all of the
 4 individuals on this list, so I can't answer with
 5 certainty.
 6 But I -- I don't -- I don't recall reaching out
 7 to Professor Halderman, that's what I can say for -- for
 8 sure. Because I was using his own report or his own
 9 statements from the New York Times opinion piece.
 10 Q. Okay. Well, let's --
 11 A. This is a long list.
 12 Q. It is a long list. But you seem like a very
 13 bright and capable individual. Why don't you scan this
 14 list and just tell me if you -- outside of using, you
 15 know, some clips from Mr. Halderman in the prior piece,
 16 I'm asking you whether you specifically attempted to
 17 contact any of the -- the individuals on this letter.
 18 A. I don't remember. I --
 19 Q. I'll just, kind of, scroll down through it.
 20 There we are.
 21 As you sit here, can you think of any -- anyone,
 22 either on this list or off this list, that was an election
 23 expert that you contacted for this piece?
 24 A. I can only identify Dr. -- Professor Halderman
 25 and using his -- his report or his statement in the

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1 New York Times opinion piece.
 2 Q. Okay. Thank you.
 3 I'm going to show you what I've -- well, Rebecca
 4 technically marked as Plaintiffs Exhibit 59. And this
 5 is -- this is the person you did contact and interviewed
 6 about this piece, Mr. Watkins; right?
 7 A. Yes, sir.
 8 Q. Earlier you told me he was or is a systems
 9 penetration tester. And here, he's referenced as a
 10 large-systems technical analyst.
 11 So let's talk a little bit about Mr. Watkins.
 12 Did you know him before you interviewed him for this
 13 piece?
 14 A. I did not.
 15 Q. Do you know -- well, let me ask it a different
 16 way. How is it that you first came into contact with him?
 17 A. I first saw Mr. Watkins' Twitter profile
 18 commenting heavily on the Dominion Voting Systems user
 19 manual. And he seemed to be dissecting the manual
 20 analytically in a way that I did not see anybody else
 21 dissecting at the time.
 22 His analysis was detailed and seems to be very
 23 thorough. So it naturally sparked my interest. This was
 24 related to the story I was working on, you know, election
 25 vulnerabilities in other machine systems.

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<p>1 And he was on Twitter. I contacted him on 2 Twitter, I think, and from there, asked him if he was 3 willing to interview with me about his analysis. 4 He agreed to an interview. I spoke with him on 5 the phone, again, just to, kind of, verify he was 6 Ron Watkins and he was the guy I thought he was -- he was 7 on his Twitter profile. And then we sat down for a Skype 8 interview. 9 Q. Okay. So let's -- let's break that down a 10 little bit. 11 The two descriptions that I said -- well, you 12 said -- systems penetration tester and large-systems 13 technical analyst -- where did those descriptors come 14 from? 15 A. Those are descriptors Ron Watkins gave of 16 himself, which seemed consistent. 17 I asked -- I asked him of his background, and he 18 said he was a large-systems data analyst. I think -- I 19 guess the titles can be changed, a large-systems technical 20 analyst, I think they're about -- they describe the same 21 role. 22 And he said -- Mr. Watkins told me that he 23 studied this in grad school, and he was someone who did 24 this for a living. 25 Q. Okay. So let's -- do you know as you sit here Page 94</p>	<p>1 product should speak to their expertise. 2 And in this case, Mr. Watkins' product that I 3 could verify seemed to be that he was an administrator 4 with 8chan, which, in his own words, I think he resigned 5 from that post at some point in 2020. But that was 6 verifiable to me. 7 Q. Do you know what an administrator does on a site 8 like 8chan? 9 A. I don't think I can speak with confidence. But 10 I know that he was involved in making -- for example, 11 building a crypto currency for 8chan users. 12 I think that -- it implied that he was someone 13 who controlled or at least ran that platform and had the 14 technical expertise to maneuver throughout it by designing 15 a crypto currency, for example. 16 Q. Was 8chan -- if you know, was that where the 17 QAnon postings were happening at one point? 18 A. I don't know. I really -- I've never ever been 19 on an 8chan board, so I wouldn't know. 20 All I know is the reputation of 8chan as being 21 an anonymous messaging site or, at least, website, 22 something like that. 23 Q. And I -- and forgive me. I didn't understand 24 the significance of that. 25 What about it being an anonymous testing site Page 96</p>
<p>1 what a large-systems technical analyst actually is or 2 does? 3 A. The way that I understand it as I sit here now, 4 Mr. Cain, is that a large-systems data analyst or 5 technical analyst looks at a system and then analyzes the 6 patterns and vulnerabilities within that system. 7 So it's kind of self-explanatory, in that a 8 large-systems analyst -- he'll look at the vulnerabilities 9 and the patterns that can be identified within that 10 system. 11 He stated that he was a penetration tester, 12 which, I think, in layman's terms, is kind of a hacker or 13 a white-hat hacker. I don't know what the different hats 14 are. 15 But from looking at his own verifiable 16 background, I could see that he was an administrator for 17 8chan, which is an anonymous messaging board, I guess. 18 And the platform 8chan is famed for being able to be an 19 anonymous, I believe. 20 And so that, to me, spoke to the technical 21 credibility of Mr. Watkins in the sense that, a lot of 22 times, these guys don't have traditional resumes, if you 23 will. They often have profiles that are maybe nonexistent 24 online. They make it a business of not being known 25 online. Or if they are known, then the product -- their Page 95</p>	<p>1 made it -- or website made Mr. Watkins seem credible to 2 you? 3 A. It seems like it would take quite a bit of 4 technical expertise to be able to build or administer a 5 site like that. 6 Q. Because you don't -- you honestly -- if you're 7 administering the site, do you know whether he actually 8 built the site himself? 9 A. I -- I believe he had a role in building it. 10 But I cannot tell -- I -- I don't deign to understand 11 fully his entire role in 8chan. I just know that he was 12 deeply involved in its creation and maintenance. 13 Q. And did you -- did you find out any information 14 as to -- as to what type of clients Mr. Watkins had served 15 historically when he was engaged in large-system technical 16 analysis? 17 A. I wouldn't -- I did not know that. I do not 18 know that. 19 Q. Do you know how long he served as this type of 20 analyst just in terms of his work experience? 21 A. Again, I think a gentleman with this kind of 22 profile does not have a traditional CV or a traditional 23 resume, so I wouldn't know that, no. 24 Q. You mentioned something about grad school. What 25 did he describe to you, if anything, about his educational Page 97</p>

1 background?

2 A. He mentioned grad school in passing. And I

3 believe it's in our interview, actually, where he talks

4 about how he studied -- or he was a penetration tester,

5 which, again, is -- in layman's terms, is basically a

6 hacker, and that he did that all through grad school.

7 So I don't --

8 (Simultaneous speakers.)

9 Q. I'm sorry.

10 A. -- details about it.

11 Q. I apologize.

12 My question was going to be, what, if anything,

13 did you do to look into his -- his educational background?

14 A. I didn't dive too deeply into his educational

15 background. I spoke with him at length to confirm that he

16 was, in fact, the individual who was analyzing the

17 Dominion voting user manuals. And to me, that was what

18 was relevant.

19 The relevant -- the credibility -- when you're

20 identifying the credibility of an individual of this

21 nature, there's a different set of credibility, I guess,

22 prongs that you're considering. And in this case, it's

23 the product. What is this guy's product?

24 His product was his analysis of

25 Dominion Voting Systems' user manual. He was one of the

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1 few, if only, individuals that I knew of at the time

2 conducting such in-depth analysis of Dominion's voting

3 machine manual and user manual.

4 So to me, that was what was more relevant than

5 checking his exact degree at whatever university he went

6 to.

7 Q. Okay. So but my question, nonetheless, remains,

8 do you know where he went to school and what degree he

9 has?

10 A. I do not know where he went to school.

11 MR. CAIN: Rebecca, can you mark as the next

12 exhibit Item No. 3 in my private folder?

13 MS. DOMINGUEZ: Yes, sir.

14 Q. (By Mr. Cain) You said you reached out to

15 Mr. Watkins on Twitter. Were you following him at that

16 time?

17 A. I was not.

18 Q. So how did you -- do you remember how it is that

19 you directed yourself to his Twitter page?

20 A. I believe so. I was -- I mean, I was

21 researching election-system vulnerabilities. So I'm

22 constantly trolling Twitter and constantly trolling a

23 variety of sources. And I came across his very lengthy

24 threads and analysis using screenshots of the

25 Dominion Voting Systems manual and breaking it down and

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1 discussing what they meant and what they -- what he was

2 finding.

3 So it was in the process of generally

4 researching for "Dominion-izing the Vote."

5 Q. Now, Mr. Watkins is banned from Twitter now, is

6 he not?

7 A. He is. I believe so.

8 Q. I'm going to show you what I'm marking -- again,

9 Rebecca marked, as the next exhibit.

10 (Plaintiff's Exhibit Number 60 was introduced.)

11 Q. (By Mr. Cain) This is Exhibit 60. And I'll

12 blow it up and make it, hopefully, a little easier.

13 Okay. So do you recognize Ron @CodeMonkeyZ? Is

14 this the same individual we've been talking about?

15 A. Yes, sir.

16 Q. Okay. And does this look like the Twitter

17 page that you went to when you were looking at possibly

18 interviewing Mr. Watkins for this piece?

19 A. It does. Yes, sir.

20 Q. Actually, up here it says -- this is

21 November 3rd: "I'm resigning as admin of 8kun effective

22 immediately." And then he goes on to talk about that.

23 You talked about 8chan. Do you know what 8kun

24 is?

25 A. I believe -- I believe they're the same thing.

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1 I don't know why they're spelled differently. Again, I'm

2 not a user of 8kun or 8chan. But I believe they are

3 essen- -- are the same board.

4 Q. Okay. So let's -- let's go back in time.

5 You're looking at his Twitter, and you're seeing

6 him posting about election security interests, or issues,

7 and that's what caused you to refer out; fair?

8 A. Yes. Fair.

9 Q. And he even references here on this page,

10 "Ms. Chanel Rion just reached out to me, and I'll be

11 talking with her about Dominion tomorrow." Do you see

12 that?

13 A. Yes, he does.

14 Q. So about how much time did you spend with

15 Mr. Watkins on this -- this reach-out that he's

16 referencing here, if you remember?

17 A. I recall about -- the actual interview was about

18 an hour or 70 minutes. And then I spoke with him before

19 the actual recorded interview. I don't remember how long

20 I spoke to him before that, but at least an hour ten,

21 20 minutes in the actual interview that was recorded.

22 Q. And I think you've -- you've said this, so we

23 don't need to go over it. But, essentially, you were

24 piqued -- your interest was piqued by the fact that he

25 was -- he was in a position to analyze the system through

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1 reference to the user manuals that Dominion had; is that
2 fair?
3 A. Yes, that's fair.
4 Q. He indicates here that he reached out to
5 Rudy Giuliani, as well, about this topic.
6 Did you -- at this time, were you in contact
7 with Mr. Giuliani about your reporting on this topic?
8 A. I interviewed Rudy -- Mr. Giuliani for the
9 special, and I did not discuss -- I never discussed
10 Eric Coomer or anything like that with him. I was
11 discussing general election vulnerabilities with
12 Mr. Giuliani.
13 And when I say "discuss," Mr. Cain, I meant I
14 was interviewing him and including that in my special.
15 Q. I understand.
16 Were you -- through this period of time and up
17 to the point where this -- this piece went -- was
18 broadcast, were you in contact with anybody from the Trump
19 administration or their campaign about the work that you
20 were doing on election rigging stories?
21 A. I was in contact with all of these -- Rudy and
22 Sidney Powell and Trump campaign, because I was
23 interview -- or I was interested in interviewing them.
24 So, naturally, I would -- I have a back-and-forth
25 communiques with all of these groups that you mentioned.

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1 Q. Who was your point of contact at the Trump
2 campaign when you wanted to go out and see if you could
3 get an interview on a particular topic like this?
4 A. Oh, there were different individuals that I
5 would contact at any given time. Oftentimes, I would just
6 directly contact the individual I was trying to interview.
7 So, say, if I'm trying to reach out to Jenna
8 Ellis or Eric Trump on Don Jr., I would contact them
9 directly, usually.
10 Q. You had their -- their personal contact
11 information?
12 A. Their campaign information, yes.
13 Q. Well, if you wanted to call, let's say, Eric
14 Trump, right now, would you have the ability to do it?
15 You have his cell phone number, that sort of thing?
16 A. Yes. I believe that's his cell phone number.
17 Q. All right.
18 And so my question, to loop back, do you recall
19 if you contacted -- you've talked -- other than what you
20 described -- individuals that you described -- do you
21 recall contacting anyone with the Trump campaign about the
22 reporting you were doing in this piece?
23 A. I do not recall that.
24 Q. Do you recall if you asked a campaign
25 spokesperson to give a comment on it or not?

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1 A. I may have. I don't remember, but I may have.
2 It would not have been unusual for me to reach out to the
3 Trump campaign for comment on a story, but I don't
4 remember that in this particular piece.
5 Q. Who did you understand to be -- and it may be
6 multiple parties -- who was acting as a spokesperson for
7 the Trump campaign in November of 2020 when you were doing
8 this piece?
9 A. Oh. I don't -- that's a difficult question,
10 because there were different, I guess, spokespeople for
11 different portions of the Trump campaign. So do you have
12 a particular area?
13 Q. Well, I mean, I don't know who you would -- for
14 something like that this -- we're post election and
15 there's -- as you know, President Trump had been alleging
16 voter-fraud-related issues for months.
17 So who would have been at the campaign that you
18 would have talked to about, you know, potentially giving
19 information or an interview for this type of story?
20 A. I believe it would have been -- if we're talking
21 about election vulnerabilities, I think it would have been
22 Rudy Giuliani at the time.
23 But again, these roles were switching all the
24 time, so I was -- I was talking to any number of people on
25 the campaign for different stories that I was working on

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1 at any given time.
2 But to answer your question, in this particular
3 context, I believe Rudy Giuliani would have been kind of
4 the -- the voice for -- for the Trump campaign in terms of
5 discussing election vulnerabilities, or at least he was
6 viewed as that -- as taking on that role at the time.
7 Q. And that's how you viewed it yourself; right?
8 A. That's how I viewed it; although, there were
9 other spokespeople, too, involved in the Trump campaign,
10 and they were also in flux. But I don't remember all of
11 them.
12 Q. How about Ms. Powell? Did you view her as a
13 spokesperson for the campaign?
14 A. No. I don't think I viewed her as a
15 spokesperson for the campaign.
16 Q. And tell me why? Because, obviously, you saw
17 the press conference they did on the 9th. It would have
18 been a couple of days before your reporting, and
19 Ms. Powell was there.
20 Why -- why is it that you didn't view her as a
21 spokesperson or representative of the campaign?
22 A. I understood at that time that she wasn't paid
23 by the campaign. So if you're not paid by an entity, then
24 I don't think you have a formal relationship with them.
25 She may have been helping provide research, may

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<p>1 have been working closely with the campaign. I understand 2 that. But I did not understand her to have a formal 3 contract with the campaign. 4 Q. But you did -- you did understand that as it 5 relates to Mr. Giuliani? 6 A. I don't know if I can answer that. I believe 7 so. I'm not sure. 8 Q. Well, that's why I'm asking -- 9 (Simultaneous speakers.) 10 A. I can clarify, Mr. Cain. 11 I guess, just in the -- in the day-to-day 12 operations in this world, I mean, Mr. Giuliani had known 13 Mr. Trump for decades, and now President Trump -- then 14 President Trump for years. They were very close. 15 I did not have the understanding that then 16 President Trump was close to Sidney Powell. So I guess I 17 merged -- I did not really ask Mr. Giuliani if he had a 18 formal contract with the Trump campaign. I assumed that 19 he did. 20 But I knew that Sidney Powell did not have a 21 formal contract with the Trump campaign, if that makes 22 sense. Hopefully that answers your question. 23 Q. I'll resist commentary. 24 You made the distinction about monetary 25 compensation being a factor for you. That's why I asked Page 106</p>	<p>1 A. Yes, sir. I can't say that I've read through 2 every single statement he's made, but I remember reading 3 enough to where I determined I would like to talk to him. 4 Q. Do you remember reading this comment that's, 5 kind of, in the middle of the page where he says, "The 6 software seems to be legitimate" [sic] -- or, excuse me -- 7 "legit and well written." 8 "It passes independent security audits and 9 probably works as intended. The issue is the amount of 10 control the software gives to the local IT guy, who can 11 ultimately decide the fate of a nation." 12 A. Yes, sir. I remember reading that statement. 13 That statement was particularly intriguing to 14 me. And one of the reasons contacted Mr. Watkins was for 15 him to explain in detail why he made the statement. 16 Q. Okay. Did you -- I know we've talked about 17 this, kind of, at length. Have we -- have we described 18 just, kind of, in your mind's eye, all of the reasons why 19 you -- you thought Mr. Watkins should be the person that 20 you interviewed for this piece; the status as a 21 large-system technical analyst, and then the work he was 22 doing as reflected in this exhibit? 23 A. Yes. I believe we discussed that. And my 24 answer, if I recall correctly, was that he was one of the 25 few people commenting in detail about the -- about Page 108</p>
<p>1 you about Mr. Giuliani, because there's been some 2 reporting about payment, or lack thereof, with him. 3 But as it just relates to Ms. Powell, the basis 4 of your statement previously that you didn't consider her 5 to be a representative of the Trump campaign is -- is tied 6 to the lack of compensation. Is that a fair statement? 7 A. I believe so. Because I've -- I believe -- I 8 believe Sidney Powell was stating this in her own words, 9 wasn't -- again, I cannot -- don't want to say on record 10 something that is false. 11 But I believe Sidney Powell was saying this in 12 her own words; that was she wasn't working for the Trump 13 campaign; that she was simply helping them in their 14 research and in their legal research. 15 Q. Well, fortunate for us, the campaign is going to 16 be deposed here shortly, so they can clarify it. 17 Let's get to -- since our time is dwindling -- 18 MR. CAIN: And by the way, Mr. Videographer, I 19 do want a ten-minute warning before our three hours is up 20 just so I can collect my thoughts. 21 THE VIDEOGRAPHER: Yes, sir. 22 Q. (By Mr. Cain) So I assume that you read through 23 the statements that Mr. Watkins made before you 24 interviewed him about the Dominion software? That's why 25 you decided to interview him, essentially? Page 107</p>	<p>1 Dominion voting, you know, software, the software side of, 2 I guess, these voting systems. 3 And he was one of the few individuals that I 4 knew of who he was looking into the use everybody manual. 5 He ultimately provided us -- provided me with about a 6 thousand -- about a thousand pages worth of documents, 7 including the two user manuals, user guides, from Dominion 8 and various publically available documents on secretary of 9 states' websites and others. 10 Q. You being in Washington, I'm sure -- well 11 doesn't -- not because you're in Washington, D.C., but 12 surely you've followed the QAnon movement. Hard to miss 13 it. 14 A. I know of it. 15 Q. And -- 16 A. I don't know that I follow it, but I know of the 17 QAnon movement. 18 Q. Okay. And that what's your understanding, if 19 you have any as you sit here, about Mr. Watkins' 20 association, if any, with QAnon? 21 A. I really don't know. I know that he has been 22 speculated as being affiliated with QAnon, but I don't 23 know that at all. 24 Q. If it turns out that he is a -- well, let me 25 just back up. Page 109</p>

1 Do you view QAnon -- my understanding, which is
2 limited, is that there's something called a "Q drop,"
3 where this person will post anonymously on the same form
4 that we've been talking about, 8chan and/or 8kun.
5 Is that -- does that ring a bell to you? Did
6 you know that before I just --
7 A. I really don't know what forum QAnon actually
8 operated on. I know that when a, quote, "Q drop" would be
9 dropped, I guess, oftentimes, they were just reshared on
10 social media. So I -- I don't know what form they
11 exclusively posted on.
12 Q. Okay. Well, I'm trying to -- let me drill down
13 a little on this and what you knew about Mr. Watkins.
14 And you told me you know he was administrator
15 for 8chan; right?
16 A. Yes, because he stated on his own -- in his own
17 words that he was resigning from 8kun, or 8chan, as
18 administrator. So that, to me, confirmed that he was, in
19 fact, involved in 8kun/8chan.
20 Q. Okay. Did you know as -- as part of your
21 research on Mr. Watkins that 8chan and 8kun has been
22 criticized because of its -- because of this anonymous
23 posting?
24 It has hosted -- the site has hosted things such
25 as the mass shooter manifestos. It's been criticized for

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1 hosting child pornography and racist memes. Did you know
2 anything about that as it relates to 8chan or 8kun?
3 A. I knew that it was a controversial site. I
4 don't remember why. But I know that it was controversial,
5 in that it was anonymously hosted, I guess. And that's
6 about the extent that I understood the site.
7 I also understood that you don't -- a website
8 does not necessarily take -- or a forum like Google does
9 not often take responsibility for everything it hosts.
10 So even if there were questionable elements
11 about 8chan or 8kun, I did not think that was degrading to
12 Mr. Watkins' analysis of Dominion Voting Systems.
13 Q. Well, do you know what an administrator actually
14 does for a website such as 8chan?
15 MR. RHODES: Objection. Asked and answered.
16 Q. (By Mr. Cain) And by this, I'm directing it
17 more -- since your counsel made that objection -- to the
18 ability to control content.
19 A. Right.
20 I -- I don't know to -- I don't know how 8chan
21 works. I don't know how it operates. I don't know what
22 the extent of administrator -- how much control they have
23 on a website like that.
24 I only knew that he had a big role in its
25 existence as a general free-speech platform, and that was

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1 sufficient for me to move forward and talk to him.
2 Q. Have you happened to watch -- I think HBO did a
3 series, a six-part series on QAnon. Did you -- did you
4 happen to catch that?
5 A. I know of the series. I never sat down and
6 watched to whole thing. I think I've seen bits and pieces
7 of it.
8 Q. Did you see the part where, you know, the
9 conclusion that was drawn was that Mr. Watkins was either
10 QAnon or, perhaps, his father was or they collectively
11 were?
12 A. I knew of that speculation.
13 Q. As you sit here today, are you concerned that
14 the source you used for "Dominion-izing the Vote" --
15 sorry. We've got a kid screaming.
16 Let me -- let me --
17 A. Not Atlas.
18 Q. That is not Atlas.
19 I'll ask it a different way. Based on what you
20 know about Mr. Watkins today, as you sit here, do you
21 still believe that he's a credible source for your
22 reporting on "Dominion-izing the Vote"? And if so, why?
23 A. Yes. To the extent that he commented in
24 "Dominion-izing the Vote," I believe the analysis he
25 provided to us was sound and stands to this day.

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1 Q. And given the second part of my question, why is
2 it that you still hold that belief today?
3 A. You can -- if you watch the piece, you'll see
4 his analysis, and it matches -- his analysis matches with
5 what he is analyzing in the user guides and just -- it --
6 it all checks out.
7 Q. Well, his analysis -- we don't have time to look
8 at that -- that part of it -- was that some -- some of the
9 two to six individuals involved in the adjudication
10 process could change votes in a manner that didn't reflect
11 voter intent. Is that a fair summary of what he said?
12 A. I believe so.
13 Q. He didn't say that actually it occurred, to his
14 knowledge, during the election; right?
15 A. He was very clear on that. In fact, he -- he
16 was very clear to say that he -- he had never seen or
17 actually held or touched a Dominion voting machine; not to
18 say that other hackers haven't. We know that these
19 machines are available for purchase on eBay, and you could
20 hack them, as we saw in these hackathons.
21 Mr. Watkins was very clear that he was only
22 drawing his conclusions based on what he knew as a
23 penetration tester. He's reading these user guides as a
24 penetration tester. And he made very clear that his
25 analysis was based on these user manuals that he was

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1 referencing -- the two that he shared with us -- in
2 addition to the certification documents provided through
3 the states of Pennsylvania and -- what else -- Texas,
4 other states.
5 Q. But at the end of the day, it's fair to say that
6 he is speculating about the ability to do that. He
7 doesn't have any hard evidence that someone actually did
8 so; is that true?
9 A. That's true.
10 Q. Let me ask you a couple of questions about --
11 turn the page -- about -- about issues of privacy.
12 And remember earlier, I asked about whether
13 there were any formalized journalistic standards at OAN
14 and ethical standards.
15 In your piece, you published a photograph and
16 video of Dr. Coomer; right?
17 A. Yes, I believe so.
18 Q. In your piece, you -- you put quotes
19 attributable to him about statements made on this Antifa
20 call; correct?
21 A. Correct.
22 Q. And then you followed that up with information
23 from a Facebook page that Mr. Oltmann had provided to you;
24 right?
25 A. About 80 screenshots of Facebook postings by

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1 Dr. Coomer.
2 Q. And as you -- you didn't know about Dr. Coomer
3 before you started doing your research for this piece;
4 right?
5 A. No, sir. I was made aware of Dr. Coomer's
6 existence on, I'd say, November 13 or 14, shortly after
7 Michelle Malkin's interview of him.
8 Q. But as far as you were aware, he was --
9 A. Sorry. Interview of Joe Oltmann. I'm sorry. I
10 misspoke.
11 Q. Yeah.
12 But as far as you know, Dr. Coomer was a private
13 individual working for a private election security company
14 at that point, when you first got into this?
15 A. When I first got into this, I didn't know
16 anything about Dr. Coomer.
17 The -- how I familiarized myself with him was
18 his public patents that were posted. And he appeared to
19 be in promotional videos and -- for
20 Dominion Voting Systems, and he was representing Dominion
21 in news articles.
22 He was -- he seemed to be a pretty public face
23 for Dominion Voting Systems at the time.
24 Q. But in this -- in this context, I guess,
25 Mr. Oltmann told you he had -- he was able to get a hold

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1 of private Facebook pages for Dr. Coomer. That's what he
2 told you; right?
3 A. Yes.
4 Q. And the only thing he told you about how he got
5 access to that is he did so, quote, "legally," closed
6 quote; right?
7 A. Yes.
8 Q. But he didn't tell you anything specific about
9 how he was able to get access to this -- to this private
10 page?
11 A. No specifics.
12 Q. Okay. And you didn't ask?
13 A. No. I just -- he said he ran a data company,
14 and he was able to access these private pages.
15 Q. Did you weigh -- in thinking about putting this
16 piece together and broadcasting it, did you weigh the
17 consequences of publishing personal information of
18 Dr. Coomer, as you understood it? Did you give any weight
19 to that?
20 A. Did we -- I don't believe we published -- are
21 you saying -- Mr. Cain, are you saying that we published
22 personal information about Dr. Coomer?
23 Q. Yeah. I'm saying -- and I don't mean that in
24 the form of a driver's license number or a social security
25 number.

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1 What I'm saying is, did you give weight to the
2 fact that you were publishing personal information, i.e.,
3 personal posts on a private Facebook page, prior to doing
4 so in this report?
5 A. At the time we published this report, the posts
6 of Dominion were already in the public sphere. They were
7 already being reported on and discussed by other news
8 outlets and by, I guess -- I mean, he was trending on
9 social media, so people were sharing Dr. Coomer's postings
10 already after Michelle Malkin's interview.
11 So we went about seven days after -- seven or
12 eight days, I believe, after Michelle Malkin's interview
13 of Joe Oltmann. Of course we consider the safety of --
14 you know, of anybody as we are putting out our stories.
15 But in this case, Dr. Coomer's story was out and
16 discussed in the public sphere before OAN went to air with
17 it.
18 Q. Well, OAN may have its own unique set of
19 viewership beyond these other media, presumably.
20 So my question was, what consideration did you
21 give, if any, to putting this type of information out on
22 your broadcast? Did you weigh the consequence of doing
23 that?
24 A. I mean, I myself -- I mean, if you're saying if
25 I myself am sensitive to this, I -- I am. I know what it

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1 is like to get death threats. And I know everyone says
 2 that.
 3 But, you know, I've -- my husband ran for public
 4 office a couple years ago, and we were receiving death
 5 threats like, you know, I'm going to throw kerosene on
 6 your husband and tie him up and rape your wife while you
 7 watch.
 8 I mean, we've received death threats like that,
 9 and I understand the weight of such death threats or such
 10 threats that come of taking a position or taking a stand.
 11 Dr. Coomer took several stands and several
 12 positions, in his own words, and posted them within his --
 13 his sphere, his friends and family and his Facebook
 14 postings.
 15 And I think you have to take responsibility for
 16 the positions that you take. And I think that's -- that's
 17 something that Dr. Coomer should be taking responsibility
 18 for as well.
 19 The story was out long before OAN published on
 20 November 21st.
 21 Q. What -- how are you drawing, just in your own
 22 mind as you're reporting on this topic, the link between
 23 someone being against the President Trump, whether it's
 24 policies or otherwise, and then their ability to do their
 25 job professionally and without trying to rig the election?
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1 Do you see what I'm saying? How are you linking
 2 those two things?
 3 A. How am I linking words with action?
 4 Q. Yeah.
 5 So earlier you -- you said that Mr. Oltmann was
 6 credible as a conservative activist, and that was part of
 7 what you relied on.
 8 If we assume Dr. Coomer doesn't like
 9 President Trump, I'm having a hard time with the link that
 10 you're drawing between that and actually committing a
 11 crime.
 12 A. Well, if you look at Dr. Coomer's Facebook
 13 postings, he calls on his friends and his family to take
 14 action against Trump; in this case, unfriend him or don't
 15 associate with him in any way, shape, or form if you are a
 16 supporter of one political party.
 17 He seemed to carry a lot of rage and carry that
 18 through in telling his followers and his friends and
 19 family to act on his rage. I think that -- that's a
 20 reasonable link.
 21 Q. Well, okay. How about if you combine that --
 22 the element that we've been talking about previously with
 23 the statements he's allegedly made in this Antifa call?
 24 At the end of day, that was a material part of
 25 you drawing the link between the Facebook pages, his
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1 status with the company, and actually having the ability
 2 to do what was suggested in your piece; right?
 3 A. What's your -- and your question is?
 4 Q. My question, to be more succinct, is do you
 5 still have a story, in your mind, without the Antifa
 6 conference call on Dr. Coomer?
 7 A. Absolutely.
 8 And I think I said this earlier. The newsworthy
 9 element of the Dr. Coomer part of this story is the fact
 10 that you have a very partisan actor who is radicalized.
 11 He has extremist views and seems to have extremely violent
 12 views of President Trump and those who follow
 13 President Trump or vote for him.
 14 Combine that with the fact that he has -- his
 15 title at Dominion Voting Systems -- he's head of security
 16 and strategy and was formerly an engineer.
 17 Ostensibly, he had access to a very important
 18 company who had a dominant share -- a dominating a share
 19 in the U.S. election systems.
 20 So it's a newsworthy -- it's very newsworthy to
 21 us that someone with that extreme set of views held a very
 22 high-level position at a voting company; and that voting
 23 company holds about 30 percent of the United States
 24 election systems.
 25 Q. And if he would have had conservative views of
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1 that extremity, would you have similar concerns?
 2 A. I think if he had conservative views, he would
 3 not be speaking in a courtroom, but he would be speaking
 4 in a -- in front of the FBI or the DOJ.
 5 Q. Because he would have been prosecuted unfairly?
 6 A. I believe so.
 7 Q. Now, you had put -- let me do this.
 8 MR. CAIN: Actually, where are we on the video?
 9 I may just want to take a break and get the last few
 10 segments lined up. Time?
 11 THE VIDEOGRAPHER: There's 12 minutes remaining,
 12 sir.
 13 MR. CAIN: Okay. Let's go off the record, and
 14 then we'll complete our 12 minutes here. I only need -- I
 15 only need about eight minutes, as you said earlier.
 16 THE VIDEOGRAPHER: Going off the record. The
 17 time is 3:16.
 18 (Recess from 3:16 p.m. until 3:25 p.m.)
 19 THE VIDEOGRAPHER: Back on the record. The time
 20 is 3:25.
 21 Q. (By Mr. Cain) Okay. We'll jump around for a
 22 few little topics, and then our time will be done.
 23 Let me show you what I have -- I marked as an
 24 exhibit in Mr. Herring's deposition. He wasn't really
 25 able to inform me about some piece of this.
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1 This is Exhibit 41. You remember when I was
 2 asking Mr. Herring about this text?
 3 A. Yes.
 4 Q. This was between you and him while you were in
 5 the White House press briefing room?
 6 A. Yes, sir.
 7 Q. And in terms of the White House, you made some
 8 news in some of the questions that you asked, including
 9 the question of President Trump about voting by mail as it
 10 relates to the pandemic. Do you remember that?
 11 A. I think I asked daily questions. I don't
 12 remember exactly my question. But it sounds like I asked
 13 that question.
 14 Q. Well, I -- the thrust of my question is
 15 coordination, your relationship with the Trump
 16 Administration campaign.
 17 When you were asking questions of
 18 President Trump, were those questions being provided to
 19 him beforehand so that he understood what was going to be
 20 asked by OAN?
 21 MR. RHODES: I'm objecting to this as, unless
 22 you're asking about Eric Coomer, completely unrelated to
 23 the topics in the -- relevant in this lawsuit.
 24 MR. CAIN: Well, I think it goes to the
 25 relationship between these parties and coordination, and
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1 this relates to voting issues. So I think it's a fair
 2 question, Mr. Rhodes.
 3 MR. RHODES: I disagree.
 4 MR. CAIN: Okay.
 5 Q. (By Mr. Cain) Well, can you answer my question?
 6 A. Sure.
 7 The press office, any press office and, as far
 8 as I understand, most press offices in most
 9 administrations -- and this is from my conversations with
 10 my colleagues at the White House -- most press offices
 11 would ask news organizations for topics or general topics.
 12 And I believe Secretary Psaki, of the Biden White House,
 13 does this as well. She's continued this practice.
 14 They -- the press office would ask news
 15 organizations for general topics for the day, just to
 16 figure out who they would call on and see if they could
 17 prepare a more detailed statement on given topics.
 18 Occasionally I would be asked by the press shop
 19 at the White House, along with Bloomberg and
 20 New York Times, everyone who was sitting in the basement
 21 with me -- we would all be asked what topics we were
 22 working for the day, and whether or not the press office
 23 could prepare for it.
 24 And I would often give my topics either verbally
 25 or through an email. It would usually be a one-line topic
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1 saying, oh, I'm going to ask about Russia; if he can
 2 answer the question about, you know, Iran or whatever.
 3 But I was not unique in that. They would -- the
 4 press shop would ask other news organizations for topics.
 5 And sometimes we would provide them, and sometimes they
 6 were just spontaneous.
 7 Q. And that was your practice while you were there?
 8 A. Not often. I did not -- I did not actually do
 9 that as much as the other networks did.
 10 Q. Well, in this -- and this may or may not be
 11 related, but in the Plaintiff's Exhibit 41, what I was
 12 asking Mr. Herring about was this comment at the -- at the
 13 end -- not the "Can we countersue Coomer and get him in
 14 discovery," but "Big updates from tonight. No meeting,
 15 but it's for the better. Christina can fill in too.
 16 Adjustments had to be made."
 17 Explain to me what you mean by that.
 18 A. I don't remember. I -- I do remember this had
 19 nothing to do with "Dominion-izing the Vote" or Dr. Coomer
 20 or anyone -- any one of your clients. But I -- I honestly
 21 don't remember what this was about.
 22 Q. The "big updates" doesn't strike any -- any bell
 23 for you as far as what you were talking about?
 24 A. No. I mean, we could have been talking about
 25 the arrangement in our offices. I don't -- I don't
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1 remember what this is about.
 2 Q. I also asked Mr. Herring about this concept,
 3 internally or otherwise, at OAN about "H stories."
 4 Remember when I asked him about that?
 5 A. Yes.
 6 Q. And so I have the same question for you. Is
 7 that -- is that something -- a term that was used
 8 internally at OAN?
 9 A. Not in the D.C. bureau, that I know of.
 10 We -- we have a pretty tightknit group in our
 11 D.C. bureau, and we never used that term, at least when I
 12 was around.
 13 Q. And I think you mentioned you've never even been
 14 to the San Diego office --
 15 A. No, sir.
 16 Q. -- right?
 17 A. That's correct.
 18 Q. And the way I -- the way it works is, once you
 19 complete your piece, it's then sent electronically to
 20 San Diego for the producers there to put on air?
 21 A. Correct. I think they, like -- they do
 22 something with the sound, and they -- they review it just
 23 to make sure that the footage is correct.
 24 And there's some general oversight that happens
 25 over there. I'm not familiar with the entire process.
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1 MR. CAIN: Rebecca, I should have asked you this
2 before. I think it's Exhibit 5, Number 5 in my private
3 folder. Let me confirm that real quick.
4 MS. DOMINGUEZ: Would you like me to mark it?
5 MR. CAIN: Yes, ma'am. OAN 750 through 755.
6 Q. (By Mr. Cain) Earlier, Ms. Rion, you mentioned
7 that you'd put up the Dominion website. I think it was
8 when I was asking you: Did you reach out to anybody at
9 Dominion? You remember that testimony?
10 A. Yes. Dominion Voting Systems' statement, I
11 guess, addressing controversies involving Dominion voting
12 at the time.
13 Q. Let me show you what's marked as Exhibit 61 to
14 your deposition. Begins at OAN 750. What are we looking
15 at here?
16 (Plaintiff's Exhibit Number 61 was introduced.)
17 A. This is the -- I think this is the screenshot
18 that I used in my "Dominion-izing the Vote": Dominion
19 Voting Systems' statement addressing controversy involving
20 them at the time.
21 Q. (By Mr. Cain) Okay. So you can confirm for us
22 that you had this information in your possession when you
23 were preparing this report prior to broadcast?
24 A. Yes, sir.
25 Q. Okay. And I asked this of Ms. Malkin. There's
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1 a reference to the joint statement by CISA and the
2 department -- Department of Homeland Security on whether
3 the -- the vote was compromised.
4 And to you I would ask do you consider both of
5 those organizations to be authoritative as it relates to
6 this topic?
7 A. As it relates to this topic, I know there are
8 questions about CISA. I know that the head of CISA at the
9 time, Mr. Krebs, was -- had anti rump sympathies, I
10 believe.
11 And we also know that CISA had, I guess, on
12 its -- there was some kind of affiliation where they
13 brought in Dominion Voting Systems itself as one of the
14 members of a committee that CISA hosted or had.
15 So there's some questions about CISA's
16 credibility at this time when they made that statement.
17 Q. And credibility in your mind -- because I
18 asked -- well, confirm this for me. I'll back up.
19 Mr. Herring identified OAN as a pro-Trump
20 network. Would you agree with that characterization?
21 A. Sure. I would agree with the characterization,
22 too, that we -- you know, as far as -- if you're asking
23 about bias or what our leanings are, we don't hide the
24 fact, or I don't hide the fact that I'm not a big fan of
25 big tech or big government or extreme leftist activism.
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1 So if that's the bias you're asking about, then
2 there is mine; and I'm quite open about that.
3 Q. And you're open about your support of former
4 President Trump too, openly?
5 A. As far as -- so long as he's against big tech
6 and big government and all the things that I just listed
7 to you, yes.
8 Q. So on this page, you're critical of Former
9 Director Krebs because he's anti-Trump, I think, was your
10 word.
11 What about the Department of Homeland Security?
12 Do you consider them to have been authoritative as it
13 relates to issues concerning election integrity?
14 A. I don't -- I don't want to answer that now,
15 because I know that there were some questions, also, in --
16 in the way that they -- that certain officials within DHS
17 conducted themselves during the Trump Administration.
18 And as far as Krebs's credibility, I want to
19 qualify. It's not just that he was -- he seemed to be
20 anti-Trump, but it was also that he had -- he also came
21 back with a statement on his own Twitter account saying
22 that he -- qualifying his statement, saying that he never
23 said that there was no fraud at all. I'm paraphrasing, of
24 course.
25 But he also seemed to, kind of, hedge his own
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1 statement here: There is no evidence of voting system --
2 votes being lost. I think he qualified his own statement.
3 So there's -- there's a lot in the air when it
4 comes to CISA's credibility at this time under
5 Chris Krebs.
6 I believe he was also friends with Miles Tyler,
7 or Miles Taylor the, alleged author of Anonymous, who was
8 also pretty rabid anti-Trump figure.
9 There's just -- there's definitely some
10 questions when it comes to CISA's credibility and
11 impartiality here. And that's where I stand.
12 Q. Where you stand is you have some questions about
13 the credibility of Mr. Krebs, but you cannot identify any
14 questions, in your mind, concerning the credibility of
15 Ron Watkins, who made it into your -- your report?
16 A. I -- as -- as it stands here today, I do not
17 question the analysis that Mr. Watkins provided for us in
18 "Dominion-izing the Vote." And I think that's the
19 relevant question here, and that's what we relied on in
20 our report.
21 His analysis of the user guides for
22 Dominion Voting Systems and -- I don't think that -- I
23 don't think that he was wrong in his analysis. I think we
24 aired his statements, and we stand by them to this day.
25 Q. Okay. By the way, this piece that got -- made
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1 it into the reporting, it was shown, it looked to me, like
 2 maybe a second as you were talking about Mr. Krebs.
 3 You never actually reported on Dominion's
 4 position during the portion of this report where you were
 5 showing Exhibit 61 to your audience, did you?
 6 MR. RHODES: Objection. Misstatement --
 7 misstates the facts.
 8 A. Mr. Cain, I think I showed this screen several
 9 times, at least twice, I believe, in my special.
 10 Q. (By Mr. Cain) Okay. Let me -- let me look at
 11 the one. If we have time, I'll see if I can find one of
 12 them.
 13 The one I was thinking about, Ms. Rion, was the
 14 one towards the end, where you showed a quick piece of
 15 Mr. Krebs. I think it's around the 26-minute mark.
 16 This is the part you're talking about the other
 17 employee at Dominion; right?
 18 A. Correct. Penelope Chester Star. She had -- she
 19 was vice president at TENIA (phonetic). the organization
 20 affiliated with --
 21 (The video segment was played.)
 22 Q. (By Mr. Cain) So is that one of the examples of
 23 when you put up the Dominion FAQ page?
 24 A. It is.
 25 Q. Let me ask you this: There was a statement that

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1 Mr. Oltmann made a little earlier in this when we were
 2 playing his interview. And I'll just finish with this
 3 statement. I want to hear your response to what he had to
 4 say at about 23:30.
 5 (The video segment was played.)
 6 Q. (By Mr. Cain) Actually, time out on that.
 7 You never got any actual documentation -- I know
 8 you requested it, but you never got any documentation of
 9 his status as a shareholder of the company; right?
 10 A. Correct. That statement was based off of
 11 summarizing what Mr. Oltmann had told me in our interview.
 12 Q. But you did ask him for it; right?
 13 A. I did. But I had no reason not to believe that
 14 statement when he did not produce those documents.
 15 We were -- at this point, I had interviewed -- I
 16 think I have interviewed him for about 20 minutes, I
 17 think. And we talked about various topics. But I had
 18 asked that, I think, in retrospect via email.
 19 Q. Okay. My question was you just never got -- you
 20 actually never got written confirmation of that?
 21 A. No. No written confirmation. Just relying on
 22 Mr. Oltmann's account of that. And, you know, we had no
 23 reason not to believe him at this point.
 24 (The video segment was played.)
 25 Q. (By Mr. Cain) So you would agree with me there,

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1 what you put Mr. Oltmann's -- well, let me -- let me back
 2 up.
 3 You had ability to edit what was going to be in
 4 the interview or in the final broadcast or not; right?
 5 A. Yes.
 6 Q. And you, in that process, decided to leave in
 7 the statement that Mr. Oltmann just made that Eric Coomer
 8 was responsible for putting his finger on the scale;
 9 correct?
 10 MR. RHODES: Misstates the recording.
 11 Q. (By Mr. Cain) You can answer it.
 12 A. Mr. Cain, I believe he's -- that was stated by
 13 Mr. Oltmann in context of the Antifa call that he was
 14 participating in.
 15 I believe, in the interview, he says that the
 16 participants of these Antifa calls were usually people who
 17 just, kind of, talked and maybe did not -- did not really
 18 have the power to act.
 19 And in this case, considering Dr. Coomer's role
 20 at Dominion Voting Systems and his education and his
 21 title, he was capable -- more capable than the other, I
 22 guess, Antifa members on the call.
 23 So I think that's what he meant by that.
 24 Q. Let me -- let me back it up and make sure that I
 25 didn't mishear it. Then we can conclude.

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1 (The video segment was played.)
 2 Q. (By Mr. Cain) And you stand by your -- your
 3 last statement after hearing that again?
 4 A. Yes. He just said he's just not -- he's not
 5 just a member of Antifa; he had the ability beyond just
 6 being a -- you know, throwing bottles of urine at
 7 Secret Service in front of the White House.
 8 MR. CAIN: Okay.
 9 Well, ma'am, I appreciate your time here today.
 10 And I'm probably at my three-hour mark, so I'll -- I'll
 11 conclude. Thank you.
 12 THE WITNESS: Thank you, sir.
 13 MR. RHODES: Charlie, you want to take the share
 14 screen down, please?
 15 MR. CAIN: Are you going to do the same thing on
 16 this one?
 17 MR. RHODES: Yes.
 18 MR. CAIN: Let me make a record. Also,
 19 understand we've got another deposition.
 20 So before Mr. Rhodes starts, I understand, based
 21 on the discussion -- or the questions with Mr. Herring
 22 that Mr. Rhodes believes he can ask questions of his
 23 client and somehow present that to the Court.
 24 I'm certainly not afraid of any question,s but I
 25 think it runs afoul of the Court's order, and I think it

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1 runs afoul of my obligation present to prima facie
 2 evidence of my claims.
 3 And it also suggests that additional testimony
 4 would be submitted by the defendants to try to contradict
 5 those claims, and I don't believe that's in accordance
 6 with how the Court should weigh the evidence.
 7 And I understand you disagree with that,
 8 Mr. Rhodes. So go ahead and make your record, and,
 9 hopefully, it won't be too long.
 10 MR. RHODES: Thank you.
 11 MR. ZAKHEM: Excuse me. This is John Zakhem. I
 12 am counsel for the Trump Campaign.
 13 I understand that, per the scheduled notice, my
 14 client's 30(b)(6) deposition to begin in under 15 minutes.
 15 We have -- I have availability only until about 5:15 p.m.,
 16 Mountain Time, accounting for a couple of breaks on the
 17 three-hour limitation, at which time I will not be able to
 18 continue with any deposition.
 19 So I just want to make the parties aware of that
 20 and let everybody know I'm getting off, and so is my
 21 client, no later than 5:15 this afternoon.
 22 I'm happy to make accommodations for additional
 23 time according to the availability of the respective
 24 parties and counsel. And if it may be more appropriate to
 25 continue Ms. Rion's deposition to a later time to

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1 accommodate the questions from her counsel, that may be
 2 more efficient in order -- because I don't intend on
 3 asking any questions of my client in its deposition.
 4 But I wanted, Charlie, you to be aware of what's
 5 going on here, because I'm on a very, very tight schedule.
 6 MR. CAIN: Thanks, John. I don't think you
 7 should have to worry about it, because I don't think we
 8 need to spend time asking questions.
 9 I would make the request, Mr. Rhodes, that we
 10 conclude this deposition so that we can get to the
 11 Trump Campaign and get it finished, given the limitations,
 12 and then just talk about, maybe, resolving this at a
 13 different date. But I think we need to move on.
 14 MR. RHODES: I disagree. If you -- if you want
 15 to reschedule the Trump deposition --
 16 MR. CAIN: Absolutely not.
 17 MR. RHODES: -- I have no objection to that.
 18 MR. CAIN: No. You can't -- you know, your
 19 codefendant is asking and saying that they have a
 20 limitation. And we really need move on to that
 21 deposition.
 22 I think it's unfair to put us in a position of
 23 limiting a noticed deposition with this type of
 24 questioning.
 25 MR. RHODES: I did not notice either deposition;

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1 you did, Mr. Cain. And you have co-counsel, who, by the
 2 way, when he finishes a deposition in this case, says,
 3 "Pass the witness." And then cross-examination is done,
 4 and then he does redirect examination, Mr. Cain.
 5 CROSS-EXAMINATION
 6 BY MR. RHODES:
 7 Q. So Mr. Rion -- Ms. Rion -- excuse me -- let's
 8 start with where we ended.
 9 I'm showing -- going to share my screen.
 10 MR. CAIN: Can I interject real quick?
 11 John, can I -- can I talk with you offline while
 12 he goes through this? I'll get your cell phone.
 13 MR. ZAKHEM: Yeah. Let me just -- let me just
 14 give it to you on the record. Are we on the record?
 15 MR. CAIN: We still are.
 16 THE REPORTER: Yep.
 17 MR. ZAKHEM: Can we go off the record briefly?
 18 I'll give you my cell phone. I don't want that
 19 on the record. And just call me. I'll bounce off of the
 20 call, or off the depo.
 21 THE VIDEOGRAPHER: Going off the record. The
 22 time is --
 23 MS. DOMINGUEZ: I can put you both in a breakout
 24 room if you'd like.
 25 MR. CAIN: Just give us the number. We'll do it

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1 that way. Let's go off the record.
 2 THE VIDEOGRAPHER: Going off the record. The
 3 time is 3:49.
 4 (Discussion off the record.)
 5 THE VIDEOGRAPHER: We are back on the record.
 6 The time is 3:49.
 7 Q. (By Mr. Rhodes) Ms. Rion, do you see
 8 Exhibit 61?
 9 A. Yes.
 10 Q. You were just asked about this, and you were
 11 asked about -- Mr. Cain asked you about two organizations.
 12 He said The Department of Homeland Security and the
 13 Cybersecurity Infrastructure Security Agency.
 14 But you see, in fact, there's an apostrophe S
 15 after "Homeland Security"; correct?
 16 A. Correct.
 17 Q. And so your statement was that CISA, and
 18 Mr. Krebs in particular, had walked back this statement to
 19 some extent in a later tweet. Is that -- was that -- did
 20 I understand you correct?
 21 A. Correct. I believe -- I believe it was a
 22 November 18 tweet. I'm -- I'm sorry. I don't recall it
 23 verbatim.
 24 Q. I'm going to show you what I am marking as
 25 Exhibit OAN O.

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1 (OAN Exhibit O was introduced.)
2 Q. (By Mr. Rhodes) Is Exhibit O the tweet that you
3 were referring to from Mr. Krebs?
4 A. Yes, sir.
5 Q. Quote, "I have never claimed that there wasn't
6 fraud in the election, because that's not CISA's job.
7 It's a law enforcement matter"; correct?
8 A. Correct.
9 Q. Now, going back to Exhibit 61, there is a
10 statement by Dominion that "Dominion is a nonpartisan U.S.
11 company." Do you see that?
12 A. Yes.
13 Q. Well, if you scroll all the way down, you'll see
14 this page says its copyright 2020 by
15 Dominion Voting Systems Corp. Do you see that?
16 A. Yes.
17 Q. And you told us you thought that
18 Dominion Voting Systems was a Canadian corporation, and
19 you said you thought you'd looked at the certificate of
20 incorporation or something; correct?
21 A. Yes.
22 Q. I'm going to show you what I am marking -- here
23 we go -- what I'm marking as Exhibit P.
24 (OAN Exhibit P was introduced.)
25 Q. (By Mr. Rhodes) Can you see Exhibit P?

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1 A. Yes.
2 Q. I see it lists Dominion Voting Systems
3 Corporation. That's -- that's the name that we just
4 looked at on the statement; right?
5 A. Yes.
6 Q. It says the jurisdiction is Ontario. And you
7 understand Ontario to be a province in Canada, don't you?
8 A. I do.
9 Q. Are you aware of any jurisdiction in the
10 United States called Ontario?
11 A. No, sir.
12 Q. And the corporation type is an Ontario business
13 corporation, and that it's active; correct?
14 A. Correct. And there is an address, I believe,
15 right below that: Toronto, Ontario, Canada, Suite 200.
16 Q. Why would Dominion Voting Systems Corporation
17 issue a statement that they're a U.S. corporation when
18 it's plain they're a Canadian corporation? Do you know?
19 MR. CAIN: Objection. Leading. Objection.
20 Form.
21 A. I -- I don't know. I assume that they -- it's
22 better for their -- their fact sheet for them to be able
23 to say that they're a U.S. company.
24 MR. ARRINGTON: This is Barry Arrington. I see
25 that it's five minutes until the next deposition is

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1 scheduled. I, obviously, can't be at two place at one
2 time.
3 Has there been a resolution? Are we just going
4 to finish this one and start the Trump Campaign one? Or,
5 Charlie, can you fill me in on that?
6 MR. CAIN: We're going to finish this one and
7 then start five minutes after this one finishes, assuming
8 we can get all that coordinated with the court reporter.
9 And then John and I have a separate agreement,
10 but we can talk about that later.
11 MR. ARRINGTON: Okay. Thank you.
12 Q. (By Mr. Rhodes) You were also shown Exhibit 56,
13 the DEF CON report. Do you recall that?
14 A. Yes.
15 Q. And this is something you looked at in
16 connection with "Dominion-izing the Vote"; is that
17 correct?
18 A. The DEF CON 27 report, I believe.
19 Q. I'm showing that to you now.
20 A. That's the one.
21 Q. Okay. You were asked about Matt Blaze. You
22 said you did not know Professor Blaze; correct?
23 A. Correct.
24 Q. But then Mr. Cain showed you another document,
25 which we'll look at, in which Professor Blaze said that

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1 he's not aware of any hacking that occurred in the 2020
2 election; correct?
3 A. Correct.
4 Q. You see there's -- there's other academics
5 here -- Mary Hanley from the University of Chicago,
6 Rachel Wehr from Georgetown, Kendall Spencer from
7 Georgetown, Christopher Ferris from Georgetown. Do you
8 see these people?
9 A. Yes.
10 Q. I'm going to show you Exhibit 58, which Mr. Cain
11 showed you. And fortunately for us, these people put
12 their name in alphabetical order.
13 So the first one I mentioned is Mary Hanley.
14 Let's see. That would be -- L, M -- that would be
15 somewhere between 22 and 23. Do you see Mary Hanley from
16 the University of Chicago on here?
17 A. I do not.
18 Q. Then there's Rachel Wehr, W-e-h-r. That'd be
19 between 55 and 56. Do you see her on here?
20 A. No.
21 Q. Then I see Kendall Spencer -- S-p. Oh, Specter.
22 We're close. Spencer, I guess, would be 46 and 47. Do
23 you see him on here?
24 A. No.
25 Q. Christopher Ferris, F-e. That'd be between 18

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<p>1 and 19. Do you see him on her -- him on here?</p> <p>2 A. No, sir, do not.</p> <p>3 Q. So these experts haven't said anything about</p> <p>4 them believing that there's nothing happening to the 2020</p> <p>5 election, have they?</p> <p>6 MR. CAIN: Objection. Goes to the weight of</p> <p>7 which -- you cannot create a fact issue on that topic.</p> <p>8 Irrelevant, as is all of this.</p> <p>9 Q. (By Mr. Rhodes) Go ahead, Ms. Rion.</p> <p>10 Those individuals haven't said that there was no</p> <p>11 hacking of the 2020 election, have they?</p> <p>12 A. It appears not. And they have not endorsed this</p> <p>13 letter. It seems they haven't.</p> <p>14 MR. CAIN: Objection. Responsiveness.</p> <p>15 Q. (By Mr. Rhodes) Okay. Let's go back to</p> <p>16 Exhibit 56, the DEF CON report.</p> <p>17 Now, I did Mr. Watkins tell you about this</p> <p>18 document?</p> <p>19 A. No. I found this document on my own. I -- I</p> <p>20 don't remember how I -- (audio interference) -- not this</p> <p>21 particular report, but I know DEF CON was referenced in</p> <p>22 the HBO series -- film Kill Chain. But I found</p> <p>23 DEF CON 27, this particular report, on my own.</p> <p>24 Q. And I'm directing your attention to the</p> <p>25 Bates Number 1632, page six. When it just gives an</p> <p style="text-align: right;">Page 142</p>	<p>1 Precinct; correct?</p> <p>2 A. Correct.</p> <p>3 Q. And the results of that testing start on</p> <p>4 page 20; correct?</p> <p>5 A. Yes.</p> <p>6 Q. And it states that "The Dominion ImageCast</p> <p>7 Precinct is an integrated hybrid voting system.</p> <p>8 Participants were able to access USB, RG45, and CF," --</p> <p>9 compact flash -- "slots on this machine without using</p> <p>10 destructive force"; correct?</p> <p>11 A. Yes.</p> <p>12 Q. "The system also runs Busybox Linux 1.7.4, which</p> <p>13 has twenty currently known medium to high level</p> <p>14 vulnerabilities, including the ability to allow remote</p> <p>15 attackers to gain access"; correct?</p> <p>16 A. Yes.</p> <p>17 Q. The next page, page 21, Bates Number 1647: "As</p> <p>18 a group, they were able to boot an operating system of</p> <p>19 their choice and play video games on the voting machine,</p> <p>20 including a popular game called 'Pong'; correct?"</p> <p>21 A. Correct.</p> <p>22 Q. You were aware of that while you were preparing</p> <p>23 "Dominion-izing the Vote"?</p> <p>24 A. Yes, I was.</p> <p>25 Q. You were aware of that fact when you interviewed</p> <p style="text-align: right;">Page 144</p>
<p>1 executive summary and says, "Every piece of equipment at</p> <p>2 the Village is currently certified for use in at least one</p> <p>3 U.S. jurisdiction"; correct?</p> <p>4 A. Correct.</p> <p>5 Q. "And once again, Voting Village participants</p> <p>6 were able to find new ways or previously published methods</p> <p>7 of compromising every one of the devices in the room in</p> <p>8 ways that could alter stored vote tallies, change ballots</p> <p>9 displayed to voters, or alter the internal software that</p> <p>10 controls the machines.</p> <p>11 "In many cases, the DEF CON participants tested</p> <p>12 equipment they had no prior knowledge of or experience</p> <p>13 with and worked with any tools they could find in a</p> <p>14 challenging setting with far fewer resources and far less</p> <p>15 time than a professional lab or even the most casual</p> <p>16 attacker would typically have"; correct?</p> <p>17 A. Correct.</p> <p>18 MR. CAIN: Let me interject.</p> <p>19 It's 2:01. It's a minute past the notice time</p> <p>20 for the Trump Campaign deposition. Plaintiff reserves its</p> <p>21 right to seek expenses, costs, and attorneys' fees</p> <p>22 associated with this delay.</p> <p>23 Q. (By Mr. Rhodes) I want to now turn to page 123,</p> <p>24 Bates Number 1638. This is a listing of the items that</p> <p>25 were tested, and among them is the Dominion ImageCast</p> <p style="text-align: right;">Page 143</p>	<p>1 Ron Watkins and he explained the vulnerabilities to you?</p> <p>2 A. Yes, I was.</p> <p>3 Q. Now, you also said that Mr. Watkins provided you</p> <p>4 almost a thousand pieces of -- a thousand pages of</p> <p>5 documents; correct?</p> <p>6 A. Yes. About -- about a thousand.</p> <p>7 Q. Including the user manuals for Dominion;</p> <p>8 correct?</p> <p>9 A. Correct. I believe there were two. One was</p> <p>10 a -- I forget what was second one was, but they were, at</p> <p>11 the end of the day, user manuals for</p> <p>12 Dominion Voting Systems.</p> <p>13 Q. I'm going to mark as the next exhibit --</p> <p>14 (OAN Exhibit Q was introduced.)</p> <p>15 Q. (By Mr. Rhodes) I've marked as Exhibit Q the</p> <p>16 Dominion Democracy Suite ImageCast Central User Guide.</p> <p>17 You see that?</p> <p>18 A. I see it.</p> <p>19 Q. Mr. Watkins provided this to you?</p> <p>20 A. Yes, he did. It was a link that was -- I think</p> <p>21 it was publically available.</p> <p>22 Q. All right. It want to direct your attention to</p> <p>23 page 16, at the bottom, OAN 782, and the chapter three.</p> <p>24 There's the Administrator mode, and then there's</p> <p>25 "Supervisor mode is a high-level mode reserved for</p> <p style="text-align: right;">Page 145</p>

<p>1 technicians authorized by Dominion Voting." 2 Do you see that? 3 A. Yes, I do. 4 Q. And when you were discussing with Mr. Watkins 5 the user manuals, did you have a copy in front of you? 6 A. I did. 7 Q. And you were following along with him as he was 8 explaining things? 9 A. Yes, I was. 10 Q. And going to page 19 of the manual, 11 Bates Number 7825. For the Supervisor mode, turning to 12 the next page, 20, 786: "The ImageCast Central's advanced 13 settings allow for adjustment of the scanning properties 14 with the application in Supervisor mode." 15 Do you see that? 16 A. I do. 17 Q. And among those settings I highlighted here is 18 the gamma setting. 19 A. Right. 20 Q. Is that consistent with what Mr. Watkins told 21 you? 22 A. It is very consistent with what he told us. 23 Q. And on the next page, page 21 of the report, 24 Bates Number 787, again, a reference to the brightness, 25 contrast, and gamma levels; correct?</p> <p style="text-align: right;">Page 146</p>	<p>1 the individuals who were able to change the scanner 2 settings, pursuant to Mr. Watkins' theory, are only 3 individuals at Dominion Voting Systems? 4 A. That's correct. 5 MR. CAIN: Form. Leading. 6 A. This is what Mr. Watkins shared with us in our 7 interview. So we're following along in this manual, and 8 that's -- that was reasonable to us. 9 Q. (By Mr. Rhodes) Was there anything Mr. Watkins 10 told you during the interview which you -- you found 11 contradicted in any of the nearly thousand pages he gave 12 you? 13 A. Not -- not that I'm aware of. 14 We conducted a fairly lengthy interview with 15 him, and we followed along with -- along with every 16 statement he made in that interview. 17 (OAN Exhibit S was introduced.) 18 Q. (By Mr. Rhodes) I'm going to show you what I've 19 marked as Exhibit S. This is one of the three Texas 20 secretary of state reports that Mr. Watkins provided you; 21 correct? 22 A. Correct. 23 Q. And you'll see on the third page, Bates 24 Number 1162, one of the objections of the Texas secretary 25 of state is that some of the hardware in the Democracy 5.5</p> <p style="text-align: right;">Page 148</p>
<p>1 A. Correct. 2 Q. Mr. Cain asked you, Well, who can adjust those 3 settings? And the answer is, Only somebody that Dominion 4 has given permission to; correct? 5 A. Correct. 6 Q. And that would include Dr. Coomer? 7 A. Yes. 8 Q. Mr. Watkins also gave you a second manual, you 9 said; correct? 10 A. Yes. 11 Q. I'm showing you Exhibit R. 12 (OAN Exhibit R was introduced.) 13 Q. (By Mr. Rhodes) Is this the second manual that 14 Mr. Watkins provided you, the Democracy Suite EMS Election 15 Event Designer User Guide? 16 A. That was the one. 17 Q. And I'm showing you page 262 of the manual, 18 Bates labeled OAN 1096, with the section titled A.11, 19 "Changing Scanning Configuration." Do you see that? 20 A. Yes, I do. 21 Q. And then the next page, 263, OAN 1097: 22 "NOTE: The scanning parameters should only be 23 changed by an advisory of the Dominion Voting Systems 24 engineering group." 25 So again, in response to Mr. Cain's question,</p> <p style="text-align: right;">Page 147</p>	<p>1 system can be connected to the internet; correct? 2 A. Yes. That was a very central concern with these 3 machines. 4 Q. And on the next page, page 4, Bates Number 1163, 5 their discussion of "The adjudication portion of the 6 tabulation process in which the election management 7 software was problematic and showed that the handwritten 8 write-ins subject to adjudication were not easily picked 9 up by the ballot scanner. 10 "This poor resolution on the scanner also failed 11 to pick up some of the printed wording on the ballots. 12 "In a follow-up, the vendor stated that only 13 black Sharpie markers should be used for marking the 14 ballots. However, when black Sharpie was used during 15 testing, it did, on a few occasions, bleed through to the 16 back side of the two-sided ballot in such a way that it 17 would confuse the ballot scanner or kick the ballot out"; 18 correct? 19 A. Correct. 20 Q. This was while you were preparing 21 "Dominion-izing the Vote"? 22 A. Yes. 23 Q. So I want to go back to Exhibit 61 that Mr. Cain 24 marked -- the statement from Dominion Voting Systems 25 corporation that there are no issues with the use of</p> <p style="text-align: right;">Page 149</p>

1 Sharpie pens.
 2 Do you know why Dominion would say that when
 3 they have in writing from the Texas secretary of state
 4 that is there an issue with the use of Sharpie pens?
 5 MR. CAIN: Objection. Leading. Objection.
 6 Form.
 7 A. It was one of the aspects that we looked at,
 8 and -- and it caused -- causes one to question every other
 9 fact-checking element that Dominion Voting Systems was
 10 putting out.
 11 So I don't know why they would have issued that
 12 statement, given the problems that were existing in, at
 13 least, Texas.
 14 Q. (By Mr. Rhodes) And -- and by the way, you said
 15 that by the time of your tweet on November 17th,
 16 Eric Coomer and his "Don't worry. I made F-ing sure of
 17 it," were trending on Twitter; correct?
 18 A. For several days, it was trending on Twitter, I
 19 think right after Michelle Malkin's interview.
 20 Q. Is there anything in Dominion's statement coming
 21 to the defense of Mr. Coomer?
 22 A. No. That was -- there does not seem to be any
 23 mention of Eric Coomer in this statement, which was very
 24 odd to us considering Eric Coomer was, arguably, one of
 25 the number-one controversies involving Dominion systems at
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1 the time they issued this statement.
 2 So we've -- that was -- that was very odd to us.
 3 It -- it seemed to indicate that Dominion was -- knew
 4 of -- I mean, they -- they clearly didn't address
 5 Dr. Coomer.
 6 So I don't -- it was -- it was very unusual,
 7 considering the profile that Eric Coomer was building in
 8 the public sphere.
 9 MR. CAIN: Objection. Responsiveness, and to
 10 the entire line of questioning, and to the campaign
 11 witness now sitting for 15 minutes.
 12 (OAN Exhibit T was introduced.)
 13 Q. (By Mr. Rhodes) I'll show you what I've marked
 14 as Exhibit T. This is the second of the Texas secretary
 15 of state reports that Mr. Watkins provided you; correct?
 16 A. Correct.
 17 Q. And on the second unnumbered page, Bates
 18 Number 1166, under Findings: "Examiner reports raise
 19 concerns about whether the Democracy Suite 5.5 is suitable
 20 for its intended purpose, operates efficiently and
 21 accurately."
 22 You knew that when you were preparing
 23 "Dominion-izing the Vote"; correct?
 24 A. Yes.
 25 Q. You knew that when you were assessing the
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1 credibility of Ron Watkins; correct?
 2 A. Correct.
 3 Q. And is there anything about these statements
 4 from the Texas secretary of state that would cause you to
 5 think that Mr. Watkins didn't know what he was talking
 6 about?
 7 A. The statement -- the report seems to confirm
 8 what Mr. Watkins relayed to us, and that's -- that was
 9 part of our assessment.
 10 (OAN Exhibit U was introduced.)
 11 Q. (By Mr. Rhodes) I'll show you what I've marked
 12 as Exhibit U. Do you see that?
 13 A. I do.
 14 Q. On the first page: "A distinguishing feature is
 15 the extensive use of commercial off-the-shelf components,
 16 or COTS components, to use the industry parlance. COTS
 17 components are standard hardware or software products, as
 18 opposed to custom-made components.
 19 "For example, the D Suite voting terminals are
 20 commercially available Android tablets that include the
 21 stand and the smartcard reading used for voter
 22 authentication.
 23 "Similarly, the PCs, networking gear, hard
 24 drives, printers, and some scanners are COTS components";
 25 correct?
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1 A. Correct. Like Windows Operating System 10, I
 2 believe. This was --
 3 Q. And is that consistent, again, with what
 4 Mr. Watkins told you?
 5 A. It matches up exactly.
 6 Q. Turning to page three of the third Texas
 7 secretary of state report, Bates Number 1170, Problems
 8 Identified: "Adjudication results can be lost. In the
 9 January exam, during adjudication of the ballots in the
 10 test election, one of the Dominion representatives made a
 11 series of mistakes that caused the entire batch of
 12 adjudication results to be lost."
 13 Again, is that consistent with what Mr. Watkins
 14 told you?
 15 A. Yes.
 16 MR. CAIN: Objection. Form. Objection.
 17 Leading.
 18 (Audio interference) challenging the Texas vote?
 19 I missed that part of the case.
 20 MR. RHODES: You didn't -- you didn't miss that
 21 part of the case, Mr. Cain. You choose to ignore that
 22 part of the case.
 23 Q. (By Mr. Rhodes) Next, look at page 4, OAN 1171,
 24 Test Voting: "During our voting test, we discovered that
 25 some party names and proposition texts were not displayed,
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1 and one scanner was not accepting some ballots. These all
 2 turned out to errors Dominion made in setting up the
 3 standard test election used by the secretary of state.
 4 "In the case of the scanner, it had actually
 5 been configured not to accept machine-marked ballots."
 6 And scanner configurations, we know, are left to
 7 Dominion; correct?
 8 A. Correct.
 9 Q. We saw that in the Dominion manual.
 10 A. Yes.
 11 Q. Is this -- is this fact here about the Dominion
 12 software failing the test voting in Texas something that,
 13 in your mind, added to your belief in the credibility of
 14 Mr. Watkins?
 15 A. Absolutely. It was -- this was particularly
 16 relevant to us.
 17 Q. Page 5, Bates Number OAN 1172:
 18 "USB Port Vulnerability. The ICX ballot-marking
 19 device has an indicator light on top to show poll workers
 20 when the station is in use. That light is connected by a
 21 USB port.
 22 "When Brian Mechler's phone was attached to the
 23 USB port, the ICX scanned the files on his phone and did
 24 not complain; although Dominion later showed the event was
 25 logged.

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1 "When a USB drive with files was inserted, the
 2 ICX sometimes complained and sometimes did not, apparently
 3 according to the contact of the USB drive and whether it
 4 was present when the ICX was first powered up or inserted
 5 later."
 6 Again, was this an issue that Mr. Watkins
 7 explained to you was a vulnerability, was the
 8 accessibility of ports on the Dominion system?
 9 A. It was.
 10 And furthermore, that was confirmed in the
 11 DEF CON 27 report, where hackers were able to access these
 12 USB drives without having to tamper or struggle with the
 13 machine. It was fairly accessible. So all of this
 14 corroborated Mr. Watkins' statement.
 15 (OAN Exhibit V was introduced.)
 16 Q. (By Mr. Rhodes) I'm going to show you what I
 17 marked as Exhibit V, as in Victor, and ask you if this is
 18 a report from the Pennsylvania secretary of state which
 19 Mr. Watkins provided you and which you reviewed while
 20 preparing "Dominion-izing the Vote."
 21 A. This is the document.
 22 Q. And you mentioned earlier, I believe, something
 23 about part of the problem with this CO -- commercial
 24 off-the-shelf, you said, included -- I think you mentioned
 25 Windows 10; is that right?

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1 A. Yes. A particularly vulnerable system, I
 2 understand, from those who hack for a living. They say
 3 that Windows 10 is one of the easier systems to hack into.
 4 Q. And I'm showing you Bates Number OAN 1229. And
 5 for the Dominion Voting Systems software, you see it's a
 6 running off Windows 10 as a commercially off-the-shelf
 7 software; correct?
 8 A. Correct.
 9 Q. And then there's all kinds of other unmodified
 10 commercially off-the-shelf products. On the next page,
 11 1230, virtually the whole page are unmodified commercially
 12 off-the-shelf products.
 13 Oh. And I see there's a -- there's a reference
 14 to the aerial fonts.
 15 A. Yes.
 16 Q. Did that strike any bells with you?
 17 A. Of course. That was actually one of the pieces
 18 of -- or one of the concerning elements for Mr. Watkins,
 19 was the fact that, in aerial, you have the capital letter
 20 I and the letter -- the lowercase letter L look exactly
 21 the same. So you could potentially write "Repubican"
 22 versus "Republican".
 23 The reason that is relevant is that you could,
 24 potentially, have marked President Donald J. Trump as
 25 "Repubican," and then the rest of the Republican

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1 candidates as "Republican," using the correct L.
 2 And that would have allowed for those Republican
 3 candidates to have registered -- their votes to have been
 4 registered, but Donald Trump's votes to have been,
 5 potentially, tossed aside, which would explain, as
 6 Mr. Watkins laid out for us, why, in some precincts,
 7 Donald Trump did not perform as well as the down-ballot
 8 ticking for the rest of the Republicans on the ballot.
 9 Q. So -- so Mr. Watkins' story was corroborated
 10 down to the font?
 11 A. Down to the font.
 12 Q. The next page, OAN 1231, I see we have
 13 commercial off-the-shelf. We have Dell, Dell, Dell, Dell,
 14 Dell, Dell, Canon, Canon --
 15 A. Right.
 16 Q. -- Dell, Dell, Dell, HP, HP, Dell, Dell, Dell,
 17 Dell, Dell, Dell; right?
 18 A. Right.
 19 Q. All things that Mr. Watkins told you was
 20 concerning to him?
 21 A. Correct.
 22 Q. And the same thing on page 1232; correct?
 23 A. Correct.
 24 Q. Mr. Watkins also provided you with the.
 25 Calhoun County, Michigan, ICC User Manual; correct?

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1 A. Yes, he did.
2 Q. I've marked that as Exhibit W.
3 (OAN Exhibit W was introduced.)
4 Q. (By Mr. Rhodes) All right. Can you see
5 Exhibit W?
6 A. Yes, I can.
7 Q. And turning to the second page, there's
8 instructions to open the file explorer, select "This PC."
9 This looks remarkably similar to the Windows folder
10 system; correct?
11 A. It does, yes. And, plus, there's the One Drive,
12 which also indicates it's a Microsoft system.
13 Q. Okay. Yeah. Oh. Okay.
14 Again, is this something that Mr. Watkins told
15 you, is that this system simply runs on a Windows file
16 system?
17 A. Yes. This was consistent with what he told us
18 and raised a red flag for him.
19 Q. Because anyone can just go in and move folders
20 around?
21 A. Correct. It's a matter of copy, pasting, or
22 clicking and dragging a folder from one spot to the next.
23 Q. And then, also, you mentioned the reference to
24 One Drive. What is One Drive?
25 A. One Drive is a cloud, I guess, storage system
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1 from Microsoft.
2 Q. So these systems are actually, in purpose, set
3 out -- designed to connect to the cloud?
4 A. Yes. You can't use One Drive without connecting
5 to the internet.
6 Q. So when Dominion says, Oh, they don't connect to
7 the internet, that -- that's not consistent with the
8 documents Mr. Watkins provided you, is it?
9 A. No, sir. That's right. Not consistent.
10 Q. You were asked whether or not you were --
11 whether you asked Mr. Oltmann for a copy of his notes. Do
12 you recall that?
13 A. Yes.
14 Q. Have you seen his notes?
15 A. Not before putting out this report.
16 Q. Have you since seen them?
17 A. I have.
18 Q. I'm going to show you what's previously been
19 marked as Plaintiff's Exhibit 29.
20 And in particular, I'm directing your attention
21 to the second page, where it says, quote, "Trump not going
22 to win. I made F-ing [sic] sure of that," closed quote.
23 If you had seen these notes prior to
24 broadcasting "Dominion-izing the Vote", would they have
25 change were changed your report in any way or --
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1 A. No, they would not have.
2 Q. Are these notes consistent with what Mr. Oltmann
3 told you?
4 A. Yes.
5 MR. CAIN: Form. Leading.
6 Q. (By Mr. Rhodes) You told Mr. Cain, I believe,
7 when he showed you -- well, here. We'll do it. We'll
8 pull up Exhibit 60.
9 I'm showing you Exhibit 60, which Mr. Cain
10 marked. This is Mr. Watkins' tweet on, it says,
11 November 3rd: "Ms. Chanel Rion just reached out to me,
12 and I'll be talking with her about Dominion tomorrow";
13 correct?
14 A. Correct.
15 Q. Well, I think you previously testified that you
16 were not aware of Mr. Oltmann or Mr. Coomer until on or
17 after the Michelle Malkin interview on November 13.
18 A. That's correct.
19 Q. So, I mean, did Mr. Oltmann send you to
20 Mr. Watkins?
21 A. No. I found Mr. Watkins before even -- I even
22 knew about Eric Coomer or even heard of Michelle Malkin's
23 interview.
24 Q. So you independently found Mr. Watkins and
25 independently determined his credibility. You did not
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1 rely on anything Mr. Oltmann told you?
2 A. Absolutely.
3 Q. You were asked about did you have contact with
4 the Trump Campaign, Rudy Giuliani, or Sidney Powell. And
5 you said, Yes, in connection with setting up interviews;
6 is that correct?
7 A. That's correct.
8 Q. I just want to clarify: Other than setting
9 up -- attempting -- attempting to set up or actually
10 setting up interviews in connection with
11 "Dominion-izing the Vote", did you have any other -- any
12 other contact with anybody from the Trump campaign,
13 Rudy Giuliani, or Sidney Powell?
14 A. I'm going to step outside for a quick second,
15 but I'm going to answer your question. Sorry.
16 So to answer your question, no. I -- I recall
17 setting up interviews. And oftentimes, over the course of
18 being a -- working as a journalist, I will often send
19 information to my interviewees either to confirm a fact or
20 to get their statement on it.
21 So that's the extent of other correspondences
22 you may have -- you may see from me to the Trump Campaign.
23 Q. Did -- did -- did anyone from the Trump Campaign
24 or Rudy Giuliani or Sidney Powell review
25 "Dominion-izing the Vote" before it aired?
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1 A. No.
2 Q. Did you share any portions of the script with
3 them?
4 A. No.
5 Q. Did they have any input into what went into it,
6 other than Mr. Giuliani appearing for a -- an interview?
7 A. No.
8 Q. You were asked whether or not Mr. Oltmann was a
9 conservative activist, and you said "Yes."
10 A. Yes.
11 Q. And then you were asked, Did that make a
12 difference to you? And you said, "Yes." What did you
13 mean by "Yes"?
14 A. I meant that, in confirming that Mr. Oltmann was
15 actually working to identify Antifa radical leftist
16 elements in his community and was an activist, in that he
17 was exposing journalists who had Antifa affiliations, this
18 made sense that he was conservative activist, and that
19 confirmed his bona fides, if you will, as an Antifa
20 exposé.
21 Q. Okay. You're not suggesting that merely because
22 he's conservative, he's credible?
23 A. Oh, no, no. That his conservatism confirmed
24 that he was, in fact, investigating or at least looking
25 into Antifa and trying to expose them -- a leftist

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1 organization or group.
2 Q. And you also mentioned in your examination by
3 Mr. Cain that you were familiar with conference calls or
4 Zoom calls by other leftist organizations; correct?
5 A. Correct. I believe -- I believe I -- I was
6 doing a story on the Sunrise Movement, for example. This
7 was a group of federal employees who were convening a
8 conference call.
9 And in these conference calls, they were
10 figuring out ways they could act out their rage and
11 create -- sow disorder and chaos in Washington, D.C. and
12 elsewhere.
13 Q. I'm going to show you what I've marked as
14 Exhibit X. And tell us what this is, please.
15 (OAN Exhibit X was introduced.)
16 Q. (By Mr. Rhodes) Let's hope you can see this,
17 because optimizing screen sharing does not come through.
18 (The video segment was played.)
19 Q. (By Mr. Rhodes) Could you hear that?
20 A. Yes.
21 Q. And what is that report?
22 A. That report was on leftist group that was
23 colluding on phone calls, conference calls. And they were
24 discussing ways to sow chaos and discord in
25 Washington, D.C. They were anti-Trump,

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1 Antifa-sympathizing anarchists.
2 Q. And that was prior to the election. I believe
3 that was on November 2nd; correct?
4 A. Yes. I believe that was one day before the
5 election.
6 Q. So when you heard that Mr. Oltmann said that
7 he'd infiltrated an Antifa call, was that -- did you find
8 that credible based upon your personal experience?
9 A. Yes. That was -- it did not seem unreasonable
10 that Antifa as a group was coming together and making
11 plans as a group.
12 Q. You also told Mr. Cain, I believe -- you
13 couldn't quite remember the name of it, but you had
14 reviewed an article -- I'm showing you Exhibit A -- in
15 Colorado Politics.
16 A. That's right.
17 Q. And this is, again, Mr. Oltmann stating that his
18 intent was to identify Antifa reporters long before any
19 information came out about Eric Coomer; correct?
20 A. Correct.
21 Q. You also said that you had looked into his
22 business -- by "his," I mean Mr. Oltmann's, business, the
23 PIN Business Network.
24 Let me show you what I've marked as Exhibit Y.
25 (OAN Exhibit Y was introduced.)

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1 MR. CAIN: And I'm going to renew my objection
2 that if you want to question her some more, we do it at a
3 later day. The Trump Campaign witness has now been
4 sitting for 42 minutes after we noticed his deposition.
5 So I would ask, Bernie, that you put a bookmark
6 in this, and we can deal with it later.
7 MR. RHODES: I'm almost done, if the network
8 will cooperate.
9 Q. (By Mr. Rhodes) Let's try this. I'm going to
10 show you my copy of what I'll represent to you is marked
11 as Exhibit Y. Do you see this?
12 A. Yes.
13 Q. From the P-I-N, PINbusinessnetwork.com, "Who Are
14 We?" And that's Mr. Oltmann as the president; correct?
15 A. Correct.
16 Q. And it goes on to show -- I don't know -- more
17 than 50 people?
18 A. Yes.
19 Q. Was that significant to you?
20 A. It was. It showed that Mr. Oltmann had -- had a
21 business, a legitimate business, that he was not likely to
22 throw away by stepping out and providing some kind of
23 story that he didn't feel comfortable sharing. It was
24 significant that he had a fairly established presence in
25 his community.

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1 Q. And I'll show you Exhibit Z. Hopefully this one
2 works better.
3 (OAN Exhibit Z was introduced.)
4 Q. (By Mr. Rhodes) What is Exhibit Z, Ms. Rion?
5 A. This is the press release showing Oltmann was
6 nominated, I guess, entrepreneur of the year. This
7 corroborated what had he told us. And this is actually a
8 press release I looked at.
9 Q. This is all research you did to assess
10 Mr. Oltmann's credibility?
11 A. Correct.
12 Q. So in addition to all the other information you
13 told us about Mr. Coomer and where you believe it was
14 Mr. Coomer who's "Eric from Dominion," you also came to
15 believe that Mr. Oltmann was credible?
16 A. Yes; that what he told us about his own
17 background was credible, and that his motives for sitting
18 in on this call were also -- they seemed to match up.
19 They were reasonable.
20 Q. You said that as part of your investigation into
21 Dr. Coomer, you reviewed the fact that he had six patents
22 and another six patent applications; correct?
23 A. Correct.
24 Q. I'm showing you Exhibit AA.
25 (OAN Exhibit AA was introduced.)

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1 Dominion voting machine over a weekend, what did you
2 believe that someone who had this knowledge of the
3 Dominion Voting Systems could do?
4 A. That he could -- someone with that kind of
5 background could access machines on a systemwide basis
6 and, certainly, adjust the gamma settings, adjust the
7 image settings, whatever it was that would set ballots
8 aside for adjudication.
9 That was something that was feasible considering
10 Dr. Coomer's background and invention of that actual
11 technology.
12 Q. You also told us that prior to your work in
13 preparing "Dominion-izing the Vote," you had seen
14 Kill Chain; correct?
15 A. Correct.
16 Q. The HBO documentary Kill Chain.
17 I want to play just a very short piece of that,
18 which I've marked as Exhibit AB.
19 (OAN Exhibit AB was introduced.)
20 Q. (By Mr. Rhodes) It starts at the beginning with
21 a little bit about ESS, and then it goes into Dominion.
22 (The video segment was played.)
23 Q. (By Mr. Rhodes) You had seen this documentary
24 prior to preparing "Dominion-izing the Vote"; correct?
25 A. I had.

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1 Q. (By Mr. Rhodes) Is this a listing that you
2 collected while preparing "Dominion-izing the Vote" of
3 Dr. Coomer's patents and patent applications?
4 A. Yes. The page that you're showing me is one of
5 them.
6 Q. Is one of them, yes.
7 So the first one, the patent is titled "Ballot
8 Adjudication and Voting System Utilizing Ballot Images";
9 correct?
10 A. That's right.
11 Q. And it shows the assignee is a Dominion Voting,
12 and one of the vendors is Eric Coomer?
13 A. Dominion Voting Incorporated.
14 Q. Okay. And then we keep going. Ballot
15 adjudication. Ballot adjudication.
16 "Ballot level security features for optical scan
17 voting machine capable of ballot image processing, secure
18 ballot printing, and ballot layout authentication and
19 verification."
20 A. Yes.
21 Q. "Systems for configuring voting machines,
22 docking devices for voting machines, warehouse support,
23 and asset traffic of voting machines."
24 A. Yes.
25 Q. If a group of hackers could play Pong on a

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1 Q. And they discussed a test they did in 2014.
2 I want to show you last -- I'm showing you
3 Exhibit AC.
4 THE REPORTER: Counsel, is it just me, or is
5 Ms. Rion frozen for everybody else?
6 MR. RHODES: She's frozen for me.
7 MR. CAIN: Yes. Me as well.
8 THE REPORTER: So she may have lost her
9 connection.
10 MR. RHODES: Let me see if I can call.
11 Sorry. You froze for a minute. We're almost
12 done. Can we just finish this right up?
13 You're froze again.
14 MR. ARRINGTON: Bernie, this is Barry.
15 Allow me to suggest that if she went from an
16 ethernet cord to wireless, that might have compromised the
17 bandwidth.
18 MR. RHODES: I think that Atlas must have
19 been -- so she went outside.
20 Let's go off the record a minute while I try to
21 reach her.
22 THE VIDEOGRAPHER: Going off the record. The
23 time is 4:55.
24 (Recess from 4:55 p.m. until 5:05 p.m.)
25 THE VIDEOGRAPHER: We are back on the record.

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1 The time is 5:05.
 2 (OAN Exhibit AC was introduced.)
 3 Q. (By Mr. Rhodes) Ms. Rion, I'm showing you what
 4 I've marked as Exhibit AC, which is the Sworn Declaration
 5 of Eric Coomer in this case. Do you see that?
 6 A. I do.
 7 Q. Dr. Coomer states that he was employed by
 8 Dominion Voting Systems, Inc., beginning in 2010, and as
 9 the director of product strategy and security from 2013
 10 until May 11 -- excuse me -- May 14, 2021. Do you see
 11 that?
 12 A. I see that.
 13 Q. So Dr. Coomer was responsible for Dominion's
 14 security in 2014, when the machine that was the subject of
 15 Kill Chain was hacked; correct?
 16 A. Yes.
 17 Q. Do you know why Dr. Coomer is no longer with
 18 Dominion?
 19 A. I don't know why.
 20 Q. Would you like to know why?
 21 A. I would.
 22 MR. RHODES: I have no further questions.
 23 Thank you.
 24 MR. CAIN: I don't need to restate my position.
 25 We need to get on to the other deposition. So we should

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1 conclude.
 2 THE VIDEOGRAPHER: Going off the record. The
 3 time is 5:07.
 4 MR. ARRINGTON: This is Barry Arrington on
 5 behalf of Michelle -- I'm sorry -- Sidney Powell. We
 6 would like our normal e-transcript.
 7 MR. RHODES: Chanel, you can go now. Thank you.
 8 MS. RION: Thank you.
 9 (Whereupon, the video record was concluded.)
 10 MR. RHODES: This is Bernie Rhodes. The same as
 11 before.
 12 THE REPORTER: Thank you.
 13 MR. QUINN: This is Don Quinn. We'll take the
 14 same copy.
 15 MR. ZAKHEM: This is John Zakhem. Same thing.
 16 Digital copy.
 17 THE REPORTER: Okay. Is there anybody else who
 18 would like a transcript?
 19 MS. HALL: Sara, I already emailed you.
 20 THE REPORTER: Yes. I have your order. Thank
 21 you, Ms. Hall.
 22 MS. HALL: Thank you.
 23 THE REPORTER: Okay. Thank you very much,
 24 everybody.
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1 * * * * *
 2 WHEREUPON, the foregoing deposition was
 3 concluded at 5:08 p.m. Total time on the record was
 4 4 hours and 22 minutes.
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1 I, CHANEL RION, the deponent in the above deposition,
 2 do hereby acknowledge that I have read the foregoing
 3 transcript of my testimony, and state under oath that it,
 4 together with any attached Amendment to Deposition pages,
 5 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 CHANEL RION
 12
 13 Subscribed and sworn to before me this _____ day of
 14 _____, 20____.
 15 My commission expires: _____.
 16
 17 _____
 18 NOTARY PUBLIC
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