

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

^ COURT USE ONLY ^

ERIC COOMER, Ph.D.,
Plaintiff,

Case Number 20CV34319

Courtroom 409

vs.

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

VIDEO-RECORDED REMOTE DEPOSITION OF
MICHELLE MALKIN

July 27, 2021

REMOTE APPEARANCES:
FOR THE PLAINTIFF:

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| <p>1 REMOTE APPEARANCES (Continued):</p> <p>2 FOR DEFENDANT SIDNEY POWELL & SIDNEY POWELL, P.C.:</p> <p>3 BARRY ARRINGTON, ESQ.</p> <p>4 Arrington Law Firm</p> <p>5 3801 East Florida Avenue, Suite 830</p> <p>6 Denver, Colorado 80210</p> <p>7 Telephone: 303-205-7870</p> <p>8 Email: barry@arringtonpc.com</p> <p>9 FOR DEFENDANT DONALD J. TRUMP FOR PRESIDENT, INC.:</p> <p>10 JOHN ZAKHEM, ESQ.</p> <p>11 BETH CHAMBERS, ESQ.</p> <p>12 Jackson Kelly, PLLC</p> <p>13 1099 Eighteenth Street, Suite 2150</p> <p>14 Denver, Colorado 80202</p> <p>15 Telephone: 303-390-0016</p> <p>16 Email: jszakhem@jacksonkelly.com</p> <p>17 beth.chambers@jacksonkelly.com</p> <p>18 FOR DEFENDANTS JOSEPH OLTSMANN, FEC UNITED, and</p> <p>19 SHUFFLING MADNESS MEDIA, INC. dba CONSERVATIVE DAILY:</p> <p>20 ANDREA M. HALL, ESQ.</p> <p>21 The Hall Law Office, LLC</p> <p>22 P.O. Box 2251</p> <p>23 Loveland, Colorado 80539</p> <p>24 Telephone: 970-419-8234</p> <p>25 Email: andrea@thehalllawoffice.com</p> <p>FOR DEFENDANT JAMES HOFT and TGP COMMUNICATIONS, LLC,</p> <p>dba THE GATEWAY PUNDIT:</p> <p>RANDY B. CORPORON, ESQ.</p> <p>Law Offices of Randy B. Corporon, P.C.</p> <p>2821 South Parker Road, Suite 555</p> <p>Aurora, Colorado 80014</p> <p>Telephone: 303-749-0062</p> <p>Email: rbc@corporonlaw.com</p> <p>FOR DEFENDANT MICHELLE MALKIN:</p> <p>GORDON A. QUEENAN, ESQ.</p> <p>Patterson Ripplinger, P.C.</p> <p>5613 DTC Parkway, Suite 400</p> <p>Greenwood Village, Colorado 80111</p> <p>Telephone: 303-741-4539</p> <p>Email: gqueenan@prpclegal.com</p> | <p>1 PURSUANT TO WRITTEN NOTICE and the appropriate rules</p> <p>2 of civil procedure, the video-recorded remote deposition</p> <p>3 of MICHELLE MALKIN, called for examination by Plaintiff,</p> <p>4 was taken via videoconference, commencing at 9:42 a.m. on</p> <p>5 July 27, 2021, before Sara A. Stueve, Registered</p> <p>6 Professional Reporter and Notary Public in and for the</p> <p>7 State of Colorado.</p> <p>8</p> <p>9 I N D E X</p> <p>10 EXAMINATION OF MICHELLE MALKIN: PAGE</p> <p>11 By Mr. Cain 8</p> <p>12 DEPOSITION EXHIBITS PAGE</p> <p>13 Exh 15 November 13, 2020, live-stream interview 36</p> <p>14 of Joe Oltmann by Michelle Malkin</p> <p>15 Exh 16 November 13, 2020, Setting the Record Straight: --</p> <p>16 Facts & Rumors</p> <p>17 Exh 17 November 28, 2020, Newsmax broadcast of 89</p> <p>18 Sovereign Nation with Michelle Malkin</p> <p>19 Exh 18 November 25, 2020, Setting the Record Straight: 71</p> <p>20 Facts & Rumors</p> <p>21 Exh 19 November 13, 2020, Michelle Malkin tweet 61</p> <p>22 re "Joe Oltmann (now banned on Twitter)"</p> <p>23 Exh 20 November 13, 2020, Michelle Malkin tweet 63</p> <p>24 of full Joe Oltmann interview</p> <p>25 Exh 21 November 13, 2020, Michelle Malkin 63</p> <p>Twitter reply, "What are they trying to hide?"</p> <p>Exh 22 November 15, 2020, Michelle Malkin tweet 80</p> <p>re "Dominion, Antifa & #EricCoomer," etc.</p> |
| <p>1 REMOTE APPEARANCES (Continued):</p> <p>2 FOR DEFENDANT ERIC METAXAS:</p> <p>3 MARGARET BOEHMER, ESQ.</p> <p>4 Gordon Rees Scully Mansukhani, LLP</p> <p>5 555 Seventeenth Street, Suite 3400</p> <p>6 Denver, Colorado 80202</p> <p>7 Telephone: 303-534-5160</p> <p>8 Email: mboehmer@grsm.com</p> <p>9 FOR DEFENDANTS CHANEL RION and HERRING NETWORKS, INC.,</p> <p>10 dba ONE AMERICA NEWS NETWORK:</p> <p>11 STEPHEN K. DEXTER, ESQ.</p> <p>12 BERNARD J. RHODES, ESQ.</p> <p>13 Lathrop GRM LLP</p> <p>14 1515 Wynkoop Street, Suite 600</p> <p>15 Denver, Colorado 80202</p> <p>16 Telephone: 720-931-3200</p> <p>17 Email: stephen.dexter@lathropgpm.com</p> <p>18 bernie.rhodes@lathropgpm.com</p> <p>19 ERIC P. EARLY, ESQ.</p> <p>20 Early Sullivan Wright Gizer & McRae, LLP</p> <p>21 6420 Wilshire Boulevard, Seventeenth Floor</p> <p>22 Los Angeles, California 90048</p> <p>23 Telephone: 323-301-4670</p> <p>24 Email: eearly@earlysullivan.com</p> <p>25 FOR DEFENDANT REPUBLIC:</p> <p>MICHAEL W. REAGOR, ESQ.</p> <p>Dymond • Reagor, PLLC</p> <p>8400 East Prentice Avenue, Suite 1040</p> <p>Greenwood Village, Colorado 80111</p> <p>Telephone: 303-734-3400</p> <p>Email: mreagor@drc-law.com</p> <p>Also Present:</p> <p>Dennis Clayton, Videographer</p> <p>Rebecca Dominguez, Veritext Case Manager</p> <p>Chanel Rion</p> <p>Abbie Frye</p> <p>Christopher Seerveld</p> <p>Bobby Herring</p> <p>Charles Herring</p> <p>Tom Quinn</p> <p>Lexi Christopher</p> | <p>1 I N D E X (Continued)</p> <p>2 DEPOSITION EXHIBITS PAGE</p> <p>3 Exh 23 November 16, 2020, Michelle Malkin tweet 87</p> <p>4 re Denver Business Owner: Dominion's</p> <p>Eric Coomer Is An Unhinged Sociopath, etc</p> <p>5 Exh 24 November 19, 2020, Michelle Malkin repost 87</p> <p>6 of Joe Oltmann interview</p> <p>7 Exh 25 Series of Signal text messages between 13</p> <p>8 Randy Corporon and Michelle Malkin</p> <p>9 Exh 26 November 25, 2020, email from Michelle Malkin 74</p> <p>10 to Pierce Sargeant</p> <p>11 re Sovereign Nation - Wednesday pretape -</p> <p>12 guests/contact info</p> <p>13 Exh 27 State of Colorado Uniform Voting Submission --</p> <p>14 Provider Narrative for Dec 4th PERC Meeting</p> <p>15 Exh 28 Affidavit of Joseph T Oltmann --</p> <p>16 Exh 29 Photos of handwritten notes --</p> <p>17 Exh 30 Newsmax retraction of Coomer coverage 122</p> |

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| <p>1 PROCEEDINGS</p> <p>2 * * * * *</p> <p>3 THE VIDEOGRAPHER: Good morning. We're going on</p> <p>4 the record at 10:04 a.m., Mountain Time, on July 27, 2021.</p> <p>5 Please note that microphones are sensitive and</p> <p>6 may pick up whispering, private conversations, and</p> <p>7 cellular interference. Please turn all off cell phones or</p> <p>8 place them away from the microphones, as they can</p> <p>9 interfere with the deposition audio.</p> <p>10 Audio and video recording will continue to take</p> <p>11 place unless all parties agree to go off the record.</p> <p>12 This is Media Number 1 of the video-recorded</p> <p>13 deposition of Michelle Malkin, taken by counsel for the</p> <p>14 Plaintiffs in the matter of Eric Coomer, Ph.D., v.</p> <p>15 Donald J. Trump for President, Inc., et al., filed in the</p> <p>16 District Court, District of Colorado -- District Court,</p> <p>17 Denver County, State of Colorado, Case Number</p> <p>18 2020CV034319.</p> <p>19 This deposition is being held remotely with all</p> <p>20 parties at various locations.</p> <p>21 My name is Dennis Clayton for the firm Myers</p> <p>22 Legal Video, and I am the videographer. The court</p> <p>23 reporter today is Sara Stueve from the firm Veritext Legal</p> <p>24 Solutions.</p> <p>25 I am not related to any party in this action,</p> <p style="text-align: right;">Page 6</p> | <p>1 MICHELLE MALKIN,</p> <p>2 having been first duly sworn to state the whole truth,</p> <p>3 testified as follows:</p> <p>4 MR. CAIN: Before the deposition started, we</p> <p>5 discussed and agreed amongst the lawyers that one</p> <p>6 objection by the defendants' lawyer would be sufficient to</p> <p>7 preserve objections by all defendants.</p> <p>8 I'm getting some feedback on the audio. I don't</p> <p>9 know what that is about, but hopefully it will correct</p> <p>10 itself.</p> <p>11 MR. ARRINGTON: So whoever Lexi Christopher is</p> <p>12 probably needs to mute.</p> <p>13 MR. CAIN: Okay.</p> <p>14 DIRECT EXAMINATION</p> <p>15 MR. CAIN:</p> <p>16 Q. Ma'am. state your full name for the record,</p> <p>17 please.</p> <p>18 A. Michelle Malkin.</p> <p>19 Q. Good morning, Ms. Malkin. My name is Charlie</p> <p>20 Cain. I introduced myself to you about eight minutes ago;</p> <p>21 right?</p> <p>22 A. Yes.</p> <p>23 Q. Let's jump right in.</p> <p>24 When did you first meet Joe Oltmann?</p> <p>25 A. I have -- he has recalled meeting me, but I</p> <p style="text-align: right;">Page 8</p> |
| <p>1 nor am I financially interested in the outcome.</p> <p>2 Because of the large number of participants,</p> <p>3 counsel and everyone attending remotely will place their</p> <p>4 appearances and affiliations for the record on --in the</p> <p>5 chat room and will be reflected on the transcript.</p> <p>6 The court reporter has a brief statement and</p> <p>7 then will swear in the witness.</p> <p>8 THE REPORTER: Thank you, Dennis.</p> <p>9 The attorneys participating in this deposition</p> <p>10 acknowledge that I am not physically present in a</p> <p>11 deposition room and that I will be reporting this</p> <p>12 deposition remotely.</p> <p>13 They further acknowledge that, in lieu of an</p> <p>14 oath administered in person, the witness will verbally</p> <p>15 declare her testimony in this matter is given under</p> <p>16 penalty of perjury.</p> <p>17 The parties and their counsel consent to this</p> <p>18 arrangement and waive any objections to this manner of</p> <p>19 reporting.</p> <p>20 If there are any objections to this matter of</p> <p>21 reporting, please state them at this time.</p> <p>22 Hearing none, Ms. Malkin, will you raise your</p> <p>23 right hand, please.</p> <p>24 //</p> <p>25 //</p> <p style="text-align: right;">Page 7</p> | <p>1 don't remember it, years ago at an event.</p> <p>2 Q. Okay. Your audio is cutting out. You said</p> <p>3 that -- and respond again? I didn't hear what you said.</p> <p>4 A. I said that he recalled meeting me years ago at</p> <p>5 a book event, and I did not recall it.</p> <p>6 Q. Okay. When do you recall first meeting</p> <p>7 Joe Oltmann?</p> <p>8 A. I don't recall having met him before the</p> <p>9 interview that we did. I meet a lot of people. I knew</p> <p>10 about him, but I don't recall exactly when I first met</p> <p>11 him.</p> <p>12 Q. Okay. Did you speak at a July 20, 2020, rally</p> <p>13 in Denver that Mr. Oltmann also attended?</p> <p>14 THE REPORTER: Counsel, your audio is also</p> <p>15 cutting out. I'm concerned that this deposition is going</p> <p>16 to be difficult until we resolve this audio issue.</p> <p>17 MR. CAIN: All right. Let's go off the record.</p> <p>18 THE VIDEOGRAPHER: Going off the record. The</p> <p>19 time is 10:09.</p> <p>20 (Recess from 10:09 a.m. until 10:13 a.m.)</p> <p>21 THE VIDEOGRAPHER: We're back on record. The</p> <p>22 time is 10:13.</p> <p>23 Q. (By Mr. Cain) Okay. Ms. Malkin, when we went</p> <p>24 off, we were talking about whether you recalled being at</p> <p>25 this July 20th rally in Denver with Mr. Oltmann.</p> <p style="text-align: right;">Page 9</p> |

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| <p>1 Do you recall anything about that?</p> <p>2 A. I'd have to know more about which rally that</p> <p>3 was. I attended several rallies during the summer. It</p> <p>4 was --</p> <p>5 Q. Okay. It -- it was a pro-police rally in Denver</p> <p>6 on July 20th.</p> <p>7 A. I don't recall seeing him there. I saw a lot of</p> <p>8 people. But I did attend that rally, yes.</p> <p>9 Q. When's the first time that you recall actually</p> <p>10 speaking to Mr. Oltmann then?</p> <p>11 A. At the interview that I did with him. I spoke</p> <p>12 with him at length during that interview.</p> <p>13 Q. Were you a listener to his podcast, The</p> <p>14 Conservative Daily, before you interviewed him?</p> <p>15 A. No.</p> <p>16 Q. Had you spoken at any FEC United functions prior</p> <p>17 to the interview?</p> <p>18 A. No.</p> <p>19 Q. Are you a member of that organization?</p> <p>20 A. I am not.</p> <p>21 Q. Were you aware of Mr. Oltmann's efforts to</p> <p>22 infiltrate Antifa prior to the interview he gave?</p> <p>23 A. Nope.</p> <p>24 Q. How did it come to be that he ended up on your</p> <p>25 live stream?</p> <p style="text-align: right;">Page 10</p> | <p>1 A. I listened to snippets of the podcast.</p> <p>2 Q. Was this a podcast relating to Eric Coomer?</p> <p>3 A. It was on election integrity issues. I can't</p> <p>4 recall specifically if he had mentioned Eric Coomer in the</p> <p>5 snippets that I had listened to.</p> <p>6 Q. Okay. So Mr. Corporon contacts you, says that</p> <p>7 you need to follow what Mr. Oltmann is doing regarding</p> <p>8 election integrity.</p> <p>9 You then followed Mr. Oltmann on Twitter, saw</p> <p>10 some snippets from his Twitter account, and listened to</p> <p>11 some snippets, as you put it, on Mr. Oltmann's podcast; is</p> <p>12 that correct?</p> <p>13 A. Correct.</p> <p>14 Q. Do you -- do you text with Mr. Corporon? You</p> <p>15 mentioned a Signal account.</p> <p>16 A. I have --</p> <p>17 Q. Do you text with him?</p> <p>18 A. I have texted with him, yes.</p> <p>19 Q. Okay. I want to share my screen with you,</p> <p>20 Ms. Malkin. There's going to be some exhibits that I've</p> <p>21 already premarked. We're running these -- these exhibits</p> <p>22 sequentially, so we have some exhibits that were already</p> <p>23 marked in Ms. Powell's deposition.</p> <p>24 We're going -- we're going to pick up</p> <p>25 numerically from there, just so counsel knows.</p> <p style="text-align: right;">Page 12</p> |
| <p>1 A. I was contacted by a friend of mine,</p> <p>2 Randy Corporon. And then I followed him on Twitter. He</p> <p>3 was banned on Twitter the night before my live stream</p> <p>4 interview the next morning.</p> <p>5 Q. Mr. -- you mentioned Mr. Corporon. How do you</p> <p>6 know him?</p> <p>7 A. We travel in the same political circles. I have</p> <p>8 been on his radio show many time -- many times over</p> <p>9 the years.</p> <p>10 Q. When did he contact you about Mr. Oltmann?</p> <p>11 A. He said I should pay attention to his reporting</p> <p>12 on election integrity.</p> <p>13 Q. Was this in a phone call?</p> <p>14 A. It was initially by a -- a Signal message, and</p> <p>15 then I believe I had a short, brief conversation with him</p> <p>16 the next day.</p> <p>17 Q. What do you remember about that conversation?</p> <p>18 A. He told me that Joe Oltmann had done a podcast</p> <p>19 and that I should listen to it, and that I should explore</p> <p>20 more about what he had been reporting on.</p> <p>21 Q. Did you listen to the podcast?</p> <p>22 A. I saw some snippets of information that he had</p> <p>23 put up on Twitter, and I followed his Twitter account</p> <p>24 before it was suspended the day before my interview.</p> <p>25 Q. My question was, did you listen to the podcast?</p> <p style="text-align: right;">Page 11</p> | <p>1 The next exhibit that has been marked -- and</p> <p>2 it's in the marked exhibit folder -- is Exhibit 15. I've</p> <p>3 premarked Exhibit 15 through 30.</p> <p>4 And, Ms. Malkin, just for ease, I'm going to --</p> <p>5 I'm going to share my screen so that you can -- you can</p> <p>6 follow along at home.</p> <p>7 All right. Do you see what I'm seeing, which is</p> <p>8 Exhibit 25 to your deposition?</p> <p>9 (Exhibit Number 25 was introduced.)</p> <p>10 A. Yes.</p> <p>11 Q. (By Mr. Cain) This is a series of text messages</p> <p>12 that you produced; correct?</p> <p>13 A. These, I believe, are Signal. This is Signal.</p> <p>14 Q. Okay.</p> <p>15 A. So yes. I mean, it's a text message, yes.</p> <p>16 Q. Text through Signal.</p> <p>17 A. Correct.</p> <p>18 Q. All right. So you had Mr. Corporon's Signal</p> <p>19 account, like you mentioned, and on Thursday, November 12,</p> <p>20 at 12:57 p.m., it appears Mr. Corporon is sending you</p> <p>21 Joe Oltmann's contact information; is that correct?</p> <p>22 A. Correct.</p> <p>23 Q. And this would have been after your discussion</p> <p>24 with Mr. Corporon about following or paying attention to</p> <p>25 Mr. Oltmann; right?</p> <p style="text-align: right;">Page 13</p> |

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| <p>1 A. I don't remember if it was before or after.</p> <p>2 Q. Okay. At or around the same time; fair?</p> <p>3 A. Yes. Uh-huh.</p> <p>4 Q. Okay.</p> <p>5 A. Yes.</p> <p>6 Q. And when did -- when did Mr. Oltmann ultimately</p> <p>7 go on your -- your live stream?</p> <p>8 A. It was a little bit after 10:00 in the morning</p> <p>9 the next day, Friday, November 13th.</p> <p>10 Q. Okay. So as of Thursday, November 12th, is</p> <p>11 there any other biographical information you knew about</p> <p>12 Mr. Oltmann other than what you've described to this</p> <p>13 point?</p> <p>14 MR. QUEENAN: Object to form.</p> <p>15 Q. (By Mr. Cain) And, Ms. Malkin, I don't know if</p> <p>16 you know this -- this process, but there will be</p> <p>17 objections occasionally to preserve the record. Unless</p> <p>18 your counsel instructs you not to answer the question,</p> <p>19 that's just to preserve the objection for the Court.</p> <p>20 You still need to respond to the question unless</p> <p>21 you don't understand it and I'll -- I'll --</p> <p>22 MR. QUEENAN: And, Ms. Malkin, in the future if</p> <p>23 I object, I'll say you can answer or can't answer.</p> <p>24 So you can answer.</p> <p>25 THE WITNESS: Okay.</p> <p style="text-align: right;">Page 14</p> | <p>1 Q. Do you to still have those emails?</p> <p>2 A. I produced the emails, yes.</p> <p>3 Q. All right. Tell me what you learned from having</p> <p>4 a conversation, either through emails or otherwise, with</p> <p>5 Mr. Oltmann about what he was coming on your live stream</p> <p>6 to do or say.</p> <p>7 MR. QUEENAN: Object to form.</p> <p>8 You can answer.</p> <p>9 A. So I knew that he had been banned from Twitter,</p> <p>10 and I knew that he had been covering an angle related to</p> <p>11 Dominion Voting Systems, base -- which is a company based</p> <p>12 here in Colorado.</p> <p>13 Q. (By Mr. Cain) Okay. Anything else?</p> <p>14 A. That's what I recall.</p> <p>15 Q. Well, didn't you discuss with him what he was</p> <p>16 going to be talking about on your live stream before you</p> <p>17 went on?</p> <p>18 A. So this was essentially breaking news, because</p> <p>19 he had been banned on Twitter, and whatever information</p> <p>20 that he had been sharing, I was not privy to.</p> <p>21 And so I wanted to give him a platform to talk</p> <p>22 about what it is he knew that had caused him to be banned.</p> <p>23 Q. Okay. That -- that's the point of my question,</p> <p>24 ma'am. What did he tell you before he went on your live</p> <p>25 stream that he was going to talk about that caused him to</p> <p style="text-align: right;">Page 16</p> |
| <p>1 A. Sure. I knew that he was a local businessman, I</p> <p>2 knew that he was tech savvy, and I knew that he was a</p> <p>3 philanthropist and a grassroots conservative organizer who</p> <p>4 had been prominent in opposing the lockdowns here in</p> <p>5 Colorado, supporting the police, supporting local</p> <p>6 businesses, and religious liberty.</p> <p>7 Q. (By Mr. Cain) Okay. So someone that shared</p> <p>8 your political and philosophical views; fair?</p> <p>9 A. Yeah --</p> <p>10 MR. QUEENAN: Object to form.</p> <p>11 You can answer.</p> <p>12 A. Yes.</p> <p>13 Q. (By Mr. Cain) So after you received this</p> <p>14 contact information, did you reach out to Mr. Oltmann</p> <p>15 directly?</p> <p>16 A. Yes, but not immediately.</p> <p>17 Q. Okay. Tell me what you recall.</p> <p>18 A. I reached out to schedule a live stream</p> <p>19 interview with him, and it was after he had been banned</p> <p>20 from Twitter.</p> <p>21 Q. Okay. So you had a telephone discussion with</p> <p>22 Mr. Oltmann before he got on your live stream; true?</p> <p>23 A. I can't recall if it was a telephone</p> <p>24 conversation, but I know that I communicated with him by</p> <p>25 email.</p> <p style="text-align: right;">Page 15</p> | <p>1 be banned on Twitter?</p> <p>2 A. So I did not have an extensive preinterview with</p> <p>3 him, because I did not know what he knew. It was</p> <p>4 essentially a breaking live news story, similar to many of</p> <p>5 the previous live streams that I had broadcast throughout</p> <p>6 the election season.</p> <p>7 MR. CAIN: Objection. Nonresponsive.</p> <p>8 Q. (By Mr. Cain) Let -- let me ask you this way.</p> <p>9 Did you know before he came on your live stream that he</p> <p>10 was going to discuss a so-called Antifa conference call</p> <p>11 where he identified Eric Coomer as being someone who made</p> <p>12 a statement regarding fixing or rigging the 2020</p> <p>13 presidential election?</p> <p>14 A. I did not know what he was going to talk about.</p> <p>15 He did send me two zip files related to screenshots of</p> <p>16 Facebook posts that were posted, he says, by Eric Coomer,</p> <p>17 and that was the main focus and thrust of the interview.</p> <p>18 And we walked --</p> <p>19 Q. Okay. So you -- pardon me, ma'am. I'm sorry.</p> <p>20 A. And that's what we walked through on the live</p> <p>21 stream.</p> <p>22 Q. Okay. So you received from Mr. Oltmann zip</p> <p>23 files that contained private Facebook messages; is that</p> <p>24 correct?</p> <p>25 MR. QUEENAN: Object to form.</p> <p style="text-align: right;">Page 17</p> |

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| <p>1 You can answer.</p> <p>2 A. He sent me zip files just as we were going to</p> <p>3 air, and they were Facebook messages that he attributed to</p> <p>4 Eric Coomer.</p> <p>5 Q. (By Mr. Cain) Okay. And did he tell you that</p> <p>6 this -- these Facebook messages were from a private</p> <p>7 account?</p> <p>8 MR. QUEENAN: Object to form and foundation.</p> <p>9 You can answer.</p> <p>10 A. He mentioned that they were from a Facebook</p> <p>11 account that was Eric Coomer's. And he mentioned in the</p> <p>12 interview, which there was a transcript of, that he had</p> <p>13 obtained them, he says, legally.</p> <p>14 MR. ZAKHEM: Are we still looking at this</p> <p>15 exhibit? Can we take that down, Counsel?</p> <p>16 MR. CAIN: Yeah. We're going to look at it in a</p> <p>17 little more depth.</p> <p>18 Q. (By Mr. Cain) Ms. Malkin, did you know before</p> <p>19 Mr. Oltmann came on your live stream whether or not the</p> <p>20 Facebook account messages were private or public? Did you</p> <p>21 know one way or the other?</p> <p>22 A. No.</p> <p>23 Q. And it's your sworn testimony that Mr. Oltmann</p> <p>24 did not, prior to appearing on your show, disclose to you</p> <p>25 that he was going to be talking about Mr. Coomer allegedly</p> <p style="text-align: right;">Page 18</p> | <p>1 A. No.</p> <p>2 Q. Going back to Exhibit 25, just building the</p> <p>3 timeline, this was on Thursday when you got Mr. Oltmann's</p> <p>4 contact information. Bookmark that for a second, since</p> <p>5 I'm just going to go sequentially on what you produced to</p> <p>6 us.</p> <p>7 The second page of this exhibit is a text or</p> <p>8 Signal text from someone named Lauren. It says: "Hey</p> <p>9 Michelle it's Lauren (previously from Hannity Radio). I</p> <p>10 am working with Sidney Powell and Don Brown</p> <p>11 (Clint Lorange's atty). We saw your interview with</p> <p>12 Joe Oltmann - absolutely incredible. They'd like to get a</p> <p>13 signed affidavit from Joe about Coomer and use his info in</p> <p>14 their federal complaint. Is there any way you can put us</p> <p>15 in touch?"</p> <p>16 Did I read that correctly?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. So this is obviously after the live</p> <p>19 stream occurred. Who is this Lauren that you were</p> <p>20 exchanging texts with?</p> <p>21 A. Lauren McLaughlin is a former producer for the</p> <p>22 Hannity radio show, and I believe at one time the TV show,</p> <p>23 who had booked for him and used to book interviews that I</p> <p>24 did for Hannity radio and, I believe, TV.</p> <p>25 Q. Okay. And at the time that you were exchanging</p> <p style="text-align: right;">Page 20</p> |
| <p>1 being on an Antifa conference call?</p> <p>2 A. I can't remember whether he mentioned that to me</p> <p>3 prior to our going live on air.</p> <p>4 Q. Well, what did you think he was coming on to</p> <p>5 say?</p> <p>6 A. I knew that he had been discussing Dominion</p> <p>7 Voting Systems, which is based here in Colorado, as a</p> <p>8 story of local interest. And because of everything that</p> <p>9 had happened postelection, I wanted to give him a platform</p> <p>10 to tell my audience exactly what he knew about it and why</p> <p>11 Eric Coomer's role might be of concern.</p> <p>12 I didn't know exactly what he was going to tell</p> <p>13 me, because after I had followed him on Twitter the day</p> <p>14 before, his account was deleted -- or rather -- let me</p> <p>15 amend that. He had been suspended from Twitter,</p> <p>16 permanently suspended.</p> <p>17 Q. I gotcha.</p> <p>18 So your testimony is you -- you really didn't</p> <p>19 have a specific idea of what Mr. Oltmann was going to say</p> <p>20 on your live stream before he came on; fair?</p> <p>21 A. Well, I assumed that he wanted to talk about the</p> <p>22 Facebook posts, because he sent two zip files of them as</p> <p>23 we were going to air.</p> <p>24 Q. Did he send you anything else besides the</p> <p>25 Facebook posts, ma'am?</p> <p style="text-align: right;">Page 19</p> | <p>1 these messages, who -- do you know who she was working</p> <p>2 with or for?</p> <p>3 A. Not until she told me. The last time I had any</p> <p>4 contact with her, as she mentioned, is the Clint Lorange</p> <p>5 case, which was a soldier who had been wrongfully</p> <p>6 convicted and then was released.</p> <p>7 Q. All right. Did you follow up with</p> <p>8 Ms. McLaughlin, putting them in touch; Joe Oltmann on the</p> <p>9 one hand, and Ms. McLaughlin on the other?</p> <p>10 A. I did.</p> <p>11 Q. What did you do?</p> <p>12 A. Gave the contact information from one to the</p> <p>13 other.</p> <p>14 Q. And that was the extent of it?</p> <p>15 A. Yep.</p> <p>16 Q. All right.</p> <p>17 On Sunday the 15th, this would have been</p> <p>18 two days after the live stream -- I don't have the full</p> <p>19 text. This is how it was produced to us. It looks like</p> <p>20 you're saying about "Connecting you with Joe ASAP." That</p> <p>21 means Joe Oltmann, as you just testified.</p> <p>22 "And I'll email one of his zip files. He has</p> <p>23 tons of screenshots and documents. Stand" -- I assume you</p> <p>24 said stand by.</p> <p>25 Did you send that information to Lauren</p> <p style="text-align: right;">Page 21</p> |

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| <p>1 McLaughlin?</p> <p>2 A. Yes.</p> <p>3 Q. And the information that you sent included</p> <p>4 screenshots, but you referenced documents. What -- what</p> <p>5 documents did you send Ms. McLaughlin?</p> <p>6 A. No documents. I think I just meant the --</p> <p>7 whatever was in the -- the zip file.</p> <p>8 Q. Okay. Which, as you recall, were the -- just</p> <p>9 the screenshots of the Facebook page?</p> <p>10 A. Right. Correct.</p> <p>11 Q. This goes on to say -- again, it's cut off, but</p> <p>12 this is what we have to work with: "Record his call with</p> <p>13 Antifa when Joe said he's taking care of the election;</p> <p>14 right? I couldn't tell if" -- and then it's cut off</p> <p>15 again.</p> <p>16 Do you recall what the exchange was here?</p> <p>17 A. I believe she was asking me did I know if</p> <p>18 Joe Oltmann had recorded the phone call.</p> <p>19 Q. Okay. Did you know that information as of the</p> <p>20 15th?</p> <p>21 A. No.</p> <p>22 Q. So you didn't -- you didn't ask Mr. Oltmann</p> <p>23 either during his live stream or during the preinterview</p> <p>24 process or any time thereafter whether he had a recording</p> <p>25 of this supposed Antifa conference call; is that true?</p> <p style="text-align: right;">Page 22</p> | <p>1 Q. (By Mr. Cain) My question was --</p> <p>2 MR. QUEENAN: That's not nonresponsive. That is</p> <p>3 responsive.</p> <p>4 MR. CAIN: Well, that's not a -- that's an</p> <p>5 improper sidebar, Gordon. I'm making an objection for the</p> <p>6 record.</p> <p>7 MR. QUEENAN: You're making an improper</p> <p>8 objection. She's responding to your question. The fact</p> <p>9 that you don't like her answer doesn't make it</p> <p>10 nonresponsive.</p> <p>11 MR. CAIN: Well, if we're going to play it that</p> <p>12 way with the sidebars, then -- then so be it, Gordon. But</p> <p>13 I'm going to object for the record just like you will.</p> <p>14 Don't comment on my objections. If you don't like any of</p> <p>15 my objections --</p> <p>16 MR. QUEENAN: I just ask that you be respectful</p> <p>17 to me and the witness. That's all I'm asking.</p> <p>18 MR. CAIN: I'm being respectful. I'm making my</p> <p>19 objection as I see fit.</p> <p>20 MR. QUEENAN: That's fine.</p> <p>21 Q. (By Mr. Cain) So, ma'am, did you think to ask</p> <p>22 him about whether there was a recording of this call or</p> <p>23 not?</p> <p>24 A. I did not.</p> <p>25 Q. You -- you mentioned that Mr. Oltmann was tech</p> <p style="text-align: right;">Page 24</p> |
| <p>1 A. You asked me two different questions.</p> <p>2 I did not ask him if he had recorded the phone</p> <p>3 call.</p> <p>4 Q. And you didn't think that was an important</p> <p>5 question to ask --</p> <p>6 MR. QUEENAN: Can I just (unintelligible) really</p> <p>7 quick?</p> <p>8 You mentioned that that text message is</p> <p>9 incomplete. I think the full version of that text message</p> <p>10 is Malkin Text 9.</p> <p>11 So to the extent that's helpful, we -- we did</p> <p>12 produce that full text message.</p> <p>13 MR. CAIN: Okay. Thank you, Gordon.</p> <p>14 Q. (By Mr. Cain) Ma'am, let's go back to my</p> <p>15 question. Did you ever ask Mr. Oltmann if he had a</p> <p>16 recording of the Antifa conference call?</p> <p>17 A. I did not.</p> <p>18 Q. And you didn't think that was important in terms</p> <p>19 of corroborating his version of this call?</p> <p>20 A. During the live stream, he described the phone</p> <p>21 call, and we then proceeded to go into detail about the</p> <p>22 Facebook screenshots.</p> <p>23 If he had a recording of the phone call, I</p> <p>24 think, at the time, he probably would have released it.</p> <p>25 MR. CAIN: Objection. Nonresponsive.</p> <p style="text-align: right;">Page 23</p> | <p>1 savvy. Would you have expected him, if he was going to</p> <p>2 crash an Antifa conference call, to record it?</p> <p>3 MR. QUEENAN: Object to form.</p> <p>4 You can answer.</p> <p>5 A. You'd have to ask him about that.</p> <p>6 Q. (By Mr. Cain) You didn't find that curious</p> <p>7 yourself?</p> <p>8 A. Not in the context of him explaining why he was</p> <p>9 on the call in the first place, which he --</p> <p>10 Q. Right.</p> <p>11 A. -- went into detail in on my interview. He</p> <p>12 initially did not go on to that phone call thinking that</p> <p>13 there was going to be somebody of import to the election</p> <p>14 at the time, because he was investigating something</p> <p>15 entirely different.</p> <p>16 So, you know, unless he had some sort of magic</p> <p>17 ball, he -- he -- it wouldn't have occurred to him to --</p> <p>18 to do that. But, again, ask him about that, not me.</p> <p>19 Q. Well, I'm going to ask you what you know, and</p> <p>20 what you know seems to be from him. So let's -- let's</p> <p>21 continue this line of questioning.</p> <p>22 Did you talk to him before he went on your live</p> <p>23 stream about how he was able to access this Antifa</p> <p>24 conference call?</p> <p>25 A. I did not.</p> <p style="text-align: right;">Page 25</p> |

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| <p>1 Q. Did you ever ask him if he had credentials to 2 access it or if he used a conduit to get on to the call?</p> <p>3 A. What I --</p> <p>4 MR. QUEENAN: Object to form.</p> <p>5 You can answer.</p> <p>6 A. What I knew about how he came on to the phone 7 call, what he was doing there, what he discovered, and why 8 he realized it was important only became clear to me as we 9 were doing the interview. That was the reason for doing 10 the interview in the first place.</p> <p>11 Q. (By Mr. Cain) So I'm scrolling down just to try 12 to get through this exhibit. This is some more of your 13 email chain with Ms. McLaughlin. It looks like she 14 provided you with her Gmail account so you could send the 15 information you had gotten from Mr. Oltmann; is that true?</p> <p>16 MR. QUEENAN: Object to form.</p> <p>17 A. Yes.</p> <p>18 Q. (By Mr. Cain) Okay. And here's what your 19 counsel was talking about. This is the full message from 20 Ms. McLaughlin.</p> <p>21 All right. And I went through that just to get 22 back to your communications with Mr. Oltmann.</p> <p>23 We saw earlier, you got the -- the contact 24 information from Mr. Corporon on the 12th, sometime 25 shortly after noon, and then looks like later on the 12th,</p> <p style="text-align: right;">Page 26</p> | <p>1 Q. (By Mr. Cain) Do you -- as of this period of 2 time on November 13th, do you -- do you have any 3 recollection as to why Twitter was suspending accounts 4 such as Mr. Oltmann's?</p> <p>5 A. In general, my recollection is that many users 6 who were tweeting about election integrity were getting 7 suspended or banned.</p> <p>8 Q. And you know it was because -- or Twitter has 9 said that it's because the information that was being 10 disseminated by these Twitter account holders was either 11 misinformation, disinformation, or flat false.</p> <p>12 You know that; right?</p> <p>13 A. Yes --</p> <p>14 MR. QUEENAN: Object to form and foundation.</p> <p>15 A. Yes, I do.</p> <p>16 Q. (By Mr. Cain) So Mr. Oltmann goes on to say 17 that Twitter suspended his account, and that he filed an 18 affidavit with the Trump administration, and the death 19 threat's rolled in.</p> <p>20 Let me -- let me pause there. Had you, at this 21 point, had any communications with anyone with the Trump 22 campaign regarding election integrity issues?</p> <p>23 A. No.</p> <p>24 Q. Do you know whether Ms. McLaughlin was working 25 for the Trump campaign?</p> <p style="text-align: right;">Page 28</p> |
| <p>1 at 1:55 p.m., Mr. Oltmann kind -- is in touch with you. 2 Is that -- is that how it happened?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. So 1:55 the day before the live stream: 5 "Hi, Michelle. This is Joe Oltmann. Hoping to connect 6 with you at some point. I'm not usually the public person 7 but the calls and emails are pouring in."</p> <p>8 It looks like then you respond: "Hi, Joe." 9 This is the afternoon before the live stream. "Great work 10 you are doing. Let's touch base tomorrow. If you are up 11 for a live stream in the afternoon, that would be great."</p> <p>12 And then it doesn't look like, and -- and 13 correct me if this -- if your memory is different, but it 14 doesn't look like you got confirmation that Mr. Oltmann 15 would appear on your live stream until early in the 16 morning of Friday, November 13th; is that correct?</p> <p>17 A. Yes.</p> <p>18 Q. So this was a fairly precipitous booking on to 19 your live stream. Is that a fair characterization?</p> <p>20 MR. QUEENAN: Object -- I apologize. Object to 21 form.</p> <p>22 A. Yes. So as I stated, it was the suspension of 23 his Twitter account that raised the news urgency of having 24 him on my show to talk about what it is that got him 25 suspended.</p> <p style="text-align: right;">Page 27</p> | <p>1 A. No.</p> <p>2 Q. Had you had any discussions with either 3 Ms. Sidney Powell or Mr. Giuliani as of this point in time 4 regarding election integrity issues?</p> <p>5 A. No.</p> <p>6 MR. QUEENAN: Object to form.</p> <p>7 A. No.</p> <p>8 Q. (By Mr. Cain) Okay. So Mr. Oltmann confirm -- 9 confirms that he'll be a guest on your live stream, it 10 appears, early that morning. Again, around 4:43 a.m. And 11 then at 6:21 -- this is your response; right?</p> <p>12 A. Correct.</p> <p>13 Q. Okay.</p> <p>14 "Very crazy. Thanks for standing up. Can you 15 do a live stream at 10:00 a.m.?"</p> <p>16 "Yes, I can."</p> <p>17 "Okay, great. I use a platform called 18 StreamYard."</p> <p>19 And then you go into, essentially, the nuts and 20 bolts of how to do the live stream; right?</p> <p>21 A. Correct.</p> <p>22 Q. So is it -- is it fair to say that at this 23 point, you really hadn't had the time to thoroughly vet 24 Mr. Oltmann's story as to what he was going to come on to 25 your live stream to say. Is that true?</p> <p style="text-align: right;">Page 29</p> |

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| <p>1 MR. QUEENAN: Object to form.</p> <p>2 A. Yes. Whatever information I could have gleaned</p> <p>3 the night before or the morning of, I was denied that</p> <p>4 information because his Twitter account was nuked.</p> <p>5 Q. (By Mr. Cain) Okay. And just to be clear, did</p> <p>6 you have an inkling that part of what Mr. Oltmann was</p> <p>7 coming on your live stream to talk about included this</p> <p>8 person named Eric Coomer, who worked for Dominion Voting</p> <p>9 Systems?</p> <p>10 A. In general, yes.</p> <p>11 Q. Okay. And did you -- prior to this point in</p> <p>12 time, had you heard of Mr. Coomer?</p> <p>13 A. Prior to the election, or prior to the -- the --</p> <p>14 Q. Your live stream.</p> <p>15 A. I believe his -- I believe I had seen the name</p> <p>16 the day before on Twitter.</p> <p>17 Q. Okay. On -- do you remember the account?</p> <p>18 A. No. I -- I follow thousands of people on</p> <p>19 Twitter.</p> <p>20 Q. Right. And you have, what, two million</p> <p>21 followers on your Twitter account?</p> <p>22 A. Something like that, yes.</p> <p>23 Q. As of this point in time that we're talking</p> <p>24 about, November of 2020, just after the election, you had</p> <p>25 around two million followers; true?</p> <p style="text-align: right;">Page 30</p> | <p>1 I did not think of -- I -- I did not think one</p> <p>2 way or another about whether he was a private or public</p> <p>3 figure.</p> <p>4 Q. Okay. Do you have a -- a belief one way or the</p> <p>5 other as you sit here, as of the time of your live stream,</p> <p>6 did you consider him to be a public figure, Mr. Coomer?</p> <p>7 MR. QUEENAN: Object to form and foundation.</p> <p>8 A. I considered him to be a figure of public</p> <p>9 interest, which is why I held the live stream in the first</p> <p>10 place.</p> <p>11 Q. (By Mr. Cain) Well, we -- we looked at the lead</p> <p>12 up to this, and it appears from your timestamps on your</p> <p>13 emails that you confirmed that Mr. Oltmann would appear on</p> <p>14 your live stream about three and a half hours before</p> <p>15 you -- you went live.</p> <p>16 Is that accurate, just temporally?</p> <p>17 A. Sure.</p> <p>18 Q. Okay. And then you had received shortly before</p> <p>19 the live stream a -- a group of Facebook screenshots.</p> <p>20 Had you talked to Mr. Oltmann before he went on</p> <p>21 your live stream about how he actually got access to those</p> <p>22 screenshots? I know you said he -- he said it was legal.</p> <p>23 But did he disclose to you how he got access?</p> <p>24 MR. QUEENAN: Object to form, and I think asked</p> <p>25 and answered.</p> <p style="text-align: right;">Page 32</p> |
| <p>1 A. Yes.</p> <p>2 Q. Okay. But to Mr. Coomer, my question was, other</p> <p>3 than what you may have seen on that one Twitter account,</p> <p>4 you really had no biographical information on him, didn't</p> <p>5 know who he was, what he did; fair?</p> <p>6 MR. QUEENAN: Object to form.</p> <p>7 You can answer.</p> <p>8 A. I did not.</p> <p>9 Q. (By Mr. Cain) And you didn't consider -- you</p> <p>10 didn't know him to be a public figure such as yourself;</p> <p>11 true?</p> <p>12 MR. QUEENAN: Object to form and foundation.</p> <p>13 A. I knew that he was a high-profile executive at</p> <p>14 Dominion Voting Systems.</p> <p>15 Q. (By Mr. Cain) Okay. Which is a private</p> <p>16 company; right?</p> <p>17 A. Yes.</p> <p>18 Q. All right. But did you consider Mr. Coomer to</p> <p>19 be a public figure at the time that your live stream</p> <p>20 went -- went on air on the -- on the following day, on</p> <p>21 Friday?</p> <p>22 MR. QUEENAN: Object to form.</p> <p>23 Q. (By Mr. Cain) Do you know, ma'am?</p> <p>24 A. Yes. Well, I'm -- I'm just thinking about the</p> <p>25 question, if that's okay.</p> <p style="text-align: right;">Page 31</p> | <p>1 Go ahead and answer.</p> <p>2 A. You did ask it previously, and I did answer</p> <p>3 that, no, we did not discuss that prior to going live on</p> <p>4 air.</p> <p>5 And as I had mentioned earlier, I received the</p> <p>6 zip files as we were -- literally as we were going live on</p> <p>7 air.</p> <p>8 Q. (By Mr. Cain) You know, though, that -- that</p> <p>9 individuals can make their Facebook pages public or</p> <p>10 private; right?</p> <p>11 MR. QUEENAN: Object to form.</p> <p>12 A. They can close them off, yes, to groups of -- of</p> <p>13 people, yes.</p> <p>14 Q. (By Mr. Cain) Okay. And did you inquire about</p> <p>15 that? That was the point of my question. Did you inquire</p> <p>16 whether this was a closed-off-to-the-public Facebook page?</p> <p>17 A. As I mentioned, I did not ask about that.</p> <p>18 Q. Do you have a -- do you have a private Facebook</p> <p>19 page?</p> <p>20 MR. QUEENAN: Object to form and found- -- well,</p> <p>21 actually, relevance. What does this have to do with</p> <p>22 actual malice or any of this -- the issues in the -- in</p> <p>23 the litigation? Is it just about her knowledge of</p> <p>24 Facebook generally?</p> <p>25 MR. CAIN: No, it's -- it's not. It's more</p> <p style="text-align: right;">Page 33</p> |

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| <p>1 specific than that. And -- and we have more than, of 2 course, the defamation claim. 3 Your client was publishing private Facebook 4 pages on her live stream. That's what I'm inquiring 5 about. 6 MR. QUEENAN: That's got nothing to do with -- 7 Q. (By Mr. Cain) Do you have a private Facebook 8 account -- 9 MR. QUEENAN: -- having a private Facebook 10 account. 11 Q. (By Mr. Cain) Do you have a private Facebook 12 account, ma'am? 13 A. No, I don't. 14 Q. As for Mr. Coomer, or Dr. Coomer, you mentioned 15 that you knew he was a high-profile executive at Dominion. 16 Did you have time to do any research about him before 17 putting Mr. Oltmann on your live stream? 18 A. No. 19 Q. And had you done any independent research -- 20 this was, of course, after the election, but had you done 21 any independent research about Dominion Voting Systems 22 before this live stream? 23 MR. QUEENAN: Object to form. 24 A. Yes. 25 Q. (By Mr. Cain) Okay. Walk me through that.</p> <p style="text-align: right;">Page 34</p> | <p>1 see if I can pull that. Bear with me. 2 THE VIDEOGRAPHER: And, Ms. Malkin, this is the 3 videographer. If you could just delay your response a 4 little bit to give your counsel a chance to object if he 5 wants to, it will make it a much cleaner record for the 6 court reporter. 7 THE WITNESS: Yeah. Sorry about that. 8 MR. QUEENAN: I'm sorry, Dennis. 9 Q. (By Mr. Cain) All right. Ms. Malkin, I'm 10 showing you what has been electric- -- electronically 11 marked as Exhibit 15. 12 (Exhibit Number 15 was introduced.) 13 Q. (By Mr. Cain) This is, I'll just represent to 14 you, the live stream that we've been talking about that 15 was on Friday, November 13th. 16 Are you with me? 17 A. Yes. 18 MR. QUEENAN: Charlie, before we go any further, 19 I have -- I have you marking the text messages as 15. 20 Should this be 16, or did I have the text messages wrong? 21 MR. CAIN: Yeah. The texts were 25. I may have 22 misspoken -- 23 MR. QUEENAN: Okay. 24 MR. CAIN: -- the texts. And they're -- and 25 like I said, they're on the Exhibit Share. But to be</p> <p style="text-align: right;">Page 36</p> |
| <p>1 What research had you done and when? 2 A. Over the course of 30 years, I've been 3 interested in many aspects of election integrity, and 4 electronic voting systems has reared its head as a -- as 5 an election issue for as long as I've been a political 6 journalist. 7 And although it wasn't a -- as keen a focus of 8 mine in -- in 2020, I had watched documentaries on 9 electronic voting systems. Dominion's name had come up in 10 general. And there had been concerns across the 11 ideological spectrum about the potential for shenanigans 12 and fraud and -- and hacking of these types of systems in 13 the United States and around the world. 14 Q. But let's -- let's focus on the time period 15 around the 2020 presidential election, shortly before 16 and -- and thereafter, before your live stream. 17 Had you taken a closer look at Dominion Voting 18 Systems specifically beyond what you've described? 19 MR. QUEENAN: Object to -- 20 A. No. Oh. 21 MR. QUEENAN: I'll withdraw the objection. 22 THE WITNESS: Okay. 23 A. No. 24 Q. (By Mr. Cain) Okay. So he comes -- he, 25 Mr. Oltmann, comes on your -- your live stream. Let me</p> <p style="text-align: right;">Page 35</p> | <p>1 clear, the texts were 25, and this is Exhibit 15. 2 MR. QUEENAN: Okay. I apologize. Thanks for 3 clarifying. 4 Q. (By Mr. Cain) Ms. Malkin, we're going to look 5 just a little bit at some sections of your live stream. 6 Okay? 7 A. Okay. 8 (The video segment was played.) 9 Q. (By Mr. Cain) All right. I'm going to pause 10 there. 11 So you say that you're bringing information 12 vital to the understanding of the "systemic stealing of 13 the election." We just heard that. 14 At this point in time, what were you referring 15 to when you're telling your audience that you're bringing 16 information regarding the "systemic stealing of the 17 election"? 18 A. Yeah. I think broadly defined, the "stealing of 19 the election" took many forms. And over the course of 20 many of these live streams that I did, as I mentioned in 21 the introductory remarks, it paints a picture of election 22 integrity that was undermined by many forces. 23 And so the prime focus of mine was a nonprofit 24 called the Center for Tech and Civic Life, which was 25 heavily funded by Mark Zuckerberg.</p> <p style="text-align: right;">Page 37</p> |

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| <p>1 But that's just one aspect of it. I've covered 2 election fraud, as I mentioned, over the last 30 years. 3 And it's the entire mountain of everything from 4 illegal-alien fraud, fraud that was catalyzed by the motor 5 voter law, its obstruction of GOP poll workers. 6 And I had interviewed one of them in Michigan. 7 It had to do with a -- a lot of the training that I 8 believe was done by partisan figures and electronic voting 9 systems and the weaknesses and the -- the problems with 10 those, which have been highlighted by, as I said, people 11 on both the left and the right, is part of that larger 12 picture of the stealing of an election. 13 Q. And that's how you framed the story that you 14 were doing on -- on Eric Coomer on this live stream, 15 though; that he -- that this was part of this systemic 16 stealing of the election; true? 17 A. Correct. 18 Q. And you wanted the viewers to know that -- that 19 Eric Coomer was potentially instrumental in the stealing 20 of the 2020 presidential election; true? 21 A. I wanted people to hear what Joe Oltmann had 22 discovered about him, and why he felt it was important and 23 germane to the public discussion of how the election was 24 run, yes. 25 Q. Okay. And you didn't talk about -- I mean, this</p> <p style="text-align: right;">Page 38</p> | <p>1 conclude that he was going to raise red flags about 2 Eric Coomer's role as -- as an executive in that company, 3 which, as I said in my prefatory remarks, had been in the 4 headlines and was of concern to my audience. 5 MR. QUEENAN: I apologize, everybody. My Zoom 6 crashed about three minutes ago. 7 MR. CAIN: She just confessed to the crime. 8 MR. QUEENAN: Then I object to form and 9 foundation. 10 Are we -- I'm sorry. I assume we're still on 11 the record? 12 MR. CAIN: We've been on the record, Gordon. 13 And I don't know what to do to -- to cure that. I'll give 14 you the option, if you want, during the last four minutes 15 to interject to form, objection after the facts, if you 16 want to review the transcript. 17 MR. QUEENAN: That sounds great. 18 MR. CAIN: Let's move on -- 19 MR. QUEENAN: Yeah. 20 Q. (By Mr. Cain) Let's move on, Ms. Malkin. 21 We're at 1:04 in your live stream with 22 Mr. Oltmann. You bring him on. And -- and I assume this 23 is the first time you remember, like, seeing him. Didn't 24 sound like you had -- 25 A. It is --</p> <p style="text-align: right;">Page 40</p> |
| <p>1 entire live stream was devoted to Eric Coomer, was it not? 2 A. It was, because that's the information 3 Joe Oltmann had to bring to the table. 4 Q. Right. Well, you mentioned Zuckerberg and -- 5 and a bunch of other things that you had been reporting 6 on. 7 But in -- in the context of this live stream 8 that you framed as the "systemic stealing of the election" 9 as being the topic, Eric Coomer was the only person you 10 were talking about on this day; right? 11 A. On this day, it was. But I think the context of 12 the series of live streams that I had done, which my many 13 viewers on YouTube and Twitter and Facebook had followed, 14 understood that it was a bigger picture, an -- an entire 15 umbrella of election integrity irregularities and concerns 16 that spelled the stealing of an election, yes. I believe 17 that they understood when I prefaced my remarks that 18 that's what I was talking about. 19 Q. All right. But as you've testified, ma'am, you 20 didn't know what Mr. Oltmann was going to say about 21 Dr. Coomer before he went on your show. All you had was 22 his Facebook posts; right? 23 A. So I had in my possession the Facebook posts. 24 Certainly knowing who Joe Oltmann was and that he had been 25 covering concerns about Dominion, I think it was fair to</p> <p style="text-align: right;">Page 39</p> | <p>1 Q. -- you knew what you were looking at before now. 2 A. Correct. 3 Q. Okay. 4 (The video segment was played.) 5 Q. (By Mr. Cain) I noticed -- I'll stop there. 6 Mr. Oltmann mentions this FEC United, and I -- I know I 7 asked you about that organization before. 8 Did you know when he was coming on your live 9 stream that he was going to be talking about FEC United? 10 A. Well, he heads it, so I assumed, yes, that he 11 would. 12 Q. And it looked like -- I don't know how your 13 program works for your live streams, but it looks like 14 when he mentions it, you -- you have the ability and did 15 throw that up on the screen. Is that true? 16 A. Yeah. I do that for most of my guests if they 17 have an organization or whatnot, to put it in the lower 18 third or the chyron. 19 Q. Yeah. It helps get information or, at least, 20 the identity of the organization out to the public; fair? 21 A. Yes. 22 Q. There's some prefatory statements here. I'll 23 try to fast forward. 24 I want to go into -- I think this section is 25 when he talks more specifically about this Eric Coomer</p> <p style="text-align: right;">Page 41</p> |

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| <p>1 story. 2 (The video segment was played.) 3 Q. (By Mr. Cain) I'm going to stop there. 4 So the week of the 27th of September is when 5 Mr. Oltmann indicated that he was on this Antifa 6 conference call. 7 Is that -- is that your recollection, ma'am? 8 A. That's what he said. 9 Q. Okay. So that would have been, you know, over a 10 month before the election itself; true? 11 A. Correct. 12 Q. And -- and this is now after the election, and 13 he's making it public on your show what he had learned 14 back in September prior to the election; fair? 15 A. Yes. 16 Q. And in your preinterview -- well, you've -- 17 you've talked about the limited discussion. Did it strike 18 you at all when you were listening to this as to the 19 timing of all of this? Why he was just now bringing up 20 this alleged call when it occurred back in September? 21 MR. QUEENAN: Object to form. 22 A. Well, if you keep playing it, he explains why it 23 didn't occur to him until later to connect the dots. 24 Q. (By Mr. Cain) All right. 25 (The video segment was played.)</p> <p style="text-align: right;">Page 42</p> | <p>1 could be corroborated by other sources? Is that going 2 through your head? 3 A. I'm giving him a platform to tell me what he 4 knows, and I wanted to listen to what he had to say. And 5 I believed it was important for my audience to be able to 6 hear what he had to say because he had been censored on 7 Twitter from saying it. 8 MR. CAIN: Objection. Nonresponsive. 9 Q. (By Mr. Cain) Let -- let me ask you this way. 10 Do you believe that you have a responsibility as a 11 journalist to put verifiable facts out, facts that can be 12 verified? 13 MR. QUEENAN: Object to form and foundation. 14 A. I believe that I have an imperative to broadcast 15 stories that are not being covered and to give a platform 16 to people who are being censored for disseminating what is 17 considered dangerous or dissident information but that is 18 of high public interest. And election integrity certainly 19 was at that particular time and now. 20 MR. CAIN: Objection. Nonresponsive. 21 Q. (By Mr. Cain) My -- my question was maybe a 22 little bit different -- 23 A. I did respond. 24 Q. Let me repeat it. 25 A. I did respond to you. I said -- I said what I</p> <p style="text-align: right;">Page 44</p> |
| <p>1 Q. (By Mr. Cain) I'm going to pause there. 2 You learned, I guess, for the first time here, 3 that someone named Eric from Dominion was on this call. 4 But there was no -- as you heard, there was no mention 5 that it was an Eric Coomer; true? 6 A. Right. But then, as I recall from doing the 7 interview, he explains how it is that he connected those 8 dots. 9 Q. Right. And -- and we'll get to that. 10 But -- 11 A. Right. 12 Q. -- it's a fair statement that the allegation 13 that Mr. Oltmann was making was that he was on a call. 14 And at the time, there was no -- no identification beyond 15 Eric of Dominion; right? 16 A. At this point, no. 17 Q. All right. And he also mentioned that he was 18 taking copious notes. You heard that; right? 19 A. Yes. 20 Q. Did you ever ask to see the notes that he took 21 of this Antifa conference call? 22 A. No. 23 (The video segment was played.) 24 Q. (By Mr. Cain) Now, at this point in your live 25 stream, ma'am, are you thinking about whether this story</p> <p style="text-align: right;">Page 43</p> | <p>1 had an obligation to do as a journalist, yes. 2 Q. Did you have a responsibility as a journ- -- 3 journalist to publish on your -- on your live stream or on 4 your show verifiable facts? Yes or no? 5 MR. QUEENAN: Object to form. 6 A. If I were held to a standard of only live 7 streaming facts what I could verify beforehand, I would be 8 restrained from doing any live streams at all; and so, for 9 that matter, would any outlet that covers breaking news or 10 live streams. 11 Q. (By Mr. Cain) Well, you -- we'll talk about it 12 in a minute, ma'am. 13 But you -- you -- you replayed, not then 14 replayed -- you had another interview a couple of weeks 15 with Mr. Oltmann after this; right? 16 A. Correct. 17 Q. And by that point, it wasn't breaking news, was 18 it? 19 A. Those were completely two different forms of 20 journalism. This is a live stream that was conducted by 21 myself independently, and the follow-up program was on a 22 corporate news channel, as you know. 23 Q. I do know. 24 Is it your view, then, ma'am, if you're 25 conducting a live stream with, as you call it, breaking</p> <p style="text-align: right;">Page 45</p> |

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| <p>1 news, that you have no responsibility to verify the 2 factual accuracy of the person that's making the 3 statements? 4 MR. QUEENAN: Object to form and foundation. 5 A. I always do my best to report the truth in 6 whatever platform or medium I am on. 7 Q. (By Mr. Cain) Well, you started off your live 8 stream by saying that you're reporting on the systemic 9 stealing of the election, but we've already established 10 you didn't even know what he was going to say on your live 11 stream. 12 MR. QUEENAN: Object to form and foundation. 13 Q. (By Mr. Cain) You didn't know what he was going 14 to say; true? 15 A. I had a general idea that he was going to talk 16 about red flags that he was raising about Dominion that 17 got him suspended from Twitter. 18 Q. What if what he was saying was false, ma'am? Do 19 you have a responsibility as a journalist, even if it's 20 breaking news, to -- to correct the record if false facts 21 are said in this context? 22 MR. QUEENAN: Object to form and foundation. 23 A. I do correct the record if it comes to light 24 that what I have said or broadcast is false. 25 Q. And that's -- that's an -- that's an ethical</p> <p style="text-align: right;">Page 46</p> | <p>1 A. I said, "Sure." 2 Q. Okay. 3 And you actually -- I mean, you were a print 4 journalist for a while, were you not? 5 MR. QUEENAN: Object to form. 6 Q. (By Mr. Cain) And you worked for a newspaper, 7 maybe even more than one; right? 8 A. I'm a multimedia journalist. I started out my 9 career as an intern in Washington, D.C., for NBC News, 10 when Tim Russert was the Washington bureau chief. I 11 worked for two major metropolitan newspapers, the 12 L.A. Daily News and the Seattle Times. 13 I've had a nationally syndicated newspaper 14 column since 1999. I've worked for a number of cable TV 15 stations, written seven books, and founded two internet 16 news companies. 17 Q. So you're more than familiar, based on that 18 experience, in the standards relating to journalistic 19 reporting; right? 20 A. Yes. 21 MR. HICKS: Object to form. 22 Q. (By Mr. Cain) Things like corroborating 23 sources, when and if to use anonymous sources, those sort 24 of standard journalistic practices; right? 25 A. Yes.</p> <p style="text-align: right;">Page 48</p> |
| <p>1 duty that a journalist has; right? That's a fair 2 statement, isn't it? 3 A. Yes. 4 MR. QUEENAN: Object to form and foundation. 5 A. Yes. 6 Q. (By Mr. Cain) And don't you agree with me that 7 if -- if you're verifying facts that you're putting out 8 into the public discourse and you're being transparent 9 with your audience, that that is a way that a journalist 10 can eliminate the potential for bias? 11 MR. QUEENAN: Object to form. 12 Q. (By Mr. Cain) Do you agree with that statement? 13 A. Can you repeat the question? 14 Q. Yeah. I'll -- I'll do it in a shorter form. 15 Verification and transparency in reporting 16 eliminates or reduces bias in reporting. 17 A. Sure. 18 MR. QUEENAN: Object to form and foundation. 19 Q. (By Mr. Cain) That's -- that's a basic tenant 20 of journalism, isn't it? 21 MR. QUEENAN: Object to form and foundation. 22 Q. (By Mr. Cain) Did you answer? You were talking 23 over a little bit. 24 A. I did. 25 Q. Okay. And your answer was "Yes"; right?</p> <p style="text-align: right;">Page 47</p> | <p>1 Q. Right. And as you sit here -- and we listened 2 to some of your live stream -- did you hear anything in 3 what Mr. Oltmann was saying that indicated to you that 4 this could be corroborated -- 5 MR. QUEENAN: Object -- 6 Q. (By Mr. Cain) -- his story? 7 MR. QUEENAN: Object to form. 8 A. So as the live stream unfolded, I was listening 9 to his firsthand account of what he says that he heard, 10 and then what he saw in a very large series of screenshots 11 of Facebook posts whose authenticity has not been 12 questioned. 13 Q. (By Mr. Cain) Okay. Well, I'm -- I'm talking 14 about the story that he gave you. 15 A. And part of the -- a huge part of the story and 16 the bulk of what we talked about in our live stream were 17 the screenshots that he had obtained that were attributed 18 to Eric Coomer. 19 Q. Okay. And we'll -- we'll get to those, ma'am. 20 Let's not put the cart before the horse. 21 What I'm -- what I'm asking you about, you heard 22 what he was saying. Did you hear anything with your 23 journalistic ear that gave you some clues as how -- as to 24 how you might corroborate that story that he was telling 25 you?</p> <p style="text-align: right;">Page 49</p> |

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| <p>1 MR. QUEENAN: Object to form.</p> <p>2 A. At the time of the live stream, my main focus</p> <p>3 was in giving him a platform to tell me and to tell my</p> <p>4 audience what he knew about Eric Coomer and to share</p> <p>5 information that he had gathered about Eric Coomer's bias,</p> <p>6 because that bias was pertinent to people's understanding</p> <p>7 and perspective of Dominion Voting Systems.</p> <p>8 Q. (By Mr. Cain) What do you mean by "bias"?</p> <p>9 What -- what "bias" are you referring to?</p> <p>10 A. I'm talking about the substance of the Facebook</p> <p>11 posts in which Eric Coomer manifested an extreme bias</p> <p>12 against Donald Trump, against his supporters, against the</p> <p>13 police, and many other people who are ideologically</p> <p>14 similar to Joe Oltmann and myself.</p> <p>15 Q. Well, what -- what if he was a -- a -- let's</p> <p>16 just run with what you're saying.</p> <p>17 What if -- what if Mr. -- or Dr. Coomer was a</p> <p>18 vehement supporter of Donald Trump? Are you saying that</p> <p>19 an election worker can't have a political viewpoint?</p> <p>20 MR. QUEENAN: Object to form.</p> <p>21 Q. (By Mr. Cain) I'm trying to understand the</p> <p>22 relevance of -- of this.</p> <p>23 A. Sure. I'd -- I'd be glad to explain it.</p> <p>24 Eric Coomer was a high-profile, highly placed</p> <p>25 executive at Dominion Voting Systems, not just a</p> <p style="text-align: right;">Page 50</p> | <p>1 So if that's true, then -- then how are you</p> <p>2 sitting here linking a political viewpoint with one's</p> <p>3 ability to administer or serve in a -- in an election</p> <p>4 role? I don't get it.</p> <p>5 MR. QUEENAN: Object to form.</p> <p>6 You can answer.</p> <p>7 A. What's the question?</p> <p>8 Q. (By Mr. Cain) Who cares? Maybe he didn't like</p> <p>9 Donald Trump. What does that have to do with election</p> <p>10 integrity?</p> <p>11 A. Joe Oltmann explains why he believes it is</p> <p>12 relevant, and I agree with him; that it is concerning that</p> <p>13 the sheaf of Facebook posts that not merely express some</p> <p>14 di minimus level of discontent but are actually very</p> <p>15 extreme and profane in vitreal and even hatred for people</p> <p>16 who are on the right, is of great public interest to</p> <p>17 voters who were concerned about how Election 2020 was</p> <p>18 conducted.</p> <p>19 Q. And so that's why you chose to -- to put up the</p> <p>20 Facebook posts during this live stream?</p> <p>21 MR. QUEENAN: Object to form.</p> <p>22 Q. (By Mr. Cain) Is that why?</p> <p>23 A. Yes. Eric Coomer was a high-level official for</p> <p>24 Dominion Voting Systems whose products are used in almost,</p> <p>25 what, 30 states in the country. Dominion was at the</p> <p style="text-align: right;">Page 52</p> |
| <p>1 rank-and-file election worker.</p> <p>2 And I wanted to bring this information that</p> <p>3 Joe Oltmann had obtained to my audience so that they could</p> <p>4 make determinations for themselves about how concerned to</p> <p>5 be about Eric Coomer and his role at Dominion.</p> <p>6 Q. Well, he's entitled to have a political</p> <p>7 viewpoint; isn't he?</p> <p>8 A. I'm not disputing that.</p> <p>9 Q. Okay. Well, then, I -- you're not linking it</p> <p>10 for me, either. If -- if he happened to be a --</p> <p>11 A. I'm sorry. I didn't understand the word that</p> <p>12 you said. I'm not --</p> <p>13 Q. Linking it. I'm originally from Texas, so</p> <p>14 sometimes I drop the G.</p> <p>15 I don't understand how you're linking this. If</p> <p>16 an election worker -- there are thousands of election</p> <p>17 workers in the United States. You know that; right?</p> <p>18 MR. QUEENAN: Object to form and foundation.</p> <p>19 Q. (By Mr. Cain) You know that, don't you?</p> <p>20 A. Yes, I know that.</p> <p>21 Q. Okay. Good.</p> <p>22 And there's a variety, must be a variety of</p> <p>23 political viewpoints amongst election workers; right?</p> <p>24 A. Yes.</p> <p>25 Q. Stands to reason, doesn't it?</p> <p style="text-align: right;">Page 51</p> | <p>1 center of public media attention and policy attention in</p> <p>2 the aftermath of Election 20 -- 2020, and information</p> <p>3 pertaining to high-level officials, particularly one whose</p> <p>4 title is vice president of strategy and security, is</p> <p>5 certainly of great news value to my viewers and should</p> <p>6 have been to any consumers of -- of news at that time.</p> <p>7 MR. QUEENAN: Mr. Cain, just for the record,</p> <p>8 communications from Brad -- it looks like from Brad</p> <p>9 Kloewer -- are coming in, and I can see them on the screen</p> <p>10 share. So I'm assuming they're being recorded. I'm</p> <p>11 guessing that's inadvertent. I just wanted to flag it for</p> <p>12 you.</p> <p>13 MR. CAIN: It's on a separate screen. That's --</p> <p>14 can you see them now?</p> <p>15 MR. QUEENAN: Not now. But there was a pop-up</p> <p>16 on the top right corner where, like -- I'm guessing you're</p> <p>17 on a --</p> <p>18 MR. CAIN: I see.</p> <p>19 MR. QUEENAN: Like, under the date, basically,</p> <p>20 in the top right corner of your screen, I could see Brad</p> <p>21 was -- it looked like it was a proposed question or</p> <p>22 something like that.</p> <p>23 MR. CAIN: Thank you for pointing that out.</p> <p>24 For the record, I generally ignore what Brad has</p> <p>25 to say, so it didn't matter. I'm just kidding, Brad. I</p> <p style="text-align: right;">Page 53</p> |

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| <p>1 actually do care what you have to say.</p> <p>2 Q. (By Mr. Cain) Let me ask you: Did you do any</p> <p>3 reporting during the 2020 election cycle on Trump poll</p> <p>4 workers or Trump election workers in states that Trump</p> <p>5 won, or were you just focused on the left?</p> <p>6 A. I --</p> <p>7 MR. QUEENAN: Object --</p> <p>8 A. -- am known as a conservative journalist. That</p> <p>9 doesn't mean that I don't cover corruption or shenanigans</p> <p>10 on the other side. But in this -- in that election year,</p> <p>11 my focus was on election fraud and election shenanigans</p> <p>12 and problems that were placed on the left side of the</p> <p>13 aisle.</p> <p>14 There's -- there's not -- I don't -- not -- I --</p> <p>15 I've -- I've never, in the nearly 30 years that I've been</p> <p>16 a journalist, ever hid what ideological side of the</p> <p>17 spectrum I belong on.</p> <p>18 Q. (By Mr. Cain) Yeah. But I asked you a yes/no</p> <p>19 question: Did you do any of those stories?</p> <p>20 And from what I heard your -- your answer, I'm</p> <p>21 going to imply that the answer is no; you didn't do any</p> <p>22 stories on Trump election personnel in -- in states that</p> <p>23 Trump won. True?</p> <p>24 A. True.</p> <p>25 Q. Okay. At or around the 11-minute mark -- and</p> <p style="text-align: right;">Page 54</p> | <p>1 MR. QUEENAN: Object to form.</p> <p>2 A. Facebook keeps those statistics. And it</p> <p>3 sometimes flashes, if I'm paying attention, how many</p> <p>4 people will be on it.</p> <p>5 Q. (By Mr. Cain) Okay. Any -- any guess on how</p> <p>6 many folks were watching your live stream on this day?</p> <p>7 A. I don't know. I could go back and look at the</p> <p>8 statistics and tell you precisely how many people watched.</p> <p>9 Q. All right. Well, suffice it to say that at this</p> <p>10 point, 12 minutes in, you know now that you're showing</p> <p>11 your live stream audience what purport to be private</p> <p>12 Facebook posts by Dr. Coomer; fair?</p> <p>13 MR. QUEENAN: Object to form and foundation.</p> <p>14 A. So I don't -- I don't know what type of a</p> <p>15 Facebook account it was other than that Joe Oltmann</p> <p>16 attributed the Facebook posts to Eric Coomer.</p> <p>17 Q. (By Mr. Cain) Okay. And that was the extent of</p> <p>18 your knowledge?</p> <p>19 A. Yes.</p> <p>20 Q. And he never disclosed to you the means -- the</p> <p>21 manner or means by which he gained access?</p> <p>22 A. He said during the live stream that he obtained</p> <p>23 them legally.</p> <p>24 Q. Do you -- have you done any research since this</p> <p>25 live stream as to whether it is legal to access a private</p> <p style="text-align: right;">Page 56</p> |
| <p>1 I'm going to play a little bit more of this, and then</p> <p>2 we'll move on to another scintillating topic. This is</p> <p>3 when you start going into, I think, the Facebook.</p> <p>4 (The video segment was played.)</p> <p>5 Q. (By Mr. Cain) And that's because -- I'll stop</p> <p>6 there -- because it became evident to you at this point</p> <p>7 that this was not a public Facebook page; correct?</p> <p>8 MR. QUEENAN: Object to form and foundation.</p> <p>9 A. At -- at that point, I wasn't -- I didn't -- I</p> <p>10 didn't know what he -- I didn't know what he meant.</p> <p>11 But when he told me that he -- he -- he mentions</p> <p>12 that he obtained them legally, I -- I took him at his word</p> <p>13 because I had no reason to question him or doubt him</p> <p>14 otherwise.</p> <p>15 Q. (By Mr. Cain) Well, you don't -- I mean, you're</p> <p>16 not an attorney; right?</p> <p>17 A. No. But you had asked me how I knew him, how</p> <p>18 I -- how I came to know his -- his work, what I knew about</p> <p>19 his reputation. And based on all of that, I -- I -- I</p> <p>20 didn't have reason to -- to think that he was lying to me.</p> <p>21 Q. Right. But as of 12 minutes into your live</p> <p>22 stream, it's clear to you that you're, on -- on your live</p> <p>23 stream -- by the way, let me back up.</p> <p>24 Do you know how many people watch your live</p> <p>25 stream at any given time?</p> <p style="text-align: right;">Page 55</p> | <p>1 Facebook page and then post those in a public forum?</p> <p>2 A. No.</p> <p>3 MR. QUEENAN: Object to form and foundation.</p> <p>4 And to the extent that question is calling for</p> <p>5 information that would have been gleaned from</p> <p>6 attorney-client communications, I -- I'd object to</p> <p>7 privilege as well.</p> <p>8 MR. CAIN: She's -- I -- I understand that.</p> <p>9 She's answered it.</p> <p>10 Q. (By Mr. Cain) I'm going to fast forward a</p> <p>11 little bit. You -- you keep showing or -- well, let me</p> <p>12 ask you this. Were you putting these screenshots up or</p> <p>13 was Mr. Oltmann?</p> <p>14 A. I was. As I mentioned, he sent me zip files,</p> <p>15 and then I opened them as the live stream started. And</p> <p>16 then he referred to numbers. And, yes, I was in control</p> <p>17 of --</p> <p>18 Q. Okay.</p> <p>19 A. -- opening them up as he explained them.</p> <p>20 Q. And are you seeing these for the first time as</p> <p>21 you're opening them up?</p> <p>22 A. Yes.</p> <p>23 Q. I'm going to go to the 12:58 mark or -- yeah,</p> <p>24 somewhere -- well, let's go to 12:49.</p> <p>25 (The video segment was played.)</p> <p style="text-align: right;">Page 57</p> |

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| <p>1 Q. (By Mr. Cain) Okay. A couple of things there. 2 You said "jaw drop, floor" when Mr. Oltmann indicated that 3 Dr. Coomer was a major shareholder in Dominion Voting 4 Systems. 5 Is that -- I assume your jaw dropped because 6 that was the first time you'd heard that information. 7 A. Yes. 8 Q. And that hadn't been part of your -- any 9 discussions at the preinterview stage; correct? 10 A. No. Correct. 11 Q. And then there was some discussion about patents 12 and then the market share that Dominion has, and you've 13 made the statement, "that's how we go from conspiracy 14 theory to conspiracy truth." 15 What did you mean by that statement? 16 A. Right. So in the context of -- of considering 17 whether it would be possible to use these systems to have 18 an impact on the election, the market share of Dominion 19 lends credibility to the idea that widespread undermining 20 of election integrity would be possible. 21 Q. And -- and similarly, Mr.-- excuse me, 22 Dr. Coomer -- if he's listening, I apologize for 23 continuing to say Mr. Coomer. 24 Dr. Coomer's status as a major shareholder in a 25 company that has the major share of the election services</p> <p style="text-align: right;">Page 58</p> | <p>1 Go ahead and answer. 2 THE WITNESS: Sorry. Sorry. I'll wait a little 3 bit more. 4 A. That was Joe Oltmann's opinion, and I -- I 5 agreed with the sentiment of it, yes. 6 Q. (By Mr. Cain) Well, that's not an opinion. 7 Being a major shareholder is not an opinion, is it? 8 A. No. The idea that being a major shareholder 9 could lend itself to the dangers of sabotaging election 10 integrity. That's an opinion. And I agree with that 11 underlying sentiment -- 12 Q. Yeah. 13 A. -- that it was -- 14 Q. And conversely, if Dr. Coomer is not a major 15 shareholder, then the opposite would be true; right? That 16 he wouldn't have the -- the amount of influence over the 17 corporate entity that a major shareholder would; fair? 18 MR. QUEENAN: Object to form and foundation. 19 A. Well, it was certainly a piece of the puzzle, 20 you know, given -- given his high profile in the company, 21 plus that, plus the animas that he manifested in the -- in 22 the Facebook posts. It was all of it. 23 Q. (By Mr. Cain) You doing okay, ma'am? Do you 24 need a break? 25 A. I'm fine.</p> <p style="text-align: right;">Page 60</p> |
| <p>1 business, that's an important component to that statement 2 too; right? 3 MR. QUEENAN: Object to form. 4 Q. (By Mr. Cain) Do -- do you want me to restate 5 that? That was kind of long and -- 6 A. Yes. 7 Q. Would you like me to restate that? Okay. 8 A. Yes, please. 9 Q. Part of your statement about conspiracy truth -- 10 the -- the information that you got about Dr. Coomer being 11 a major shareholder in Dominion, that also formed the 12 basis for you saying, "We're now into conspiracy truths"; 13 right? 14 A. Yes. That it reaches more towards that than 15 dismissing it altogether as something that's -- that's 16 unfathomable. And, again, it was in the context of 17 discussing these Facebook posts, which are -- are 18 troubling considering his position at Dominion. 19 Q. Yeah. And if he's a major shareholder in the 20 company, then, at least in your mind, that would indicate 21 that he had more influence over that -- over Dominion 22 Voting Systems; right? 23 MR. HICKS: Object to form. 24 A. Well, that was Joe -- that was Joe -- 25 MR. QUEENAN: I just objected to form.</p> <p style="text-align: right;">Page 59</p> | <p>1 MR. QUEENAN: Do you -- Charlie, I -- I know you 2 probably don't have a specific time frame in mind, but are 3 you thinking you want to power through until lunch and 4 then pick up after that? Does that make sense? 5 MR. CAIN: Whatever Sara wants to do and 6 Ms. Malkin. 7 MR. QUEENAN: Okay. Sounds good. 8 Q. (By Mr. Cain) I just want to get a few things 9 confirmed for the record. 10 Ma'am, I'm going to show you exhibit -- I 11 believe it's 19. 12 (Exhibit Number 19 was introduced.) 13 Q. (By Mr. Cain) Just confirm for me, this is 14 November 13th at 12:43. So this would have been after 15 this live stream; correct? 16 A. Correct. 17 Q. And this is going out via Twitter? 18 A. Correct. 19 Q. All right. So Mr. Oltmann was banned from 20 Twitter, as you point out. And this is you -- did -- did 21 you post this yourself? 22 A. Yes. 23 Q. Or do you have a -- 24 A. Yes. I don't have anyone else. It's just me. 25 Q. Okay. By the way, you didn't have -- as far as</p> <p style="text-align: right;">Page 61</p> |

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| <p>1 your live stream, you produced that. You -- you're the --</p> <p>2 you do it soup to nuts; right?</p> <p>3 A. I fly solo, yes.</p> <p>4 MR. QUEENAN: Object to form.</p> <p>5 Q. (By Mr. Cain) All right. So you post this</p> <p>6 shortly after the live stream; correct?</p> <p>7 A. Correct.</p> <p>8 Q. And you talk about the -- the major shareholder.</p> <p>9 We looked at that in the -- in the live stream itself;</p> <p>10 correct?</p> <p>11 A. Correct.</p> <p>12 Q. Right. And so you're trying to promote the</p> <p>13 story and get -- well, let me ask you this way. You are</p> <p>14 trying to promote this story, number one; right?</p> <p>15 A. Yes. Of course.</p> <p>16 Q. Of course. And can people click on this to --</p> <p>17 to view a replay of the live stream?</p> <p>18 A. So this is clipped using Twitter Media Studio -</p> <p>19 LiveCut, which you can see down there.</p> <p>20 Q. Yes, ma'am.</p> <p>21 A. It gives people a -- a snippet. So this is a</p> <p>22 25-second snippet. And then it doesn't -- there's no</p> <p>23 embedded link to the full stream yet because that was a</p> <p>24 separate Twitter URL.</p> <p>25 So either I will repost the full URL, or when</p> <p style="text-align: right;">Page 62</p> | <p>1 don't know what that is specifically. But you say I was</p> <p>2 replying to someone. Again, it's a thread related to</p> <p>3 Dominion.</p> <p>4 Q. Well, I didn't say you were. It -- it</p> <p>5 appears --</p> <p>6 A. No, you did. You said that I was replying to</p> <p>7 someone. And I'm just pointing out that I was replying to</p> <p>8 myself, because it's a thread.</p> <p>9 Q. I see. I see.</p> <p>10 A. Yeah.</p> <p>11 Q. Now, did -- did you know personally at</p> <p>12 this point?</p> <p>13 A. No. I interviewed him, though.</p> <p>14 Q. Before this?</p> <p>15 MR. QUEENAN: Object to form.</p> <p>16 Q. (By Mr. Cain) Before this time period?</p> <p>17 A. Yeah. I interviewed him before this on a</p> <p>18 separate topic.</p> <p>19 Q. Okay. All right. So now we're talking about,</p> <p>20 you know, shortly after that live stream. As -- as I</p> <p>21 understand it, the next time that you posted a story</p> <p>22 about -- had anything to do with Dr. Coomer was</p> <p>23 November 28th. Does that jibe with your recollection?</p> <p>24 A. I believe that's correct. But I could always go</p> <p>25 back and search to see if I'd --</p> <p style="text-align: right;">Page 64</p> |
| <p>1 the YouTube version is processed, retweet that -- the</p> <p>2 YouTube URL.</p> <p>3 Q. I gotcha. So this is like an appetizer. It's a</p> <p>4 little clip of what your live stream was about.</p> <p>5 A. It's pretty standard, yes. Yeah.</p> <p>6 Q. Exhibit 20, this is also something that you</p> <p>7 posted on Twitter, looks like, at or around the same time;</p> <p>8 right?</p> <p>9 (Exhibit Number 20 was introduced.)</p> <p>10 A. Correct. And that's threaded. So it --</p> <p>11 under -- this is underneath the initial tweet of the</p> <p>12 snippet, probably, so that if people want to see the whole</p> <p>13 thing, they can just click on that URL.</p> <p>14 Q. (By Mr. Cain) Great.</p> <p>15 (Exhibit Number 21 was introduced.)</p> <p>16 Q. (By Mr. Cain) This is Exhibit 21. This is,</p> <p>17 again -- appears to be your Twitter account, November 13.</p> <p>18 This is a little later than the ones that we saw</p> <p>19 previously, and there's someone replying to you: What are</p> <p>20 the -- "What are they trying to hide?</p> <p>21 #Dominion Voting Systems."</p> <p>22 There's this fella named . Do you know</p> <p>23 who he is?</p> <p>24 A. Yes. He's a young activist and journalist in</p> <p>25 Denver who was covering some of these same issues. I</p> <p style="text-align: right;">Page 63</p> | <p>1 Q. Okay.</p> <p>2 A. -- done anything else, but that's my</p> <p>3 recollection.</p> <p>4 Q. Because I -- and correct me if I'm wrong, I only</p> <p>5 know of these two, at least in this medium: A live stream</p> <p>6 on the 13th, and then the Newsmax piece on the 28th.</p> <p>7 A. Correct.</p> <p>8 Q. Okay. And then after the 28th, you did not do</p> <p>9 any more stories that directly related to Dr. Coomer;</p> <p>10 right?</p> <p>11 A. Correct.</p> <p>12 Q. Is there a reason why you stopped reporting on</p> <p>13 this?</p> <p>14 A. I --</p> <p>15 Q. Just moved on?</p> <p>16 A. I -- I do tons of stories on tons of topics.</p> <p>17 Q. But you just moved on?</p> <p>18 A. Well, I think that the two stories covered</p> <p>19 everything that needed to be said about what Joe Oltmann</p> <p>20 had discovered about Eric Coomer and his role at Dominion.</p> <p>21 Q. Well --</p> <p>22 A. The live stream was 15 minutes and a full</p> <p>23 segment on Newsmax.</p> <p>24 Q. Okay. Now, let's -- let's talk about the</p> <p>25 intervening two weeks, approximately two weeks between the</p> <p style="text-align: right;">Page 65</p> |

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| <p>1 live stream and the Newsmax piece. Are you with me on 2 that? 3 A. Yes. 4 Q. Okay. So did you have any discussions, 5 follow-up discussions, with Mr. Oltmann between those two 6 pieces? 7 A. With regard to his specific interview? I 8 don't -- 9 Q. Anything about his allegations that Dr. Coomer 10 was on an Antifa conference call, et cetera. 11 MR. QUEENAN: Object to form. 12 A. Any communications I had, I have produced. 13 Q. (By Mr. Cain) Well, you can't produce a phone 14 call, so that's why I'm asking. 15 A. Yeah. I -- 16 Q. Did you have any -- 17 A. I don't believe -- I don't believe I had any 18 follow-up phone calls with him, no. 19 Q. Okay. Let's do this. Let's go back to those 20 texts we were looking at at the beginning. I believe 21 counsel correctly corrected me when I said they were 15. 22 Let me share this. 23 Okay. So remember this, Ms. Malkin? We looked 24 at this at the beginning. 25 A. Right.</p> <p style="text-align: right;">Page 66</p> | <p>1 Coomer and Dominion? We pretape it tomorrow at 12:30 2 p.m., Mountain Time. It would be one segment that will 3 run around seven minutes." 4 "For you, absolutely. I'm in South Dakota." 5 This is him responding. 6 "So on my computer okay?" 7 You say, "Thank you. Yes, it'll be by Skype. 8 Send me your account name. My Newsmax producer will be in 9 touch soon to nail down logistics." 10 And you ask him about new graphics or documents. 11 You tell him to keep up the fight. 12 He has lots of info, including the Mongolian 13 connection. Do you know what he was referring to with the 14 Mongolian connection? 15 A. No. I don't know what that was. 16 Q. I don't, either. 17 "Let me know if there are specific questions." 18 That's you asking him that. 19 "You've got a seven-minute segment. Three topic 20 areas." 21 And then you ask: "Are you allowed to talk 22 about your conversations with the Trump lawyers?" 23 Were you, presumably, aware that he was talking 24 with the Trump lawyers during the interim period? 25 A. In between the live stream and this? No. I was</p> <p style="text-align: right;">Page 68</p> |
| <p>1 Q. This is Exhibit 25. 2 A. Right. 3 Q. Right. I'm going to -- I'm going to scroll down 4 as quickly as I can since we're on the clock. Don't look 5 at it if you have problems with blinking lights. 6 A. I (unintelligible) seizure. 7 Q. It may give me one. 8 A. Yeah. 9 Q. This is -- okay. We're -- we're past that where 10 you gave Mr. Oltmann the -- the information on how to do 11 the live stream. 12 I'm going to go down to page -- what I think is 13 where you pick up some more discussions with Mr. Oltmann. 14 There's some intervening messages with 15 Mr. Oltmann. We're going to skip those for today. 16 Something about frauds. 17 Ah. Page 41 of 61. I tried to see if there's a 18 way to jump on this thing, and I haven't figured it out 19 yet. 20 But we're on page 41 of 61 of Exhibit 25, and 21 this is back to your Signal account, right, with 22 Mr. Oltmann now in your contacts; true? 23 A. Yes. 24 Q. All right. So Tuesday, November 24th, at 25 6:08 a.m.: "Can you come on my Newsmax show to talk about</p> <p style="text-align: right;">Page 67</p> | <p>1 referring to what I knew about Lauren McLaughlin asking me 2 for his contact information. 3 Q. Okay. Because you -- had you -- you hadn't been 4 briefed by anyone to update you on the status of either 5 the -- Ms. McLaughlin's request or the affidavit that was 6 referenced -- 7 A. That's correct. 8 Q. -- fair? 9 A. That is correct. 10 Q. And I guess it goes on to say: "That was 11 amazing. Wish we had more time, but I know this segment 12 will have a huge impact. Have a blessed Thanksgiving." 13 So you prerecorded -- correct me if I'm wrong. 14 You prerecorded this segment a couple of days before it 15 aired on Newsmax; true? 16 A. Yes. 17 Q. Okay. And at least by the 28th -- or excuse me, 18 the 25th, you -- you had done that recording; fair? 19 A. Yes. Yes. 20 Q. All right. Okay. So back to my question. 21 During the time between the 13th and this 22 recording on the 25th, the prerecording, had you had any 23 discussions with Mr. Oltmann about any developments 24 concerning Dr. Coomer? 25 A. I don't believe I did. I don't -- I don't</p> <p style="text-align: right;">Page 69</p> |

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| <p>1 recall that I did.</p> <p>2 Q. Okay. But you knew from your prior live stream</p> <p>3 that -- that Mr. Oltmann said he had taken copious notes</p> <p>4 of this Antifa conference call; right?</p> <p>5 A. Correct.</p> <p>6 Q. And you didn't ask him for those notes, did you?</p> <p>7 A. I did not.</p> <p>8 Q. And had you learned by this point in time</p> <p>9 whether or not there was a recording of the Antifa</p> <p>10 conference call?</p> <p>11 A. I had not.</p> <p>12 Q. And you didn't ask him whether there was a</p> <p>13 recording, did you?</p> <p>14 A. I did not.</p> <p>15 Q. Had you gone on to the Dominion website to look</p> <p>16 to see what their position was with respect to election</p> <p>17 integrity issues by this point?</p> <p>18 MR. QUEENAN: Object to form.</p> <p>19 A. I can't recall that I went on their website</p> <p>20 specifically. But there had been a spate of news coverage</p> <p>21 of Dominion, and -- and where they stood in the --</p> <p>22 defending their company.</p> <p>23 Q. (By Mr. Cain) Okay. Well, here's what I'm</p> <p>24 asking you, ma'am. What did you do, if anything, to</p> <p>25 follow up on the November 13th story in preparation for</p> <p style="text-align: right;">Page 70</p> | <p>1 represent to you is a screenshot of the Dominion website</p> <p>2 from November 28th showing that it was updated</p> <p>3 November 25th.</p> <p>4 November 25th would have been the day that you</p> <p>5 did the -- the prerecording; correct?</p> <p>6 A. The morning of the 25th, correct.</p> <p>7 Q. Okay. You see it's got a little contact button</p> <p>8 here to contact Dominion directly. But you didn't hit --</p> <p>9 you didn't hit that button, did you --</p> <p>10 A. No.</p> <p>11 Q. -- prior to the -- okay. Thank you.</p> <p>12 And did you reach out to any of their media? I</p> <p>13 know I asked Dominion in general, but any of their public</p> <p>14 relations people or media people prior to interviewing</p> <p>15 Oltmann the second time?</p> <p>16 A. I did not.</p> <p>17 Q. And the FAQs that they had posted in response to</p> <p>18 what they considered to be disinformation concerning the</p> <p>19 election, you didn't review those before interviewing</p> <p>20 Mr. Oltmann, did you?</p> <p>21 A. Not this specific page, no.</p> <p>22 Q. Okay. Well, any page on the Dominion site.</p> <p>23 A. Like I said, I was familiar that -- with news</p> <p>24 stories in which Dominion was defending itself.</p> <p>25 Q. Okay. I think I understand your answer.</p> <p style="text-align: right;">Page 72</p> |
| <p>1 the pretaping of the next Oltmann interview?</p> <p>2 A. I reviewed the live stream that I had done, and</p> <p>3 I reviewed the zip files, which were going to be one of</p> <p>4 the subjects of the interview. And I had kept up on the</p> <p>5 news of questions that people were raising about Dominion</p> <p>6 in the period between my live stream and the taping of the</p> <p>7 news program for Newsmax.</p> <p>8 Q. Okay. Do -- do you recall approaching Dominion</p> <p>9 either for comment -- well, for comment during this</p> <p>10 interim period?</p> <p>11 A. I don't recall that, no.</p> <p>12 Q. Okay. And did you reach out to Dr. Coomer to</p> <p>13 get, potentially, his side of the story?</p> <p>14 A. I did not.</p> <p>15 Q. And did you ask Mr. Oltmann if he knew of -- of</p> <p>16 the identities of anybody else that was on this alleged</p> <p>17 call?</p> <p>18 A. I did not.</p> <p>19 Q. So you didn't then independently try to</p> <p>20 determine who was -- who -- who may have been on the call</p> <p>21 other than Mr. Oltmann and potentially Eric Coomer?</p> <p>22 A. I did not.</p> <p>23 Q. I'm going to share my screen.</p> <p>24 (Exhibit Number 18 was introduced.)</p> <p>25 Q. (By Mr. Cain) This is Exhibit 18, which I'll</p> <p style="text-align: right;">Page 71</p> | <p>1 But as of the 25th, as Dominion is reporting on</p> <p>2 their website, CISA -- you know who CISA is; right?</p> <p>3 A. I do. I had tweeted about CISA's statement.</p> <p>4 Q. This statement here that "There is no evidence</p> <p>5 that any voting system deleted or lost votes, changed</p> <p>6 votes, or was in any way compromised." You tweeted about</p> <p>7 that statement?</p> <p>8 A. Yes. And I believe the nature of my response</p> <p>9 was that CISA itself was a conflict -- conflicted entity</p> <p>10 in itself, because many of these same private companies</p> <p>11 that it's supposed to watchdog were members of committees</p> <p>12 of CISA itself.</p> <p>13 Q. Okay. So you don't believe CISA is an</p> <p>14 authoritative group as it relates to this issue due to</p> <p>15 conflicts of interest; is that fair?</p> <p>16 A. Yes.</p> <p>17 MR. QUEENAN: Object to form.</p> <p>18 Q. (By Mr. Cain) Okay. Now, at this point, did</p> <p>19 you have a working theory as to how Dr. Coomer, if, in</p> <p>20 fact, he said that he had rigged the election -- the</p> <p>21 election, excuse me -- how he had gone about doing so?</p> <p>22 A. I did not have such a theory. And as I stated</p> <p>23 on the Newsmax program, I did not have any evidence that</p> <p>24 he made good on his threat. And I made my conclusion</p> <p>25 about that explicit.</p> <p style="text-align: right;">Page 73</p> |

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| <p>1 Q. Actually, that's an interesting point. You did 2 make that disclaimer during the second interview. Was 3 that something that you wrote? 4 MR. QUEENAN: Object to the form. 5 You can answer. 6 A. Yeah. I didn't write it. I said it. 7 Q. (By Mr. Cain) Well, you read from a 8 teleprompter, don't you? 9 A. My opening monologue is on a teleprompter, and 10 the rest of the show is a free-flow conversation and 11 interview with my guests. 12 Q. Okay. Well, we know that there was a producer 13 involved in that segment; right? On Newsmax? 14 A. I have a producer, yes. 15 Q. All right. And so, I guess, here's -- let's 16 just go to it since we're on the topic, and you made a 17 point of saying it. 18 You had some discussions prior to -- let me get 19 it real quick -- prior to doing the Newsmax segment with 20 the gentleman on this next exhibit. So let's -- let's 21 look at that. 22 (Exhibit Number 26 was introduced.) 23 Q. (By Mr. Cain) This is Plaintiff's Exhibit 26. 24 Now, these are some emails you produced; right, ma'am? 25 A. I did, yes.</p> <p style="text-align: right;">Page 74</p> | <p>1 A. He's some high-level official at Newsmax. I 2 can't remember which office he's in -- I believe New York 3 office -- who was brought in at some point to have some 4 level of editorial oversight over the show. 5 Q. Was this the first time that Mr. -- 6 Mr. Kanofsky had been brought in to have editorial 7 oversight over your show? 8 A. I believe it was there. There are a couple of 9 people who, sort of, rotated through. This might have 10 been the first time I talked to him. 11 Q. Okay. And so when I was asking you earlier -- 12 and this, kind of, speaks for itself: We're being extra 13 diligent about how we cover these stories, in sum. 14 When I was asking you earlier about this 15 disclaimer that you put on the Newsmax piece about no 16 evidence of Dr. Coomer actually doing anything with the 17 election, was that something that Mr. Kanofsky added to 18 the show as the editor? 19 A. No. 20 Q. Or how did that come about? 21 A. No. That came about in the course of the 22 discussion with Joe Oltmann in which I wanted to make 23 clear what my position was. Gary Kanofsky had nothing to 24 do with it. 25 Q. Did -- did that clip of Mr. Oltmann on the</p> <p style="text-align: right;">Page 76</p> |
| <p>1 Q. Okay. About the Wednesday pretape. You've got 2 guest information, and this is being sent to this fella, 3 Pierce Sargeant; right? 4 A. Correct. 5 Q. Who is -- who's Pierce Sargeant? Is he the 6 producer? 7 A. He's a young man who works for Newsmax, and he 8 handled the nuts and bolts of putting the show together as 9 my producer, yes. 10 Q. Okay. And Pierce -- this is what I was talking 11 about, the -- the teleprompter. This is -- this is what 12 you're reading off during the beginning of the show; 13 right? 14 A. Correct. That's the only time I use one, and 15 then for teases and the wrap-up of a show. 16 Q. Okay. Thanks. 17 Pardon me, again, as I scroll through it. 18 You say to Pierce on the 25th about the script, 19 "Let me know you received it." 20 He got it. Had a question. We won't go into 21 the question, because it relates to that Philippine 22 attorney that you put on. And then there's this fella, 23 Gary Kanofsky. You see that? 24 A. Yes. 25 Q. Okay. Who is he?</p> <p style="text-align: right;">Page 75</p> | <p>1 Newsmax piece get edited down from a longer form? 2 MR. QUEENAN: Object to form. 3 A. Not as far as I know. 4 Q. (By Mr. Cain) Okay. So that was the entire 5 interview unedited? 6 A. As far as I know. Once I tape the interview, I 7 do not have control over the footage. So you'd have to 8 ask them. 9 Q. I see. 10 THE VIDEOGRAPHER: Counsel, ten minutes until 11 required media change. 12 MR. CAIN: Yeah. And I'm -- I've been pushing 13 my luck with all the people that are producing this. So 14 let me just finish this line of questioning. 15 Q. (By Mr. Cain) The reason I asked that prior 16 question, ma'am, is there was no scrolling through the 17 private Facebook pages on the Newsmax piece, unless it was 18 edited out. Do you recall one way or the other? 19 MR. QUEENAN: Object to form. And foundation. 20 A. Could you reask the question? I just want to 21 make sure I -- that I'm responsive to the question. 22 Q. (By Mr. Cain) Yeah. Let me break it down. 23 It's true, just based on your recollection, that 24 in the second piece, you didn't put up the private 25 Facebook pages like you did in the live stream; correct?</p> <p style="text-align: right;">Page 77</p> |

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| <p>1 MR. QUEENAN: Object to form.</p> <p>2 A. I believe that -- I just -- I don't know if you</p> <p>3 heard me.</p> <p>4 Q. (By Mr. Cain) You talked over each other. Can</p> <p>5 you answer my question again, please?</p> <p>6 THE VIDEOGRAPHER: It looks like the witness is</p> <p>7 froze up.</p> <p>8 MR. CAIN: All right. Let's go off the record</p> <p>9 since we're at the end of the media tape, and we're also</p> <p>10 frozen.</p> <p>11 MR. QUEENAN: Michelle, are you back?</p> <p>12 THE WITNESS: Yeah. Did I -- you guys froze on</p> <p>13 me, so I don't know where I -- it stopped.</p> <p>14 MR. QUEENAN: You froze on us.</p> <p>15 THE WITNESS: Oh, okay. Sorry about that.</p> <p>16 MR. CAIN: We're going to -- we're going to go</p> <p>17 off the record so that we can plug in the internet again.</p> <p>18 THE VIDEOGRAPHER: Counsel, can you stop the</p> <p>19 screen share so I can go off?</p> <p>20 This is the end of Media Number 1. Going off</p> <p>21 the record, this time is 11:58.</p> <p>22 (Recess from 11:58 a.m. to 12:19 p.m.)</p> <p>23 (Mr. Rhodes and Ms. Powell are now present.)</p> <p>24 THE VIDEOGRAPHER: We're back on the record.</p> <p>25 This is the beginning of Media Number 2 in the deposition</p> <p style="text-align: right;">Page 78</p> | <p>1 (Exhibit Number 22 was introduced.)</p> <p>2 Q. (By Mr. Cain) Exhibit 22 -- this is November 15</p> <p>3 at 12:09 p.m., and this is a tweet you sent out; right?</p> <p>4 A. Yeah. This is just a recap of the program that</p> <p>5 I had done, because I can't -- I believe that was a</p> <p>6 Friday. So a lot of people miss the news cycle on Friday,</p> <p>7 so I retweeted it out around the -- the next couple days.</p> <p>8 Q. All right. And looks like you also, on</p> <p>9 November 16th, this would be the next day -- this is</p> <p>10 Plaintiff's Exhibit 23 -- you tweeted out this as well;</p> <p>11 correct?</p> <p>12 A. Yes.</p> <p>13 Q. "#WhoIsEricCoomer," et cetera, "Denver business</p> <p>14 owner," that's a reference to Mr. -- Mr. Oltmann; correct?</p> <p>15 A. Correct.</p> <p>16 Q. "Dominion's Eric Coomer is an unhinged</p> <p>17 sociopath - his internet profile is being deleted and</p> <p>18 erased."</p> <p>19 And there's a -- you tweeted out a picture that</p> <p>20 came with this Gateway Pundit article; correct?</p> <p>21 MR. QUEENAN: Object to form and foundation.</p> <p>22 A. There is a -- a retweet of the -- this is the</p> <p>23 news story in that it's embedded in the Gateway Pundit</p> <p>24 website.</p> <p>25 Q. (By Mr. Cain) Right.</p> <p style="text-align: right;">Page 80</p> |
| <p>1 of Michelle Malkin. The time is 12:19 p.m.</p> <p>2 Q. (By Mr. Cain) Ms. Malkin, do you recall whether</p> <p>3 or not you displayed the private Facebook messages in the</p> <p>4 Newsmax piece?</p> <p>5 A. I did not.</p> <p>6 MR. QUEENAN: Form.</p> <p>7 Q. (By Mr. Cain) Is there a reason why you didn't?</p> <p>8 A. We didn't get to them.</p> <p>9 Q. But that was your plan?</p> <p>10 A. I didn't have a plan. The interview flowed for</p> <p>11 seven minutes, and I'm constrained in a way that I'm not</p> <p>12 with the live stream. And we didn't get to hit on that</p> <p>13 before the segment ended.</p> <p>14 Q. Okay. And in the prior session, I asked you</p> <p>15 what you did between -- in the two weeks to investigate</p> <p>16 this story further before going to the -- to the Newsmax</p> <p>17 taping, and you answered me.</p> <p>18 Is there anything else that, as you sit here,</p> <p>19 you can think of you did to investigate this Antifa call</p> <p>20 or Dr. Coomer?</p> <p>21 MR. QUEENAN: Object to form.</p> <p>22 A. Not that I recall.</p> <p>23 Q. (By Mr. Cain) Now, you did have the time during</p> <p>24 that interim period I just referenced to continue</p> <p>25 tweeting.</p> <p style="text-align: right;">Page 79</p> | <p>1 A. So whatever they chose as the featured images</p> <p>2 was embedded in the URL that I tweeted.</p> <p>3 Q. Right. So you would have had to go to the</p> <p>4 Gateway Pundit website first; correct?</p> <p>5 A. Sometimes you just take the URL from the</p> <p>6 account, the Twitter account, of the -- of the blog or</p> <p>7 whoever --</p> <p>8 Q. Right.</p> <p>9 A. -- and it -- and it will automatically populate</p> <p>10 the image and the headline. And that's what happened</p> <p>11 here.</p> <p>12 Q. Okay. But did -- did you actually read this</p> <p>13 article before you retweeted it?</p> <p>14 A. Yes.</p> <p>15 Q. And you -- you obviously knew at this point that</p> <p>16 your story about the -- the Oltmann so-called Antifa</p> <p>17 conference call had been published previously, and now</p> <p>18 you're retweeting something about my client being an</p> <p>19 unhinged sociopath, with a link to -- that included his</p> <p>20 picture.</p> <p>21 Is that fair?</p> <p>22 MR. QUEENAN: Object to form.</p> <p>23 A. Can you -- there was a lot in there. Can you --</p> <p>24 you repeat the question?</p> <p>25 Q. (By Mr. Cain) Yeah, I can. I'll break it down.</p> <p style="text-align: right;">Page 81</p> |

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| <p>1 So by this point on the 16th, you had -- you'd 2 already done the live stream; correct? 3 A. Correct. 4 Q. And then you had -- we saw those earlier tweets 5 where you retweeted the live stream; true? 6 A. Right. Yes. 7 Q. All right. And then we saw just -- just a 8 second ago the tweet about Dr. Coomer being a major 9 shareholder in Dominion. You did that; right? 10 A. Right. 11 Q. And now you're tweeting about Dr. Coomer being 12 an unhinged sociopath -- 13 MR. QUEENAN: Object to form and foundation. 14 Q. (By Mr. Cain) -- is that right? 15 A. This was the headline of the Gateway Pundit post 16 which was summarizing Joe Oltmann's characterization of 17 Eric Coomer based on the Facebook posts that we discussed 18 in our live stream. And the article was summarizing my 19 live stream interview with Joe Oltmann. 20 Q. Okay. But why are you tweeting out something 21 about Dr. Coomer being an unhinged sociopath? 22 A. I was -- 23 Q. Why do this? 24 A. I was sharing a post that covered the live 25 stream that I had done with Joe Oltmann.</p> <p style="text-align: right;">Page 82</p> | <p>1 I'm just trying to find out if you'd had any 2 interactions with either The Gateway Pundit or Mr. Hoft 3 about this story prior to retweeting this picture. 4 A. I don't recall that I did, no. 5 Q. Do you know Jim Hoft? 6 A. I do. 7 Q. How do you know him? 8 A. From the earliest days of the conservative 9 blogosphere. 10 Q. Okay. Do you guys -- like we saw those texts, 11 do you guys share texts? 12 A. I haven't texted with him in -- I haven't texted 13 with him in years. 14 Q. Okay. And did you talk to anybody at 15 The Gateway Pundit or Mr. Hoft directly about this Coomer 16 story that we're looking at on Plaintiff's Exhibit 23? 17 A. About this story in particular? I don't recall 18 that I did. 19 Q. Okay. Let me broaden it out, then, since you 20 referenced "this story" in particular. 21 Did you have any discussions with Mr. Hoft or 22 the Gateway Pundit either right before the election or 23 after the election up to this point in time about 24 Dominion Voting Systems? 25 MR. QUEENAN: Object to form.</p> <p style="text-align: right;">Page 84</p> |
| <p>1 Q. Okay. Now, did you know at this point whether 2 or not Dominion employees were beginning to receive death 3 threats, including Dr. Coomer? 4 MR. QUEENAN: Object to form and foundation. 5 A. I don't recall that I knew that when I tweeted 6 this out, no. 7 Q. (By Mr. Cain) Did you -- did you ever look into 8 the effect of the news stories concerning Dr. Coomer and 9 whether or not he was receiving death threats? Did you 10 ever look at that? 11 MR. QUEENAN: Object to form and foundation. 12 A. At some point I became aware of news coverage of 13 Eric Coomer complaining about death threats to him. Yes. 14 Q. (By Mr. Cain) And before -- at least as of this 15 point, you're tweeting out to your roughly two million 16 followers a link to an article that has a picture of him, 17 aren't you? 18 A. Yes. 19 Q. Had you talked to The Gateway Pundit, anybody 20 associated with them, prior to November 16, 2020, when you 21 retweeted this about Dr. Coomer? 22 A. Talked to them about this specifically, about 23 this -- 24 Q. Yeah. And I'm sorry. I'll clarify it if I need 25 to.</p> <p style="text-align: right;">Page 83</p> | <p>1 A. I don't recall. I don't recall that I did. 2 Q. (By Mr. Cain) Do you have -- I'm sorry. 3 When you retweet something like this, this 4 Gateway Pundit article, is that something you do just 5 because the spirit moves you? Or is there some agreement 6 between media outlets to retweet each other's content? 7 MR. QUEENAN: Form and foundation. 8 A. In general, I do not have any kind of agreement 9 with anyone about what I put on my Twitter account. 10 Q. (By Mr. Cain) Okay. And so this wasn't -- this 11 wasn't the result of some agreement that you had with -- 12 A. Yes. 13 Q. -- Mr. Hoft; fair? 14 A. Fair, yes. 15 Q. Okay. I meant to ask you earlier when we looked 16 at that live stream. Is there a way that you are able to 17 monetize a live stream such as the one that we saw with 18 Mr. Oltmann? 19 A. No. I am -- I do not -- I have no monetization 20 on any of my social media. 21 Q. But at the time that you did the 22 Sovereign Nation piece, that's your -- that was the show 23 that you had on Newsmax; right? 24 A. Correct. 25 Q. Is that -- is that show still running?</p> <p style="text-align: right;">Page 85</p> |

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| <p>1 A. No.</p> <p>2 Q. All right. At the time that you were doing the</p> <p>3 Sovereign Nation program, did you have a financial</p> <p>4 arrangement with Newsmax for them to be able to run that</p> <p>5 show on their air way -- airwaves?</p> <p>6 A. I did.</p> <p>7 Q. And I don't really care how much money you made</p> <p>8 or didn't make, but is it -- is it based on a per-episode</p> <p>9 formula or just -- how is that generally structured?</p> <p>10 A. I had a contract with Newsmax to produce a show</p> <p>11 and to appear on other shows.</p> <p>12 Q. And is that based, though, on the number of</p> <p>13 appearances and shows you produce? That was my question.</p> <p>14 A. I had an agreement to produce a -- a -- my</p> <p>15 half-hour weekend show, and there was a -- a set number of</p> <p>16 shows that I had agreed to do, as well as appearances for</p> <p>17 other shows. That -- that's the general nature of the</p> <p>18 contract.</p> <p>19 Q. Okay. And -- and given that you're no longer</p> <p>20 with them, is it because the set number of shows that you</p> <p>21 agreed to do, you had reached the conclusion of -- of that</p> <p>22 contract?</p> <p>23 A. I ended my relationship with Newsmax.</p> <p>24 Q. Was that after they ran the retraction?</p> <p>25 MR. QUEENAN: Object to form and foundation.</p> <p style="text-align: right;">Page 86</p> | <p>1 Q. (By Mr. Cain) This looks like "In case you</p> <p>2 missed it," a November 19th tweet; fair?</p> <p>3 A. Yes.</p> <p>4 Q. Concerning the prior live stream; right?</p> <p>5 A. Correct.</p> <p>6 Q. All right. So we know you -- you had time to do</p> <p>7 the tweeting. Did you -- did you have time, by this</p> <p>8 point, to go back -- remember we looked at the Dominion</p> <p>9 website FAQ? Did you have time to go back and really get</p> <p>10 into the Dominion position on election interference</p> <p>11 issues?</p> <p>12 MR. QUEENAN: Object to form.</p> <p>13 A. As I stated, I was familiar with their defense</p> <p>14 of -- of their -- their conduct during the election.</p> <p>15 Q. (By Mr. Cain) And I think I checked this box,</p> <p>16 but let me just make sure.</p> <p>17 You're not here sitting today telling either</p> <p>18 Judge Moses or the jury that you have some evidence</p> <p>19 that -- that Dr. Coomer actually made good on his threats</p> <p>20 and had some role in rigging the election; fair?</p> <p>21 MR. QUEENAN: Form.</p> <p>22 A. Can you just restate it? Because I just want to</p> <p>23 make sure that I answer it correctly. Just -- it was</p> <p>24 just -- could you say it over again?</p> <p>25 Q. (By Mr. Cain) You have no evidence that</p> <p style="text-align: right;">Page 88</p> |
| <p>1 And I don't think that has anything to do with this case</p> <p>2 at all.</p> <p>3 MR. CAIN: Okay. Retraction from Newsmax, I</p> <p>4 think, is probably relevant.</p> <p>5 Q. (By Mr. Cain) But I -- I'm asking just from a</p> <p>6 timing standpoint, did you end your contract with Newsmax,</p> <p>7 as you put it, after they issued the retraction relating</p> <p>8 to Dr. Coomer?</p> <p>9 A. I did end it after that. And there were many</p> <p>10 reasons why I ended my contract with Newsmax, not merely</p> <p>11 or even because of this case.</p> <p>12 Q. Well, was Dr. -- the Dr. Coomer retraction one</p> <p>13 of the reasons that you ended your contract with Newsmax?</p> <p>14 Yes or no?</p> <p>15 A. It had -- it had an influence on my decision,</p> <p>16 which had already been made.</p> <p>17 Q. I see.</p> <p>18 Okay. Well, I got a little far afield. We were</p> <p>19 talking about the unhinged sociopath retweet, and then I</p> <p>20 went to Sovereign Nation. So let's just, kind of, finish</p> <p>21 up on your tweeting.</p> <p>22 MR. CAIN: This is Exhibit 23.</p> <p>23 (Exhibit Number 23 was introduced.)</p> <p>24 MR. CAIN: Exhibit 24.</p> <p>25 (Exhibit Number 24 was introduced.)</p> <p style="text-align: right;">Page 87</p> | <p>1 Dr. Coomer rigged the election, do you?</p> <p>2 A. That is correct. And that's what I stated on</p> <p>3 Newsmax, and that is what I believe today.</p> <p>4 Q. All right. Thank you. It's always better when</p> <p>5 I ask shorter questions.</p> <p>6 MR. QUEENAN: It's not just you.</p> <p>7 (Exhibit Number 17 was introduced.)</p> <p>8 Q. (By Mr. Cain) Okay. Ms. Malkin, I'm going to</p> <p>9 turn your attention now to Exhibit 17, which is, as you</p> <p>10 can see, November 28th. This is when the second Coomer</p> <p>11 story ran; correct?</p> <p>12 A. Correct.</p> <p>13 Q. All right. I'll just -- you said earlier at the</p> <p>14 beginning, you kind of have prepared remarks that you read</p> <p>15 from the teleprompter; right?</p> <p>16 A. Correct.</p> <p>17 Q. Okay. Let's just -- let's just watch a little</p> <p>18 of the beginning of this.</p> <p>19 (The video segment was played.)</p> <p>20 Q. (By Mr. Cain) I'm sorry. What is the reference</p> <p>21 there? I didn't -- to the "feckless fourth estate"? What</p> <p>22 does that mean?</p> <p>23 A. Most of the corporate media that was not</p> <p>24 reporting on election fraud and election integrity issues.</p> <p>25 "Feckless" --</p> <p style="text-align: right;">Page 89</p> |

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| <p>1 Q. I know what --</p> <p>2 A. -- dictionary definition.</p> <p>3 Q. Yeah. The "fourth estate" is the media; right?</p> <p>4 A. Yes.</p> <p>5 Q. Okay.</p> <p>6 All right. Well, you go on in this report --</p> <p>7 I'm not going to play the stuff about Mr. Chong. Let me</p> <p>8 fast forward a little bit.</p> <p>9 You show a hacker that talks about hacking into</p> <p>10 voting machines; right? Remember that part of it?</p> <p>11 A. I do.</p> <p>12 MR. QUEENAN: Object to form.</p> <p>13 Q. (By Mr. Cain) And, you know, just from a --</p> <p>14 from an actual technical standpoint, you know, I asked you</p> <p>15 about Dr. Coomer and whether he had any role in -- in</p> <p>16 engaging in rigging the election.</p> <p>17 The hacker that you put up on this particular</p> <p>18 program had direct access to the voting machine; correct?</p> <p>19 He was able to plug directly into it; true?</p> <p>20 A. I believe that's correct.</p> <p>21 Q. Okay. And are you aware of any evidence of that</p> <p>22 occurring during the 2020 presidential election --</p> <p>23 MR. QUEENAN: Object to --</p> <p>24 Q. (By Mr. Cain) -- where a malicious actor was</p> <p>25 able to hack directly into -- into any of the election</p> <p style="text-align: right;">Page 90</p> | <p>1 MR. QUEENAN: She's back.</p> <p>2 THE VIDEOGRAPHER: Staying on the record.</p> <p>3 Q. (By Mr. Cain) All right. Okay. So you froze</p> <p>4 in the middle of pointing out that this is from Now This,</p> <p>5 which is a left-wing organization, and you were just</p> <p>6 replaying that. Is that a fair statement?</p> <p>7 A. Yes, that's correct. And we attributed our</p> <p>8 sources on this, and that's why the -- it's labeled.</p> <p>9 Q. Gotcha.</p> <p>10 And then it cuts back to you. We'll just pick</p> <p>11 up there.</p> <p>12 (The video segment was played.)</p> <p>13 Q. (By Mr. Cain) I'm going to stop you right</p> <p>14 there.</p> <p>15 What's the basis for that statement, "Smartmatic</p> <p>16 machines have used Dominion software"?</p> <p>17 THE VIDEOGRAPHER: Looks like she froze up</p> <p>18 again, Counsel. Can we go off the record?</p> <p>19 MR. CAIN: Yes.</p> <p>20 THE VIDEOGRAPHER: Going off the record. The</p> <p>21 time is 12:40.</p> <p>22 (Video-recording was stopped.)</p> <p>23 THE WITNESS: The last thing I heard -- can</p> <p>24 everybody hear me?</p> <p>25 MR. CAIN: Yeah.</p> <p style="text-align: right;">Page 92</p> |
| <p>1 machines, either tabulators or voting machines?</p> <p>2 A. I'm just trying to recall what your -- the</p> <p>3 question was, am I aware of it?</p> <p>4 Q. Yeah. I mean, you -- you show a hacker --</p> <p>5 A. No. I just wanted to make sure that that's what</p> <p>6 you said: Am I aware.</p> <p>7 Q. Yeah.</p> <p>8 A. No.</p> <p>9 Q. All right. And I'm going to fast forward</p> <p>10 through the hacker.</p> <p>11 By the way, where did you interview this</p> <p>12 particular hacker? Was that at one of those symposiums?</p> <p>13 A. I did not interview the hacker.</p> <p>14 As you can see, the bug of the media</p> <p>15 organization called Now This, which is a left-wing</p> <p>16 journalism outfit, ran this story a couple of years ago.</p> <p>17 And I was informing my audience that concerns about</p> <p>18 hacking into these electronic voting machines were</p> <p>19 shared on --</p> <p>20 MR. CAIN: Well, here we go again. Michelle is</p> <p>21 frozen, so let's go off the record until she unfreezes.</p> <p>22 THE VIDEOGRAPHER: Going off the record. The</p> <p>23 time is --</p> <p>24 THE WITNESS: Hello. I'm here.</p> <p>25 MR. CAIN: She's back.</p> <p style="text-align: right;">Page 91</p> | <p>1 THE WITNESS: -- was, what was the basis for the</p> <p>2 statement "Smartmatic machines have used Dominion</p> <p>3 software"?</p> <p>4 THE VIDEOGRAPHER: Michelle, can you go ahead</p> <p>5 and log completely off and come back in? Your -- your</p> <p>6 internet connection is very intermittent.</p> <p>7 THE WITNESS: Okay.</p> <p>8 (Recess from 12:40 p.m. until 12:43 p.m.)</p> <p>9 THE VIDEOGRAPHER: All right. We're back on</p> <p>10 the -- we're back on the record. The time is 12:43.</p> <p>11 Q. (By Mr. Cain) Ms. Malkin, we've had some</p> <p>12 interruptions, technical issues.</p> <p>13 I'm going to go back to an exhibit that we</p> <p>14 started to talk about before this went off the rails.</p> <p>15 Okay. So we started the Sovereign Nation video</p> <p>16 a bit ago. Showed you the intro. Then we started talking</p> <p>17 about the hacker interview that you replayed.</p> <p>18 Then I started to play this next segment after</p> <p>19 you came back from the hacker piece. So I'm going to</p> <p>20 replay that.</p> <p>21 (The video segment was played.)</p> <p>22 Q. (By Mr. Cain) Okay. So then you go on to talk</p> <p>23 about the Philippines and voting issues there.</p> <p>24 And what I was asking you when everything froze</p> <p>25 is, what was the basis of your statement that Smartmatic</p> <p style="text-align: right;">Page 93</p> |

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| <p>1 machines had used Dominion software, if you can answer 2 that.</p> <p>3 MR. QUEENAN: Counsel, there's a commentary 4 running in the top right corner between you, Brad, and 5 Steve that's kind of disparaging of Ms. Malkin.</p> <p>6 So I don't know if there's something we can do 7 about that, but it's kind of distracting.</p> <p>8 MR. CAIN: All right. Well, whoever is texting, 9 don't text me.</p> <p>10 Q. (By Mr. Cain) Can you answer my question? 11 A. Can you restate the question? 12 Q. Yes. What evidence do you have that Smartmatic 13 machines have used Dominion software in the past? You 14 stated that in your segment. 15 A. Yes. I'll have to -- I would have to go back 16 and look at my notes. 17 I had corroborating links and references in my 18 script and my research, so I'm confident that what I said 19 is true. 20 Q. Okay. So you did do some research on voting 21 software and the relationship between Smartmatic and 22 Dominion prior to this episode; right? 23 A. Okay. I'm back. Yes. 24 Q. Did you hear my question? 25 A. Can you restate it?</p> <p style="text-align: right;">Page 94</p> | <p>1 part of your script? 2 A. Correct. 3 Q. Okay. So any research that you would have done 4 regarding ownership issues, we could just simply go back 5 to the notes that you produced and look at the references? 6 A. Yes. I believe there was one other email that 7 included a bunch of the URLs that I had sent to a 8 different producer. 9 Q. Okay. And you've produced those? 10 A. Not that specific one, because it did not 11 pertain to Eric Coomer. 12 Q. I see. 13 All right. Now, you talk a fair amount during 14 this particular clip -- and I don't really have an 15 interest in looking into it -- but you talk about issues 16 in the Philippines when you interview this attorney, 17 Mr. Chong; right? 18 A. Correct. 19 Q. Right. So we'll go through the commercials and 20 that -- that part of it. Get to, I think, around 21 ten minutes in, ten-and-a-half minutes in when you come 22 back from commercial. 23 Here we are. 24 (The video segment was played.) 25 Q. (By Mr. Cain) I forgot to ask you earlier, the</p> <p style="text-align: right;">Page 96</p> |
| <p>1 Q. I said, so you did do some research prior to 2 this episode regarding the use of Dominion software by 3 Smartmatic and the -- the relationship between those 4 companies; correct? 5 A. For the monologue in which I mentioned these 6 things, yes. 7 Q. All right. And you also did some research, it 8 sounds like, about shell companies that were in place that 9 had -- I guess that tied Dominion to Smartmatic from an 10 ownership standpoint. 11 Is that true, too? 12 A. Yes. 13 Q. Okay. And can you, as you sit here, explain for 14 the judge and the jury what the relationship is that you 15 discovered between Smartmatic on the one hand and Dominion 16 on the other? 17 A. It's as I stated in the monologue. What I 18 summarized from my research were the descriptions of those 19 relationships as stated in the monologue based on research 20 that I had done citing newspaper articles from the 21 Los Angeles Times, I believe the Huffington Post, the 22 Washington Post, as well as couple of government agencies, 23 including, I think, an agency whose acronym was NIST, and 24 another one who I believe was CFIUS. 25 Q. Okay. And those are embedded in your notes as</p> <p style="text-align: right;">Page 95</p> | <p>1 reference to him being affiliated with the Antifa 2 movement -- did you look into that particular issue, the 3 structure of -- if there is a structure of Antifa and how 4 it's organized in Central Colorado or on the Front Range? 5 MR. QUEENAN: Object to form. 6 A. I had been covering Antifa in Denver, 7 Colorado Springs, and across the country, yes. 8 Q. (By Mr. Cain) So does that group, if you want 9 to call it a group, have a formal structure that you're 10 aware of? 11 A. Some of the cell organizations have very defined 12 formal structures, yes. 13 Q. Okay. Can you give -- can you give me an 14 example of one of those, please? 15 A. Sure. The oldest Antifa chapter in the United 16 States is Rose City Antifa, and they have formal 17 structure, formal meetings, formal recruitment, and that 18 has been documented by journalists. And there's chapters 19 across the country, including chapters in Denver and 20 Colorado Springs. 21 Q. Okay. So it sounds like you have a pretty 22 decent amount of familiarity with that being here in 23 Colorado; right? 24 A. And in other parts of the country, yes. 25 Q. Sure. And throughout your either looking into</p> <p style="text-align: right;">Page 97</p> |

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| <p>1 Antifa or being familiar with them, did you ever run 2 across Eric Coomer as being a member of that loosely 3 affiliated organization?</p> <p>4 MR. QUEENAN: Object to form.</p> <p>5 A. I did not. (The video segment was played.)</p> <p>6 Q. (By Mr. Cain) Now, you didn't follow up -- and 7 I'll play it. Let's just play it. (The video segment was played.)</p> <p>8 Q. (By Mr. Cain) I'll stop there. He just said -- I believe he followed up on his 9 ability to affect the election. But you did not, in this 10 piece, think to ask him what the basis of his belief was; 11 right -- that Dr. Coomer committed election fraud?</p> <p>12 A. That was his conclusion based on his research 13 and based on what he saw of Eric Coomer's Facebook posts 14 That's his opinion. That was his conclusion.</p> <p>15 Mine was the opposite, and both views were aired 16 in this segment.</p> <p>17 Q. Right. You're talking about the later statement 18 that you make that we'll talk about. But you've mentioned 19 it already, where you -- where you said you didn't find 20 any evidence; fair?</p> <p>21 A. Yes. And these were -- this was a -- sort of 22 the opening, and he's barely begun to talk yet, and I let 23 Page 98</p> | <p>1 was different. It's whether he could have done something 2 is conjecture; true? You would, at least, agree with 3 that?</p> <p>4 A. Yes. We're raising the possibility that he -- 5 he might have made good on the threat. And yes, it is 6 exploring the possibility that he could have done it, yes.</p> <p>7 Q. (By Mr. Cain) Okay. Give me a working theory, 8 if he could have done it, how he could have rigged the 9 election such that you would say that on this -- on this 10 broadcast?</p> <p>11 MR. QUEENAN: Object to form.</p> <p>12 Q. (By Mr. Cain) How could he?</p> <p>13 A. I'm not -- I'm not a statistical person. I'm 14 not a technical person. I don't have the software or IT 15 background that Joe Oltmann has.</p> <p>16 But as a high-ranking member of an electronic 17 voting system company that has products in nearly 30 18 states in the United States, somebody whose title is vice 19 president of strategy and security, one could imagine that 20 Eric Coomer might have had some ability to access that 21 system and do something untoward.</p> <p>22 I can't spell out all of the specs of how it 23 might be done, and this is why we were discussing whether 24 he had the motivation or the means or the bias to do such 25 a thing. It wasn't my intent to get into the nuts and Page 100</p> |
| <p>1 him talk.</p> <p>2 Q. Yes. Let's let him talk a little more. (The video segment was played.)</p> <p>3 Q. (By Mr. Cain) So, basically, this is 4 substantially similar to the -- the story that Mr. Oltmann 5 gave you on November 13th; is that accurate?</p> <p>6 A. Yes.</p> <p>7 Q. Let me ask you: When you use that term 8 "alarming," at that point you knew, because you were about 9 to say it, that there was no evidence that -- that 10 Dr. Coomer actually did anything to affect the election.</p> <p>11 So what was so alarming about it that caused you 12 to make that statement?</p> <p>13 A. What was alarming was the possibility that he 14 could have fulfilled that threat. And that's why I was 15 sharing this information, because I wanted people to know 16 what Joe Oltmann had discovered about him. It is 17 alarming.</p> <p>18 Q. Well, he could have. "He could have" is 19 conjecture; is it not?</p> <p>20 MR. QUEENAN: Object to form and foundation.</p> <p>21 A. The intent of this segment was to air 22 Joe Oltmann's discoveries and raise questions and call for 23 further investigation of what he had discovered.</p> <p>24 Q. (By Mr. Cain) Okay. But my question, again, 25 Page 99</p> | <p>1 bolts of how exactly that might have happened.</p> <p>2 Q. Let me break that down.</p> <p>3 You're not -- you're not a technical person as 4 it relates to how voting systems are implemented on -- on 5 the various states and counties; right?</p> <p>6 A. Right.</p> <p>7 Q. Okay. And you don't have any technical 8 expertise with respect to the -- the voting software 9 that's used and the process by which it goes from Dominion 10 through certification to the various jurisdictions. You 11 don't have any expertise in that; right?</p> <p>12 A. Right. I couldn't describe for you the -- the 13 actual implementation of how such a thing would be done. 14 But as I had mentioned in the monologue, there had been a 15 lot of concerns about how such a thing could be 16 perpetrated.</p> <p>17 Q. Right. Well, what -- what I was asking you was, 18 give me your theory. When you say that he could -- or he 19 had the ability to carry out this threat -- alleged 20 threat -- what -- under what circumstance? Under what 21 practical circumstance?</p> <p>22 A. Yeah. So I don't have a theory, and that is why 23 I was interviewing Joe Oltmann.</p> <p>24 Q. Well, he's not an election expert, is he?</p> <p>25 A. He -- his business is in IT. My understanding Page 101</p> |

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| <p>1 is that he is a tech entrepreneur.</p> <p>2 Q. So? What does that have to do with elections?</p> <p>3 MR. QUEENAN: Object to form and foundation.</p> <p>4 A. He works in software and data.</p> <p>5 Q. (By Mr. Cain) So? Did you see any of his data?</p> <p>6 A. You were asking about what kind of expertise I</p> <p>7 have --</p> <p>8 Q. No, ma'am --</p> <p>9 A. -- and, no, I did not see --</p> <p>10 (Simultaneous speakers.)</p> <p>11 Q. (By Mr. Cain) Did you see any of his data?</p> <p>12 A. No, I did not see his data.</p> <p>13 Q. Did you ask for his data?</p> <p>14 A. He gave me two zip files of Facebook</p> <p>15 screenshots.</p> <p>16 Q. That's not what I'm talking about. I'm talking</p> <p>17 about data relating to election riggin' -- rigging, with a</p> <p>18 G, or fraud.</p> <p>19 MR. QUEENAN: Object to form.</p> <p>20 Q. (By Mr. Cain) Anything like that?</p> <p>21 A. No. I did not see his data, as I stated.</p> <p>22 Q. So as you sit here, you cannot cite to the Court</p> <p>23 one working theory as to how Eric Coomer could have rigged</p> <p>24 the 2020 presidential election; isn't that true?</p> <p>25 MR. QUEENAN: Object to form.</p> <p style="text-align: right;">Page 102</p> | <p>1 patented, that's a normal process by which the company</p> <p>2 would own the patent, and the inventor might be the -- the</p> <p>3 scientists that have worked for that company. Are you</p> <p>4 familiar with that paradigm?</p> <p>5 A. Yes.</p> <p>6 MR. QUEENAN: Object to form and foundation.</p> <p>7 Q. (By Mr. Cain) So what is unusual about the fact</p> <p>8 that Dr. Coomer would be associated with -- with Dominion</p> <p>9 patents? Who cares?</p> <p>10 MR. QUEENAN: Object to form.</p> <p>11 A. Some people might care.</p> <p>12 Q. (By Mr. Cain) Well, why did you state it? What</p> <p>13 was the relevance to you when you were stating it?</p> <p>14 A. It underscored his high profile and his</p> <p>15 expertise and his position at the company.</p> <p>16 Q. (By Mr. Cain) Okay.</p> <p>17 (The video segment was played.)</p> <p>18 Q. (By Mr. Cain) Now, I'm just going to go through</p> <p>19 that.</p> <p>20 Any relevance in your mind to the fact that</p> <p>21 Dr. Coomer was a witness in Georgia for the secretary of</p> <p>22 state?</p> <p>23 A. I think he's just establishing that -- that</p> <p>24 Eric Coomer played a pivotal role at -- at the company,</p> <p>25 and that was -- that was one of the notable things that he</p> <p style="text-align: right;">Page 104</p> |
| <p>1 A. That is true.</p> <p>2 Q. (By Mr. Cain) All right. Now, you go on --</p> <p>3 (The video segment was played.)</p> <p>4 Q. (By Mr. Cain) That's what you were referring to</p> <p>5 earlier -- the research you did; right? The relationship</p> <p>6 between Smartmatic and Dominion and, perhaps, Sequoia;</p> <p>7 right?</p> <p>8 A. Correct.</p> <p>9 (The video segment was played.)</p> <p>10 Q. (By Mr. Cain) Were you provided with the</p> <p>11 patents, or did you do any research about whether he had</p> <p>12 patents and who owned them?</p> <p>13 A. I believe I might have done a Google search at</p> <p>14 some point, and his name came up. But Joe Oltmann did not</p> <p>15 provide that information for me, nor did I solicit it from</p> <p>16 him.</p> <p>17 Q. Nor did you review any of the patents</p> <p>18 themselves?</p> <p>19 A. I just said I believe I -- I might have Googled</p> <p>20 and saw his name on patents that were attributed to him.</p> <p>21 Q. Well, I mean, even just a -- you're a</p> <p>22 businesswoman and a journalist, are you not?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. And you know that when technical people</p> <p>25 work for companies and there's technology that's -- that's</p> <p style="text-align: right;">Page 103</p> | <p>1 did.</p> <p>2 (The video segment was played.)</p> <p>3 Q. (By Mr. Cain) Changing votes -- do you know</p> <p>4 what the adjudication process is?</p> <p>5 MR. QUEENAN: Objection.</p> <p>6 Q. (By Mr. Cain) -- in elections?</p> <p>7 A. In general, yes.</p> <p>8 Q. Okay. And in terms of this reference to</p> <p>9 changing votes, you're aware, and were aware at this time,</p> <p>10 that when ballots are flagged because there's an anomaly</p> <p>11 on it, then you go through -- that ballot will go through</p> <p>12 this adjudication process; right?</p> <p>13 A. That is my --</p> <p>14 MR. QUEENAN: Object to form and foundation.</p> <p>15 A. That is my understanding.</p> <p>16 Q. (By Mr. Cain) Okay. I'm sorry if I talked over</p> <p>17 you.</p> <p>18 And that adjudication process involves one</p> <p>19 member from the Democratic party and one member from the</p> <p>20 Republican party examining the actual ballot; right?</p> <p>21 A. Right.</p> <p>22 Q. Coming to a determination as to what the voter</p> <p>23 intent was based on the review of the ballot; correct?</p> <p>24 A. Okay. Yes.</p> <p>25 Q. So when -- when Mr. Oltmann's talking about</p> <p style="text-align: right;">Page 105</p> |

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| <p>1 changing votes, is there some other paradigm that -- that</p> <p>2 you can think of besides the adjudication process where a</p> <p>3 vote might be actually changed?</p> <p>4 MR. QUEENAN: Object to form.</p> <p>5 A. You'll have to ask him what specifically he's</p> <p>6 referring to with regard to that video and Eric Coomer's</p> <p>7 statements.</p> <p>8 Q. (By Mr. Cain) You didn't -- you hadn't reviewed</p> <p>9 that YouTube video that he's referring to that he -- that</p> <p>10 he's talking about Dr. Coomer stating how to change votes?</p> <p>11 A. Only afterwards did I understand that he was</p> <p>12 referring to a -- a video in which Eric Coomer discussed</p> <p>13 what he's talking about.</p> <p>14 Q. Okay. That wasn't part of your preshow</p> <p>15 investigation or research; correct?</p> <p>16 A. No. Correct.</p> <p>17 (The video segment was played.)</p> <p>18 Q. (By Mr. Cain) Now, this large shareholder part,</p> <p>19 that is -- as I think I've heard your testimony -- part of</p> <p>20 the importance -- or part of the basis, shall we say, for</p> <p>21 the statement that Dr. Coomer would have the ability to</p> <p>22 carry out his threat, just like the patents that we talked</p> <p>23 about earlier; correct?</p> <p>24 MR. QUEENAN: Form.</p> <p>25 A. I'd have to go back and refresh my memory of --</p> <p style="text-align: right;">Page 106</p> | <p>1 after this -- well, it was published on the 28th, the</p> <p>2 Newsmax piece. Did you reach out to Dominion after you</p> <p>3 produced that particular show and it aired?</p> <p>4 A. I did not.</p> <p>5 Q. As it relates to -- and you didn't go to their</p> <p>6 FAQ site either, either before the show or after, did you?</p> <p>7 A. You asked me that before, and as I said, I had</p> <p>8 seen news stories in which they defended themselves, and</p> <p>9 quotes from this website were included.</p> <p>10 Q. Okay. Now, here, on the FAQ site, there's a</p> <p>11 statement about the fact that Dominion's not shutting its</p> <p>12 office and employees have now gone to work remotely. And</p> <p>13 it talks about threats to personal safety concerns,</p> <p>14 et cetera.</p> <p>15 What was your view on publishing both personal</p> <p>16 Facebook pictures from Dr. Coomer's account, as you</p> <p>17 understood it, and his picture as we saw it on The</p> <p>18 Gateway Pundit? Didn't that lead to some concern on your</p> <p>19 part that Dr. Coomer might be exposed to threats?</p> <p>20 MR. QUEENAN: Object to form and foundation.</p> <p>21 A. I shared those Facebook posts because I believed</p> <p>22 that the content of the posts were of public interest.</p> <p>23 And I believed that they had inherent news value because</p> <p>24 they showed an animus and a hostility towards</p> <p>25 conservatives and Trump voters and police, and that's why</p> <p style="text-align: right;">Page 108</p> |
| <p>1 of the context of -- of how you asked me that. But it was</p> <p>2 just a piece of the -- of a picture of Eric Coomer being a</p> <p>3 high-profile, powerful executive of this company.</p> <p>4 Q. (By Mr. Cain) Which as you've stated, I think,</p> <p>5 many times now, gave rise to your statement that he would</p> <p>6 have the ability to carry out on his threat of election</p> <p>7 rigging; true?</p> <p>8 A. True.</p> <p>9 Q. All right.</p> <p>10 (The video segment was played.)</p> <p>11 Q. (By Mr. Cain) Okay. Obviously, you go on to --</p> <p>12 we've already, kind of, covered that.</p> <p>13 But the -- this piece ends, I guess, going on to</p> <p>14 Victoria Toensing, if that's how you say her name, which</p> <p>15 is one of the Trump lawyers.</p> <p>16 As to -- as to Eric Coomer and this story, did</p> <p>17 you end up ever reaching out to him or attempt to reach</p> <p>18 out to him after this publication to get his side of this</p> <p>19 story?</p> <p>20 MR. ZAKHEM: Object to form and foundation.</p> <p>21 A. I did not.</p> <p>22 Q. (By Mr. Cain) I mean, we looked earlier --</p> <p>23 let's see if I can bring up the exhibit.</p> <p>24 This is back, like we were talking about</p> <p>25 earlier, from the Dominion website. Did you reach out</p> <p style="text-align: right;">Page 107</p> | <p>1 I shared them.</p> <p>2 Q. (By Mr. Cain) Okay. Did you care about the</p> <p>3 impact on Dr. Coomer --</p> <p>4 MR. QUEENAN: Object to form.</p> <p>5 Q. (By Mr. Cain) -- as a result of your reporting?</p> <p>6 A. I couldn't have predicted what the impact on</p> <p>7 Eric Coomer is. And every single thing that I've written</p> <p>8 over the last 30 years has an impact on somebody.</p> <p>9 Q. Yes, it does.</p> <p>10 All right. This number two, the reason I'm</p> <p>11 showing you this -- again, this is from the Dominion</p> <p>12 website. It was published on the 25th before your show</p> <p>13 aired.</p> <p>14 There's a statement here that "The U.S.</p> <p>15 Department of Homeland Security Cyber Security Division</p> <p>16 has confirmed that it is not possible for a bad actor to</p> <p>17 change election results without detection."</p> <p>18 Do you see that?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. Were you not aware of that statement or</p> <p>21 confirmation by Homeland Security; that it would not have</p> <p>22 been possible for a bad actor, such as Dr. Coomer, to --</p> <p>23 to change results without detection?</p> <p>24 A. I don't recall this specific statement. But in</p> <p>25 general, just as I mentioned with CISA, I'm not going to</p> <p style="text-align: right;">Page 109</p> |

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| <p>1 take at face value any statement that was made by any 2 government agency about the election at that time. 3 Q. Okay. Well, who -- who do you consider -- since 4 you don't consider CISA to be someone that you would rely 5 on, or the Department of Homeland Security, who do you 6 think is authoritative that you would rely on? 7 Russ Ramsland, someone like that? 8 A. You asked me about these specific agencies, and 9 I already explained why. Specifically, I had questions 10 about CISA's conclusions since the very same electronic 11 voting systems companies that they were watchdogging were 12 committee members under CISA raised questions about their 13 objectivity and their liability. 14 And there are a lot of operatives and 15 bureaucrats within the Homeland Security department who 16 have political biases themselves. 17 So, I mean, I can't -- I would -- I would trust 18 an independent, nonpartisan -- nonpartisan, not 19 interest-conflicted agency or neutral academics on making 20 these kinds of conclusions. 21 MR. CAIN: All right. I just noticed -- 22 thank you for that. 23 I just noticed that it appears your counsel may 24 have been booted off again. 25 Are you there, Gordon?</p> <p style="text-align: right;">Page 110</p> | <p>1 reason why they're not reliable. 2 Now my question was, if not the Department of 3 Homeland Security or CISA, who do you consider to be a 4 reliable source of information concerning whether or not 5 it's possible for a bad actor to change election results 6 without detection. 7 Q. (By Mr. Cain) And that's my -- that's for you, 8 Ms. Malkin. 9 A. And what I answered was some independent entity 10 that's not attached to divisions of the government, that 11 work with many of these private companies, that sit on 12 committees under the umbrella of supposed watchdog 13 quasi-governmental entities like CISA. 14 So a neutral academic, somebody who does not 15 have a stake in the outcome of the election. 16 MR. CAIN: Okay. Did we lose counsel again? 17 MR. QUEENAN: No. I'm turning my video off 18 because I'm concerned that that's part of the problem and 19 I'm hoping that that will resolve the issue. 20 So I'm still here. Fire away. 21 Q. (By Mr. Cain) Can you name one neutral entity, 22 as you refer to them, that you would consider 23 authoritative in this respect? 24 MR. QUEENAN: Object to form. 25 A. I know that there are watchdogs, particularly</p> <p style="text-align: right;">Page 112</p> |
| <p>1 THE VIDEOGRAPHER: He's just coming back in. 2 MR. CAIN: I tell you what. I know we're still 3 on the record, and I wish we were off. But this has been 4 the most technically challenging Zoom deposition since the 5 beginning of the pandemic. 6 Gordon, I'm sorry. I just realized that you 7 were off again. 8 MR. QUEENAN: That's fine. Do you want to just 9 do the same thing, where I have a rough idea of how long I 10 was off, I'll look through the transcript; if I have an 11 objection, I'll put it in, like, an errata sheet. You 12 just keep truckin'. 13 And to the extent it matters -- I mean, I've 14 been keeping a log of interruptions so we can -- I think 15 Judge Moses would appreciate us getting done today, and 16 I'm not going to jam you up saying you had three hours and 17 because Ms. Malkin froze, you get the short end of the 18 stick. So I have it at about ten minutes over. 19 MR. CAIN: Well, just so you know, while you 20 were gone, the last thing that I talked about was this -- 21 this statement here about the Department of Homeland 22 Security confirming it's not possible for a bad actor to 23 change the election results without detection. 24 Ms. Malkin gave her answer, essentially, that 25 that department, she thinks, may have a bias or some other</p> <p style="text-align: right;">Page 111</p> | <p>1 when it comes to black box voting and -- and these 2 electronic voting systems, that may not necessarily share 3 my same political ideology or outlook that are on the 4 other side of the aisle. 5 So groups or watchdogs like that that have a 6 long track record of red-flagging problems with these 7 systems. 8 And then I interviewed one of them -- well, I'm 9 just finishing my answer. 10 I think somebody like Glen Chong in the 11 Philippines, who's been doing research on this and dealing 12 with a -- a lot of these software problems and hardware 13 problems in another country, is also a credible assessor 14 of the stability of these systems. 15 Q. (By Mr. Cain) Okay. Well, let's -- let's stick 16 to the United States for the time being. 17 I'm asking you, you don't consider CISA or the 18 Department of Homeland Security to be authoritative in 19 this respect, and I just want you to name a group that you 20 consider that's not Mr. Chong in the Philippines to be 21 authoritative. 22 A. Yeah. So as I mentioned, there -- I can't 23 recall off the top of my head the name of the groups that 24 have been red-flagging problems with Dominion and Sequoia 25 and Smartmatic for years prior to Election 2020.</p> <p style="text-align: right;">Page 113</p> |

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| <p>1 But they have websites that have documented many 2 of these problems. I -- I can go back and find the actual 3 names of them, but people who have been tracking many of 4 these issues.</p> <p>5 And then I think a lot of the elected officials 6 who have elected not to use these types of products 7 because of -- of concerns. I believe that Chicago 8 Democrats had raised issues about some of these systems, 9 for example, and other municipalities that elected not to 10 use them.</p> <p>11 Q. Okay. Now, let's look at Number 3. And -- and 12 let me frame this for you, ma'am. You made the statement 13 on your piece about Dr. Coomer having the ability to -- to 14 rig the election. We've talked about that.</p> <p>15 And what I'm trying to drill down on is the 16 information that you had available to you to test that 17 theory and to validate it.</p> <p>18 And in Number 3 here, this is a discussion about 19 certification by the U.S. Election Assistant Commission. 20 And I'll just read it quickly.</p> <p>21 It says, "All U.S. voting systems must provide 22 assurances that they work accurately and reliably as 23 intended under Federal USEAC and state certifications and 24 testing requirements. Dominion Voting Systems are 25 certified for the 2020 elections."</p> <p style="text-align: right;">Page 114</p> | <p>1 raise their voices to ask their elected officials to ask 2 these questions could do so.</p> <p>3 Q. (By Mr. Cain) Well, you agree with me, ma'am, 4 that Dominion, the company that Dr. Coomer is part of, 5 they don't actually conduct the elections; right? You 6 know that?</p> <p>7 MR. QUEENAN: Object to form.</p> <p>8 Q. (By Mr. Cain) Do you know that to be true?</p> <p>9 A. They're an integral and fundamental part of the 10 conducting of our elections. They do not conduct them qua 11 conducting, if that's what you mean.</p> <p>12 Q. What I mean to say is, the actual elections are 13 conducted by both the state and county officials; right? 14 Do you know that?</p> <p>15 MR. QUEENAN: Object to form and foundation.</p> <p>16 A. Yes. That's how it's supposed to work, yes.</p> <p>17 Q. (By Mr. Cain) Okay.</p> <p>18 THE VIDEOGRAPHER: Counsel, five minutes, 19 heads-up.</p> <p>20 MR. QUEENAN: Charlie, do you want to just make 21 it 15? Will that make it fair in terms of the 22 interruptions?</p> <p>23 MR. CAIN: Sure. We'll figure it out.</p> <p>24 Q. (By Mr. Cain) But do you, as you sit here -- 25 I'm just trying to mine your knowledge. Do you think</p> <p style="text-align: right;">Page 116</p> |
| <p>1 And then it has some bullet points.</p> <p>2 "Servers that run Dominion software are located 3 in local election offices and data never leaves control of 4 the local election officials."</p> <p>5 All right. Were you aware of that, or do you 6 have some basis to dispute that?</p> <p>7 MR. QUEENAN: Object to form and foundation.</p> <p>8 A. I was generally aware of these requirements, 9 yes.</p> <p>10 Q. (By Mr. Cain) Okay.</p> <p>11 "Dominion does not have the ability to review 12 votes in real-time as they are submitted. Dominion's 13 software does not have the ability to fractionalize for 14 weight votes. Dominion tabulators do not have an exposed 15 USB or other memory ports."</p> <p>16 Did I read that correctly?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. So given those statements, how would 19 someone like Dr. Coomer penetrate the U.S. election system 20 without detection?</p> <p>21 MR. QUEENAN: Object to form and foundation.</p> <p>22 A. Like I said, I am not a technical expert in 23 election software or hardware. And that is why I was 24 raising these questions; so that citizens out there who 25 might have more expertise than I do or the ability to</p> <p style="text-align: right;">Page 115</p> | <p>1 Dr. Coomer or Dominion employees participate in the actual 2 election? In other words, are they acting as tabulators?</p> <p>3 MR. QUEENAN: Object to form.</p> <p>4 A. I -- I -- I don't know. I -- I don't know 5 what -- I don't know the totality of what happened during 6 the last election cycle.</p> <p>7 But in general, the tabulators are not the 8 people who conduct the elections.</p> <p>9 Q. (By Mr. Cain) Well, let's take an example. If 10 you'd have read through this before airing the last piece 11 you did on Dr. Coomer, it says, "Dominion employees do not 12 have access to the ballot adjudication system nor do they 13 operate it."</p> <p>14 Do you have any basis to dispute that?</p> <p>15 MR. QUEENAN: Object to form and foundation.</p> <p>16 A. I don't have any basis one way or the other.</p> <p>17 Q. (By Mr. Cain) And you didn't do any research 18 prior to the Coomer story on the -- on the 28th as to 19 whether or not Dr. Coomer specifically had access to the 20 adjudication system during the election, did you?</p> <p>21 MR. HICKS: Object to form.</p> <p>22 A. That's not a claim that I made.</p> <p>23 Q. (By Mr. Cain) Well, you said that he had the 24 ability to do it. So part of the ability is opportunity, 25 and that's why I'm asking you this question.</p> <p style="text-align: right;">Page 117</p> |

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| <p>1 Did he have the opportunity, through access, to 2 affect the election? And my -- and that's the basis of my 3 question. Either you know that or you don't. Do you 4 know? 5 MR. QUEENAN: Object to form. 6 A. When I stated that he had the ability to have an 7 influence on the election, I did not spell out, nor did I 8 have any particular theory about how he might have done 9 that. 10 Joe Oltmann apparently did, and others did. And 11 you can ask them to spell out how exactly they believe it 12 happened. 13 But as I stated on the show, I had no evidence 14 at the time that he acted on that threat, and that's what 15 I told my audience. 16 Q. (By Mr. Cain) Right. Just that he had the 17 ability to do it. That's why I'm asking. 18 MR. QUEENAN: Object to form and foundation. 19 Q. (By Mr. Cain) Let me ask you this: Were you -- 20 actually, back up before I move on to that. 21 And I had asked you previously about Mr. Hoft 22 and some of the other defendants in this case. I didn't 23 ask you about Mr. Giuliani. 24 Did -- did you have any interactions with 25 Mr. Giuliani during the 2020 election cycle in -- in this Page 118</p> | <p>1 A. I wouldn't know anything about who coordinated 2 what. 3 Q. (By Mr. Cain) Okay. Well, the reason I was 4 asking you is I saw there was a fair number of tweets by 5 you directed towards Mr. Giuliani. Do you remember doing 6 that? 7 A. Directed towards him? I don't -- I don't know 8 what you mean by that. 9 Q. Well, I'm not a Twitter guy, so I don't -- 10 you're tweeting about Mr. Giuliani during this particular 11 rally. Do you remember that? 12 A. Yes. I was there not only to speak but also to 13 cover the hearing. And so I tagged the people who are 14 speaking, and he was one of them. 15 Q. By the way, I -- okay. So you didn't meet with 16 him or talk to him during that Arizona visit, did you? 17 A. I did not. 18 Q. Okay. And the Stop the Steal, is that an 19 organization in the sense of Antifa, or does it have some 20 actual, you know, organizational structure that you know 21 of? 22 MR. QUEENAN: Object to form and foundation. 23 Q. (By Mr. Cain) And I butchered that a little 24 bit. 25 I'm just -- I'm trying to figure out what that Page 120</p> |
| <p>1 period of time? 2 MR. QUEENAN: Object to form. 3 A. No. 4 Q. (By Mr. Cain) I noticed that you were at -- I 5 think you spoke -- correct me if I'm wrong -- at a 6 Stop the Steal rally in November -- late November, so it 7 would have been a couple of weeks after -- well, it would 8 have been a couple of days after the Newsmax piece aired. 9 But do you recall speaking at the Stop the Steal 10 rally in -- I think it was Phoenix, on November 30th? 11 A. Yes. I spoke very briefly at the phoenix 12 Stop the Steal rally. 13 Q. Okay. And that was outside of -- was -- was 14 Ali Alexander also speaking at that -- 15 MR. QUEENAN: Object to form. What name did you 16 say? 17 Q. (By Mr. Cain) Ali Alexander. 18 Was he there? 19 A. Yes. 20 Q. And was Mr. Giuliani, at the time, was this 21 coordinated with him speaking to the legislature there 22 in -- in Arizona? 23 MR. QUEENAN: Object to -- 24 A. I wouldn't know any -- oh. 25 MR. QUEENAN: You can answer. Page 119</p> | <p>1 organization is, if you know. 2 A. So I believe it was formed in the aftermath of 3 the election to galvanize people to show up at rallies, 4 and I had a lot of friends who were participating in them. 5 I don't know much about the organization itself. 6 Q. And do you have a -- a firmly held belief, 7 ma'am, that the 2020 presidential election was stolen? 8 A. As I stated at the beginning, I believe broadly 9 that there were a number of irregularities, problems with 10 ballot harvesting and the intervention of private 11 philanthropic nonprofits that led to what I believe 12 broadly was a stealing of Election 2020. Absolutely. 13 Q. Okay. And is that -- I'm just trying to 14 understand the -- how you're characterizing it. 15 Does that mean -- when you say "stealing," does 16 that mean that there were activities that affected the 17 vote count to the point where the wrong person won? 18 A. Yes. 19 Q. We'll just do one more exhibit since we're -- 20 and I apologize, Ms. Malkin. Have you done one of these 21 Zoom depositions before? 22 A. I did one, yes, one other one, and also had 23 similar problems. It's -- it's crunch time, like, in our 24 neighborhood, so a lot of people are on the internet. I 25 told my son to get off. Page 121</p> |

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| <p>1 (Exhibit Number 30 was introduced.)</p> <p>2 Q. (By Mr. Cain) All right. Let me share my</p> <p>3 screen. This is Exhibit 30. This is from your Newsmax</p> <p>4 Sovereign Nation show on May 8, 2021. It's about a minute</p> <p>5 and a half. Take a look at Exhibit 30.</p> <p>6 (The video segment was played.)</p> <p>7 Q. (By Mr. Cain) Had you seen that before,</p> <p>8 Ms. Malkin?</p> <p>9 A. Yes.</p> <p>10 Q. All right. So you differed from your former --</p> <p>11 were they an employer? I want to refer to them as -- in</p> <p>12 the appropriate term.</p> <p>13 A. They --</p> <p>14 Q. What was Newsmax to you?</p> <p>15 A. They do not employ me. I was an independent</p> <p>16 contractor.</p> <p>17 Q. You had just told us that the election was</p> <p>18 stolen, in your view. And you, obviously, understand from</p> <p>19 seeing that piece that Newsmax had found no evidence of</p> <p>20 that and made that statement to the public; true?</p> <p>21 MR. QUEENAN: Object to form.</p> <p>22 A. What is the question?</p> <p>23 Q. (By Mr. Cain) Yeah. You had told us that the</p> <p>24 election, in your view, was stolen. But you would agree</p> <p>25 that your independent contractor company, Newsmax, made</p> <p style="text-align: right;">Page 122</p> | <p>1 reveal anything that's privileged information.</p> <p>2 Q. Okay. Well --</p> <p>3 A. I don't -- I don't know how to handle ensuring</p> <p>4 that I don't disclose privileged information or</p> <p>5 information that's covered by an NDA.</p> <p>6 Q. Okay. Well, I don't know your NDA situation.</p> <p>7 Let me ask it this way.</p> <p>8 Let's just talk about the topic without going</p> <p>9 into the detail. So you understand, topic, substance.</p> <p>10 We're going to talk about a topic.</p> <p>11 Did the topic or the issue of whether you were</p> <p>12 going to be given input into the retraction -- was that</p> <p>13 topic ever discussed or addressed without going into the</p> <p>14 details?</p> <p>15 A. It was broached with me, yes.</p> <p>16 Q. Did you provide, without going into substance,</p> <p>17 any input into the retraction that Newsmax issued?</p> <p>18 A. Yes.</p> <p>19 MR. QUEENAN: Object to form.</p> <p>20 Q. (By Mr. Cain) And your input, was that through</p> <p>21 counsel? What -- what was the setting?</p> <p>22 MR. QUEENAN: I think I'm going to have to</p> <p>23 interpose a privilege objection here because this would be</p> <p>24 derived from attorney-client communications, Charlie.</p> <p>25 MR. CAIN: Well, I -- if that's true --</p> <p style="text-align: right;">Page 124</p> |
| <p>1 the statement to the public to the opposite effect?</p> <p>2 MR. QUEENAN: Object to form.</p> <p>3 A. You're asking me if I agreed that they came to</p> <p>4 an opposite conclusion about the election?</p> <p>5 Q. (By Mr. Cain) Yeah. You -- well, I can ask it</p> <p>6 a different -- Newsmax doesn't agree with your position</p> <p>7 that the election was stolen, at least as -- as it relates</p> <p>8 to this retraction; correct?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. And is that why you guys parted ways,</p> <p>11 because of differing views on the election?</p> <p>12 MR. QUEENAN: Object to form and foundation.</p> <p>13 Asked and answered.</p> <p>14 You can answer.</p> <p>15 A. As I mentioned, there were many reasons beyond</p> <p>16 this particular issue that I voluntarily ended my</p> <p>17 relationship with Newsmax.</p> <p>18 Q. (By Mr. Cain) Did they consult you prior to</p> <p>19 issuing this retraction for your input?</p> <p>20 MR. QUEENAN: Object to form.</p> <p>21 Q. (By Mr. Cain) Did they?</p> <p>22 A. So --</p> <p>23 Q. Did Newsmax consult you --</p> <p>24 A. Yeah. I understand the question. I understand</p> <p>25 the question. I'm just trying to make sure that I don't</p> <p style="text-align: right;">Page 123</p> | <p>1 MR. QUEENAN: Well, I think it's a fair topic.</p> <p>2 I'm just trying to think of a way to ask the question</p> <p>3 where it's not running afoul of privilege.</p> <p>4 Q. (By Mr. Cain) Well, let me ask it this way,</p> <p>5 ma'am. As it relates to the retraction, did you have any</p> <p>6 discussions directly with Newsmax without lawyers present</p> <p>7 about this topic?</p> <p>8 A. I was contacted inappropriately by a nonlawyer</p> <p>9 about the retraction.</p> <p>10 Q. Someone at Newsmax?</p> <p>11 A. Correct.</p> <p>12 Q. Okay. While you had counsel?</p> <p>13 A. Correct.</p> <p>14 Q. All right. Okay. Well, we'll save that for</p> <p>15 another day. I don't think it matters for our purposes at</p> <p>16 this point.</p> <p>17 Have you issued any retractions concerning your</p> <p>18 reporting on Dr. Coomer?</p> <p>19 A. I have not.</p> <p>20 Q. And in terms of your ability now, in hindsight,</p> <p>21 to corroborate any of your reporting, have you done</p> <p>22 anything since the November 28th broadcast that would</p> <p>23 corroborate Mr. Oltmann's story that Dr. Coomer was on</p> <p>24 this Antifa conference call?</p> <p>25 A. I have not followed up because I have not done</p> <p style="text-align: right;">Page 125</p> |


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|---|---|
| <p>1 any further stories on it.</p> <p>2 MR. QUEENAN: And -- and, Charlie, that's</p> <p>3 three hours and ten minutes, I think. Is that correct,</p> <p>4 Dennis?</p> <p>5 THE VIDEOGRAPHER: With a running total, yes. I</p> <p>6 have three hours and nine minutes and some seconds.</p> <p>7 MR. QUEENAN: So a couple more questions, then.</p> <p>8 Q. (By Mr. Cain) You recognize, ma'am, that if --</p> <p>9 if what Mr. Oltmann claims is true, then there are other</p> <p>10 witnesses to this event. You recognize that fact; right?</p> <p>11 MR. QUEENAN: Object to form.</p> <p>12 A. To which event are you referring?</p> <p>13 Q. (By Mr. Cain) The supposed Antifa call that</p> <p>14 Dr. Coomer was on.</p> <p>15 A. Yes, that would be true.</p> <p>16 Q. Right. And none of those witnesses have been</p> <p>17 interviewed by you; correct?</p> <p>18 A. Correct.</p> <p>19 Q. Or anyone, to your knowledge, working for you?</p> <p>20 A. I don't have anyone working for me.</p> <p>21 MR. QUEENAN: And I think that's time, Charlie.</p> <p>22 You tell me if you think I'm wrong. I don't want to -- I</p> <p>23 don't want to have to go to Judge Moses with a dispute,</p> <p>24 but I -- I think ten minutes kind of encapsulated the</p> <p>25 technical difficulties.</p> <p style="text-align: right;">Page 126</p> | <p>1 you sit here, you think that you may have misspoken and</p> <p>2 you need to correct today?</p> <p>3 A. I've answered to the best of my ability.</p> <p>4 MR. CAIN: Okay. Well, thank you. I apologize</p> <p>5 for the disruption on my -- my text. My wife had texted</p> <p>6 during one of your questions that the plumber has arrived.</p> <p>7 I'm going to go attend to that.</p> <p>8 Thank you for your time, ma'am.</p> <p>9 THE WITNESS: Sure.</p> <p>10 THE REPORTER: Counsel, before we all</p> <p>11 disconnect, I do need to --</p> <p>12 THE VIDEOGRAPHER: Just one -- one second.</p> <p>13 Any follow-up, Counsel?</p> <p>14 MR. QUEENAN: No.</p> <p>15 THE VIDEOGRAPHER: Okay. We are off the record</p> <p>16 at 1:43 p.m., and this concludes today's testimony given</p> <p>17 by Michelle Malkin.</p> <p>18 The total number of media units used was two and</p> <p>19 will be retained by Veritext Legal Solutions. Thank you,</p> <p>20 all. And please stay online for the court reporter.</p> <p>21 (The video record was concluded.)</p> <p>22 THE REPORTER: Yes. Counsel, I just need to get</p> <p>23 any transcript orders on the record, including any</p> <p>24 rough-draft requests and any expedited requests.</p> <p>25 And I will start with Mr. Cain.</p> <p style="text-align: right;">Page 128</p> |
| <p>1 Do you disagree?</p> <p>2 MR. CAIN: I don't know. This has been one of</p> <p>3 the more disruptive and disrupted Zoom depositions in the</p> <p>4 history of (unintelligible).</p> <p>5 MR. QUEENAN: Was I've been doing was basically</p> <p>6 keeping a sort of an injury time of -- every time there</p> <p>7 was a disruption, I wrote down and added a minute. And</p> <p>8 then I came up with seven of those.</p> <p>9 And then there was two times where I dropped</p> <p>10 off, and when I came back on, you had to -- we had to have</p> <p>11 a conversation about that. So I figured that worked out</p> <p>12 to another three minutes. That puts us at three hours and</p> <p>13 ten minutes.</p> <p>14 I mean --</p> <p>15 MR. CAIN: So let me do this.</p> <p>16 MR. QUEENAN: Is it --</p> <p>17 (Simultaneous speakers.)</p> <p>18 MR. CAIN: Let me wrap it up.</p> <p>19 Q. (By Mr. Cain) Ms. Malkin, have -- have I been</p> <p>20 professional and courtesy -- and courteous to you today?</p> <p>21 A. Mostly.</p> <p>22 Q. Okay. As you sit here -- I've asked you a</p> <p>23 number of questions. Are there any responses that you</p> <p>24 have given that, upon reflection -- and you'll have an</p> <p>25 opportunity to -- to look at -- at the transcript, but as</p> <p style="text-align: right;">Page 127</p> | <p>1 MR. CAIN: I think we have a three-day standing</p> <p>2 order.</p> <p>3 THE REPORTER: Okay.</p> <p>4 MR. CAIN: And we're going to need a good video</p> <p>5 editor; I know that.</p> <p>6 THE REPORTER: Is that it for orders? No more</p> <p>7 orders at this point?</p> <p>8 MR. QUEENAN: I -- I would like an electronic</p> <p>9 transcript just to the -- I don't need the video right</p> <p>10 now, just the transcript, four pages a page, if that's</p> <p>11 possible, please.</p> <p>12 THE REPORTER: Yes. And will you handle</p> <p>13 signature for Ms. Malkin as well?</p> <p>14 MR. QUEENAN: Yes, ma'am.</p> <p>15 THE REPORTER: Okay.</p> <p>16 MS. HALL: And, Sara, this is Andrea Hall. I</p> <p>17 don't know if you saw in the chat, but I will take a copy</p> <p>18 of the transcript as well.</p> <p>19 MR. QUEENAN: Ms. Malkin, you're free to --</p> <p>20 you're -- you're released.</p> <p>21 THE WITNESS: Thank you.</p> <p>22 MR. ZAKHEM: This is John Zakhem. I'd like an</p> <p>23 electronic copy as well.</p> <p>24 MR. ARRINGTON: Barry Arrington, electronic</p> <p>25 copy, please.</p> <p style="text-align: right;">Page 129</p> |

1 MR. RHODES: Bernie Rhodes for OAN. Electronic
2 copy, please.
3 THE REPORTER: Anybody else? Okay.
4 Thank you, all.
5 MR. CAIN: Thanks, Sara.
6 THE REPORTER: You bet.
7 MS. DOMINGUEZ: All right. You all have a good
8 evening.
9 THE REPORTER: Thanks, Rebecca.
10 MS. DOMINGUEZ: Thank you.
11 MS. CHRISTOPHER: Hi, there. Sorry. My name is
12 Lexi Christopher. I am here on behalf of Mr. Corporon. I
13 am his legal assistant.
14 I just needed to request a transcript. But I
15 had some internet trouble, and so I, kind of, got kicked
16 out and came back in.
17 THE REPORTER: No worries.
18 MS. CHRISTOPHER: But if we can request a
19 transcript. He asked for four to a page and a full
20 concordance, if you guys can do that.
21 THE REPORTER: I can do that. Thank you, Lexi.
22 * * * * *
23 WHEREUPON, the foregoing deposition was
24 concluded at 1:43 p.m. Total time on the record was
25 3 hours and 33 minutes.

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1 I, MICHELLE MALKIN, the deponent in the above
2 deposition, do hereby acknowledge that I have read the
3 foregoing transcript of my testimony, and state under oath
4 that it, together with any attached Amendment to
5 Deposition pages, constitutes my sworn testimony.
6
7 _____ I have made changes to my deposition
8 _____ I have NOT made any changes to my deposition
9
10
11 MICHELLE MALKIN
12
13 Subscribed and sworn to before me this _____ day of
14 _____, 20____.
15 My commission expires: _____.
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18 NOTARY PUBLIC
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Page 131

1 REPORTER'S CERTIFICATE
2 STATE OF COLORADO)
3 CITY AND COUNTY OF DENVER)
4 I, Sara A. Stueve, a Registered Professional Reporter
5 and Notary Public within and for the State of Colorado,
6 commissioned to administer oaths, do hereby certify that
7 previous to the commencement of the examination, the
8 witness was duly sworn by me to testify the truth in
9 relation to matters in controversy between the said
10 parties; that the said deposition was taken in stenotype
11 by me at the time and place aforesaid and was thereafter
12 reduced to typewritten form by me; and that the foregoing
13 is a true and correct transcript of my stenotype notes
14 thereof; that I am not an attorney nor counsel nor in any
15 way connected with any attorney or counsel for any of the
16 parties to said action nor otherwise interested in the
17 outcome of this action.
18 My commission expires October 26, 2024.
19
20 
21 SARA A. STUEVE
22 Registered Professional Reporter
23 Notary Public, State of Colorado
24
25

Page 132

1 Coomer, Eric, Ph.D v. Donald J. Trump For President, Inc.
2 Michelle Malkin Job No. 4691504
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24 Michelle Malkin Date
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Page 133

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| <p>1 gqueenan@prpclegal.com</p> <p>2 July 30, 2021</p> <p>3 Coomer, Eric, Ph.D v. Donald J. Trump For President, Inc.</p> <p>4 DEPOSITION OF: Michelle Malkin 4691504</p> <p>5 The above-referenced witness transcript is</p> <p>6 available for read and sign.</p> <p>7 Within the applicable timeframe, the witness</p> <p>8 should read the testimony to verify its accuracy. If</p> <p>9 there are any changes, the witness should note those</p> <p>10 on the attached Errata Sheet.</p> <p>11 The witness should sign and notarize the</p> <p>12 attached Errata pages and return to Veritext at</p> <p>13 errata-tx@veritext.com.</p> <p>14 According to applicable rules or agreements, if</p> <p>15 the witness fails to do so within the time allotted,</p> <p>16 a certified copy of the transcript may be used as if</p> <p>17 signed.</p> <p>18 Yours,</p> <p>19 Veritext Legal Solutions</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>Page 134</p> | |
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Colorado Rules of Civil Procedure
Chapter 4, Disclosure and Discovery
Rule 30

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

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COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

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

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

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

^ COURT USE ONLY ^

ERIC COOMER, Ph.D.,
Plaintiff,

Case Number 20CV34319

Courtroom 409

vs.

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

VIDEO-RECORDED REMOTE DEPOSITION OF
MICHELLE MALKIN

July 27, 2021

REMOTE APPEARANCES:

FOR THE PLAINTIFF:

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CITY AND COUNTY OF DENVER)

I, Sara A. Stueve, a Registered Professional Reporter and Notary Public within and for the State of Colorado, commissioned to administer oaths, do hereby certify that previous to the commencement of the examination, the witness was duly sworn by me to testify the truth in relation to matters in controversy between the said parties; that the said deposition was taken in stenotype by me at the time and place aforesaid and was thereafter reduced to typewritten form by me; and that the foregoing is a true and correct transcript of my stenotype notes thereof; that I am not an attorney nor counsel nor in any way connected with any attorney or counsel for any of the parties to said action nor otherwise interested in the outcome of this action.

My commission expires October 26, 2024.

Sara V. Shave

SARA A. STUEVE

Registered Professional Reporter

Notary Public, State of Colorado

1 I, MICHELLE MALKIN, the deponent in the above
2 deposition, do hereby acknowledge that I have read the
3 foregoing transcript of my testimony, and state under oath
4 that it, together with any attached Amendment to
5 Deposition pages, constitutes my sworn testimony.

6 ☒ I have made changes to my deposition

7 ☐ I have NOT made any changes to my deposition

8
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10

MICHELLE MALKIN

11
12
13 Subscribed and sworn to before me this 26th day of
14 August, 2021.
15 My commission expires: _____
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NOTARY PUBLIC

1 Coomer, Eric, Ph.D v. Donald J. Trump For President, Inc.
2 Michelle Malkin Job No. 4691504

3 E R R A T A S H E E T

4 PAGE 38 LINE 5 CHANGE "Its" to "it's"

5
6 REASON typo

7 PAGE 52 LINE 15 CHANGE "vitreal" to "vitriol"

8
9 REASON TYPO

10 PAGE 60 LINE 21 CHANGE "animas" to "animus"

11
12 REASON typo

13 PAGE 65 LINE 22 CHANGE "15" to "50"

14
15 REASON Typo

16 PAGE _____ LINE _____ CHANGE _____

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18 REASON _____

19 PAGE _____ LINE _____ CHANGE _____

20
21 REASON _____

22 

23
24 Michelle Malkin

8/26/21
Date

25

1 But that's just one aspect of it. I've covered
2 election fraud, as I mentioned, over the last 30 years.
3 And it's the entire mountain of everything from
4 illegal-alien fraud, fraud that was catalyzed by the motor
5 voter law, its obstruction of GOP poll workers.

6 And I had interviewed one of them in Michigan.
7 It had to do with a -- a lot of the training that I
8 believe was done by partisan figures and electronic voting
9 systems and the weaknesses and the -- the problems with
10 those, which have been highlighted by, as I said, people
11 on both the left and the right, is part of that larger
12 picture of the stealing of an election.

13 Q. And that's how you framed the story that you
14 were doing on -- on Eric Coomer on this live stream,
15 though; that he -- that this was part of this systemic
16 stealing of the election; true?

17 A. Correct.

18 Q. And you wanted the viewers to know that -- that
19 Eric Coomer was potentially instrumental in the stealing
20 of the 2020 presidential election; true?

21 A. I wanted people to hear what Joe Oltmann had
22 discovered about him, and why he felt it was important and
23 germane to the public discussion of how the election was
24 run, yes.

25 Q. Okay. And you didn't talk about -- I mean, this

1 So if that's true, then -- then how are you
2 sitting here linking a political viewpoint with one's
3 ability to administer or serve in a -- in an election
4 role? I don't get it.

5 MR. QUEENAN: Object to form.

6 You can answer.

7 A. What's the question?

8 Q. (By Mr. Cain) Who cares? Maybe he didn't like
9 Donald Trump. What does that have to do with election
10 integrity?

11 A. Joe Oltmann explains why he believes it is
12 relevant, and I agree with him; that it is concerning that
13 the sheaf of Facebook posts that not merely express some
14 di minimus level of ~~discontent~~ but are actually very
15 extreme and profane ~~in vitreal~~ and even hatred for people
16 who are on the right, is of great public interest to
17 voters who were concerned about how Election 2020 was
18 conducted.

19 Q. And so that's why you chose to -- to put up the
20 Facebook posts during this live stream?

21 MR. QUEENAN: Object to form.

22 Q. (By Mr. Cain) Is that why?

23 A. Yes. Eric Coomer was a high-level official for
24 Dominion Voting Systems whose products are used in almost,
25 what, 30 states in the country. Dominion was at the

1 Go ahead and answer.

2 THE WITNESS: Sorry. Sorry. I'll wait a little
3 bit more.

4 A. That was Joe Oltmann's opinion, and I -- I
5 agreed with the sentiment of it, yes.

6 Q. (By Mr. Cain) Well, that's not an opinion.
7 Being a major shareholder is not an opinion, is it?

8 A. No. The idea that being a major shareholder
9 could lend itself to the dangers of sabotaging election
10 integrity. That's an opinion. And I agree with that
11 underlying sentiment --

12 Q. Yeah.

13 A. -- that it was --

14 Q. And conversely, if Dr. Coomer is not a major
15 shareholder, then the opposite would be true; right? That
16 he wouldn't have the -- the amount of influence over the
17 corporate entity that a major shareholder would; fair?

18 MR. QUEENAN: Object to form and foundation.

19 A. Well, it was certainly a piece of the puzzle,
20 you know, given -- given his high profile in the company,
21 plus that, plus the animas that he manifested in the -- in
22 the Facebook posts. It was all of it.

23 Q. (By Mr. Cain) You doing okay, ma'am? Do you
24 need a break?

25 A. I'm fine.

1 Q. Okay.

2 A. -- done anything else, but that's my
3 recollection.

4 Q. Because I -- and correct me if I'm wrong, I only
5 know of these two, at least in this medium: A live stream
6 on the 13th, and then the Newsmax piece on the 28th.

7 A. Correct.

8 Q. Okay. And then after the 28th, you did not do
9 any more stories that directly related to Dr. Coomer;
10 right?

11 A. Correct.

12 Q. Is there a reason why you stopped reporting on
13 this?

14 A. I --

15 Q. Just moved on?

16 A. I -- I do tons of stories on tons of topics.

17 Q. But you just moved on?

18 A. Well, I think that the two stories covered
19 everything that needed to be said about what Joe Oltmann
20 had discovered about Eric Coomer and his role at Dominion.

21 Q. Well --

22 A. The live stream was 15 minutes and a full
23 segment on Newsmax.

24 Q. Okay. Now, let's -- let's talk about the
25 intervening two weeks, approximately two weeks between the

REPORTER'S NOTE:

EXHIBIT 15

Video File

PRESERVED IN NATIVE FORMAT

Exhibit
PLTF 0016
MALKIN

Updated: November 13, 2020

SETTING THE RECORD STRAIGHT: FACTS & RUMORS

DOMINION VOTING SYSTEMS CATEGORICALLY DENIES FALSE ASSERTIONS ABOUT VOTE SWITCHING ISSUES WITH OUR VOTING SYSTEMS.

According to a [Joint Statement](#) by the federal government agency that oversees U.S. election security, the Department of Homeland Security's Cybersecurity & Infrastructure Security Agency (CISA): "There is no evidence that any voting system deleted or lost votes, changed votes, or was in any way compromised." The government & private sector councils that support this mission called the 2020 election "[the most secure in American history](#)."

1) VOTE DELETION/SWITCHING ASSERTIONS ARE COMPLETELY FALSE.

An unsubstantiated claim about the deletion of 2.7 million pro-Trump votes that was posted on the Internet and spread on social media has been taken down and debunked by independent [fact-checkers](#).

- Edison Research (ER) has refuted any claims that company data suggests any voting irregularities, including vote switching. ER President Larry Rosin told [The Dispatch Fact Check](#), "Edison Research created no such report and we are not aware of any voter fraud."
- Claims that 941,000 votes for President Trump in Pennsylvania were deleted are impossible, as Dominion only serves 14 Commonwealth counties. Collectively, those Counties produced 1.3 million votes representing a voter turnout of 76%. Fifty-two percent of those votes went to President Trump, which amounts to 676,000 votes the company's system processed for the President in Pennsylvania.

2) DOMINION IS A NONPARTISAN U.S. COMPANY.

Dominion has no company ownership relationships with any member of the Pelosi family, the Feinstein family, or the Clinton Global Initiative, Smartmatic, or any ties to Venezuela. Dominion works with all political parties; our customer base and our government outreach practices reflect this nonpartisan approach.

- As reported by the [Associated Press](#), "Dominion made a one-time philanthropic commitment at a Clinton Global Initiative meeting in 2014, but the Clinton Foundation has no stake or involvement in Dominion's operations, the nonprofit confirmed." The meeting included bipartisan attendees focused on international democracy-building.

3) DOMINION SOFTWARE ACCURATELY TABULATED BALLOTS, AND TABULATED RESULTS ARE 100% AUDITABLE.

No credible reports or evidence of any software issues exist. Dominion equipment is used by county and state officials to tabulate ballots. Human errors related to reporting tabulated results have arisen in a few counties, including some using Dominion equipment, but appropriate corrections were made prior to the canvass process. More importantly, states have taken appropriate steps to review all reported issues.

- The Michigan Secretary of State's office offers a [Fact Check Page](#) which debunks false or erroneous claims about voting in Detroit, as well as a user-error incident in Antrim County.
- The [Georgia Secretary of State](#) has also repeatedly stated throughout the count that "[a]s the work goes on, I want to assure Georgia voters that every legal vote was cast and accurately counted."

4) NO UNAUTHORIZED OR LAST-MINUTE SOFTWARE UPDATES OCCURRED.

Claims about software updates being done the night before Election Day are 100% false.

- Georgia Voting System Implementation Manager Gabe Sterling has independently, and unequivocally, rebutted inaccurate claims made about an update to machines on the eve of the election. [He affirmed in his daily press briefing on November 9](#) that "nothing was done to the [PollPad] system after [October 31]," when voter files were updated as part of normal procedure.

5) THERE ARE NO ISSUES WITH THE USE OF SHARPIE PENS.

Election officials provide writing instruments that are approved for marking ballots to all in-person voters using hand-marked paper ballots. Dominion Voting Systems machines can read all of these instruments, including Sharpies.

- The DHS Cybersecurity and Infrastructure Security Agency, "if a ballot has issues that impacts its ability to be scanned, it can be hand counted." [The Maricopa County Board of Supervisors](#) assured voters that "sharpies do not invalidate ballots." [Dominion](#) has stated that "Sharpie pens are safe and reliable to use on ballots, and recommended due to their quick-drying ink."

6) ASSERTIONS OF VOTER FRAUD CONSPIRACIES ARE 100% FALSE.

- The U.S. Department of Homeland Security's [Cybersecurity and Infrastructure Security Agency](#) (CISA) has [debunked numerous claims](#), including claims about the existence of a secret CIA program for vote fraud called Hammer and Scorecard.

All U.S. voting systems must provide assurance that they work accurately and reliably as intended under federal [U.S. EAC](#) and state certification and testing requirements. Election safeguards - from testing and certification of voting systems, to canvassing and auditing - prevent malicious actors from tampering with vote counts and ensure that final vote tallies are accurate. Read more from the U.S. Department of Homeland Security's [Cybersecurity and Infrastructure Security Agency](#).



Founded in 2003, Dominion Voting Systems is a leading industry supplier of election technology across the U.S., Canada and globally.

PRODUCTS

END-ENGINE
Democracy Suite®

IN-PERSON AND ACCESSIBLE VOTING
ImageCast® X

CENTRAL TABULATION
ImageCast® Central

COMBINATION VOTING AND TABULATION
ImageCast® Precinct
ImageCast® Evolution

Optional Solutions

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[Dominion Secure](#)

[Careers](#)

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[U.S.: Denver, CO](#)

[CANADA: Toronto, ON](#)

REPORTER'S NOTE:

EXHIBIT 17

Video File

PRESERVED IN NATIVE FORMAT

Exhibit
PLTF 0018
MALKIN

Go to [Statement from Dominion on Sidney Powell Charges](#)

Updated: November 25, 2020

SETTING THE RECORD STRAIGHT: FACTS & RUMORS

DOMINION VOTING SYSTEMS CATEGORICALLY DENIES FALSE ASSERTIONS ABOUT VOTE SWITCHING AND SOFTWARE ISSUES WITH OUR VOTING SYSTEMS.

According to a [Joint Statement](#) by the federal government agency that oversees U.S. election security, the Department of Homeland Security's Cybersecurity & Infrastructure Security Agency (CISA): "There is no evidence that any voting system deleted or lost votes, changed votes, or was in any way compromised." The government & private sector councils that support this mission called the 2020 election "the most secure in American history."

1) DOMINION IS NOT SHUTTERING ITS OFFICES. EMPLOYEES HAVE BEEN ENCOURAGED TO WORK REMOTELY AND PROTECT THEIR SOCIAL MEDIA PROFILES DUE TO PERSISTENT HARASSMENT AND THREATS AGAINST PERSONAL SAFETY.

Dominion employees are being forced to retreat from their lives due to personal safety concerns, not only for our employees themselves, but also for their extended families.

- ✓ [ABC News](#) has reported on these security concerns, saying that after "two weeks of false fraud claims," this is the latest sign that "threatening online rhetoric has real world consequences."
- ✓ Dominion team members are working around the clock to address issues with law enforcement and take every measure we can to ensure the safety of our employees.
- ✓ Dominion will not comment further about our personnel due to these safety concerns.

2) VOTE DELETION/SWITCHING ASSERTIONS ARE COMPLETELY FALSE.

An unsubstantiated claim about the deletion of 2.7 million pro-Trump votes that was posted on the Internet and spread on social media has been taken down and debunked by independent [fact-checkers](#).

- ✓ Edison Research (ER) has refuted any claims that company data suggests any voting irregularities, including vote switching. Edison Research President Larry Rosin told [The Dispatch Fact Check](#), "Edison Research created no such report and we are not aware of any voter fraud."
- ✓ Claims that 941,000 votes for President Trump in Pennsylvania were deleted are impossible. The fourteen counties using Dominion systems collectively produced 1.3 million votes, representing a voter turnout of 76%. Fifty-two percent of those votes went to President Trump, amounting to 676,000 votes processed for the President in Pennsylvania using company systems.
- ✓ The U.S. Department of Homeland Security's cybersecurity division has confirmed that it is [not possible](#) for a bad actor to change election results without detection.
- ✓ Dominion doesn't even operate in some of the contested districts, including Philadelphia; Allegheny County, PA; Milwaukee; and Dane County.

3) DOMINION'S SYSTEMS ARE SECURE AND ARE CERTIFIED UNDER THE U.S. ELECTION ASSISTANCE COMMISSION (EAC).

All U.S. voting systems must provide assurance that they work accurately and reliably as intended under federal U.S. EAC and state certifications and testing requirements. Dominion's voting systems are certified for the 2020 elections.

- ✓ Servers that run Dominion software are located in local election offices, and data never leaves the control of local election officials.
- ✓ Dominion does not have the ability to review votes in real-time as they are submitted.
- ✓ Dominion software does not have the ability to fractionalize or weight a vote.
- ✓ Dominion's tabulators do not have exposed USB or other memory ports.
- ✓ Dominion software tabulates ballots. It does not collect or store voter information.
- ✓ Dominion is certified in 28 states. While we disagree with Texas' decision to not certify our systems, we understand there are different standards in different states. Sometimes it takes adjustments, for any company's systems, to meet a certain state's standard.

4) ASSERTIONS OF "SUPERCOMPUTER" ELECTION FRAUD CONSPIRACIES ARE 100% FALSE.

The [Cybersecurity and Infrastructure Security Agency \(CISA\)](#) has [debunked claims](#) about the existence of a secret CIA program for vote fraud called Hammer and Sledgehammer.

- ✓ All U.S. voting systems must provide assurance that they work accurately and reliably as intended under federal U.S. EAC and state certifications and testing requirements. Election safeguards - from testing and certification of voting systems, to canvassing and auditing - prevent malicious actors from tampering with vote counts and ensure final vote tallies are accurate. [Read more from CISA.](#)
- ✓ There have been no "reds" of Dominion servers by the U.S. military or otherwise, and Dominion does not have servers in Germany. CISA has [refuted this claim](#) on Twitter, and the U.S. Army has also confirmed to the [Associated Press](#) that it's false.

5) THERE WERE NO DOMINION SOFTWARE GLITCHES AND BALLOTS WERE ACCURATELY TABULATED. THE RESULTS ARE 100% AUDITABLE.

No credible reports or evidence of any software issues exist. Vote counts are conducted by county and state election officials, not by Dominion. Our systems support tabulation by those officials alone. Human errors related to reporting tabulated results have arisen in a few counties, including some using Dominion equipment, but appropriate procedural actions have been taken by the county to address these errors were made prior to the canvass process.

- ✓ The Michigan Secretary of State's office offers a [Fact Check Page](#) which debunks false or erroneous claims about voting in Detroit, as well as a user-error incident in Antrim County.
- ✓ The [Georgia Secretary of State](#) has also repeatedly stated throughout the count that "as the work goes on, I want to assure Georgia voters that every legal vote was cast and accurately counted."
- ✓ Dominion's systems are not responsible for 2,631 uncounted ballots discovered in [Floyd County, Georgia](#) during the statewide recount. The Secretary of State's office has [cited](#) clerical error and lack of following proper procedures as the cause.
- ✓ Votes are not ~~processed~~ outside the United States. Votes are counted and reported by county and state election officials - not by Dominion, or any other election technology company. Assertions that votes are counted in Germany are completely false, as has been fact-checked by the [Associated Press](#).

6) DOMINION EMPLOYEES DO NOT HAVE ACCESS TO THE BALLOT ADJUDICATION SYSTEM, NOR DO THEY OPERATE IT.

The canvass process exists to allow election officials to validate and count ballots that were unable to be counted on Election Day because they needed additional adjudication. Dominion employees do not have access to this adjudication system, nor do they operate it.

- ✓ Access to any adjudication system resides with the election authority using it. The system is controlled through secure and verifiable user accounts, and all the voter intent adjustments are securely logged in the system and then recorded in the digital image of the ballot.
- ✓ All states require bipartisan/multi-person teams in order to adjudicate ballots in accordance with the law.

7) DOMINION IS A NONPARTISAN U.S. COMPANY BASED IN DENVER, CO.

Dominion has no company ownership relationships with the Pelosi family, Feinstein family, Clinton Global Initiative, Smartmatic, Soytl, or any ties to Venezuela or Cuba. Dominion works with all U.S. political parties; our customer base and our government outreach practices reflect this nonpartisan approach.

- ✓ The Associated Press has verified that Dominion has no ties to Venezuela.
- ✓ As reported by the Associated Press, "Dominion made a one-time philanthropic commitment at a Clinton Global Initiative meeting in 2014, but the Clinton Foundation has no stake or involvement in Dominion's operations, the nonprofit confirmed." The meeting included bipartisan attendees focused on international democracy-building.

8) DOMINION IS NOT, AND HAS NEVER BEEN, OWNED BY SMARTMATIC.

Dominion is an entirely separate company and a fierce competitor to Smartmatic.

- ✓ Dominion and Smartmatic do not collaborate in any way and have no affiliate relationships or financial ties.
- ✓ Dominion does not use Smartmatic software.
- ✓ The only associations the companies have ever had were:
 - In 2009, Smartmatic licensed Dominion machines for use in the Philippines. The contract ended in a lawsuit.
 - In 2010, Dominion purchased certain assets from Sequoia, a private U.S. company. Smartmatic, a previous owner of Sequoia, pursued legal actions against Dominion.
- ✓ Dominion did not acquire Smartmatic and/or its software from Sequoia.

9) NO UNAUTHORIZED OR LAST-MINUTE SOFTWARE UPDATES OCCURRED.

Claims about software updates being done the night before Election Day are 100% false. Our voting systems are designed and certified by the U.S. government to be closed and do not rely on network connectivity.

- ✓ Both Spalding County and the Georgia Secretary of State have verified that a) this type of unauthorized update is impossible, and b) the actual logs from equipment under the custody of the County determined an update did NOT happen the night before the election.
- ✓ Georgia Voting System Implementation Manager Gabe Sterling has affirmed in his daily press briefing on November 9 that "nothing was done to the (Pollbook) system after (October 31)," when voter files were updated as part of normal procedure.

10) MISINFORMATION IS AN ATTACK ON OUR DOMINION CUSTOMERS: LOCAL ELECTION OFFICIALS AND SECRETARIES OF STATE.

Erroneous claims that precincts in Michigan had more votes recorded than actual voters point to an affidavit that has several glaring errors. The counties cited are in Minnesota, not Michigan, and the affidavit's claims regarding overvotes are not verified with any data from previous Minnesota elections or the Secretary of State. This claim has no basis in truth.

These delinquent public servants - not Dominion - run our elections and many have reaffirmed the integrity of the elections. Recent statements from election officials include:

MICHIGAN

- ✔ The Michigan Secretary of State's office [debunked false claims](#) about the election in the state, stating absentee ballot counting was transparent and accurate and that an isolated voter error in Antrim County did not affect election results.
- ✔ A [spokesperson for the Michigan Secretary of State](#) stated, "We have not seen any evidence of fraud or foul play in the actual administration of the election. What we have seen is that it was smooth, transparent, secure and occurred."

GEORGIA

- ✔ The [Georgia Secretary of State](#) stated upon completion of a statewide review of ballots on November 19, "Georgia's historic first statewide audit reaffirmed that the state's new secure paper ballot voting system accurately counted and reported results."

ARIZONA

- ✔ The [Chairmen of the Maricopa County Board of Supervisors](#) released a letter on November 17 noting, "The evidence overwhelmingly shows the system used in Maricopa County is accurate and provided voters with a reliable election... The Dominion Election equipment met mandatory requirements during logic and accuracy testing before the Presidential Preference Election, the Primary Election and the General Election. And after each of these 2020 elections, the hand count audit showed the machines generated an accurate count."

11) THERE ARE NO ISSUES WITH THE USE OF SHARPIE PENS.

Election officials provide writing instruments that are approved for marking ballots to all in-person voters using hand-marked paper ballots. Dominion Voting Systems machines can read all of these instruments, including Sharpies.

- ✔ The DHS Cybersecurity and Infrastructure Security Agency, "If a ballot has issues that impact its ability to be scanned, it can be hand counted." The [Maricopa County Board of Supervisors](#) assured voters that "Sharpies do not invalidate ballots." Dominion has stated that "Sharpie pens are safe and reliable to use on ballots and recommended due to their quick-drying ink."



Founded in 2003, Dominion Voting Systems is a leading and early supplier of election technology in the U.S. and Canada.

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[Presidential](#)
- [In-person and accessible voting](#)
[ImageCast® X](#)
- [Central Ballot Box](#)
[ImageCast® X](#)
- [In-person and accessible voting](#)
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- [U.S. : 2017, CO](#)
- [CANADA : 2017, ON](#)



Michelle Malkin ✓

@michellemalkin

...

Joe Oltmann (now banned on Twitter) exposes pro-Antifa, cop hatred-inciting rants of [#EricCoomer](#), VP of strategy/security of Dominion Voting Systems. "What if I told you he is a major shareholder" in Dominion & "owns patents associated with other voting systems?"

[#MalkinLive](#)

Michelle Malkin

Joe Oltmann

0:25 236.3K views

Capture20.PNG

Eric Coomer

May 31

<https://youtu.be/IWsUJT1YHno>

dead prez

YOUTUBE.COM

Dead Prez - Cop Shot (HQ)

High Quality - Dead Prez - Cop Shot Please, Comment, Add, Rate ..

12:43 PM · Nov 13, 2020 · Twitter Media Studio - LiveCut

5.6K Retweets 737 Quote Tweets 8.1K Likes

**Exhibit
PLTF 0019
MALKIN**



Michelle Malkin 
@michellemalkin



Replying to @michellemalkin

Full interview with [#joeoltmann](#) on [#ericcoomer](#)
[#dominion](#) here ==>



#MalkinLive: Election update
[youtube.com](#)

12:46 PM · Nov 13, 2020 · Twitter Web App

702 Retweets 101 Quote Tweets 1.1K Likes

Exhibit
PLTF 0020
MALKIN



Michelle Malkin 
@michellemalkin



Replying to @michellemalkin

What are they trying to hide? #DominionVotingSystems

twitter.com/JoeyCamp2020/s...

This Tweet is unavailable.

2:31 PM · Nov 13, 2020 · Twitter Web App

597 Retweets **28** Quote Tweets **1K** Likes

Exhibit
PLTF 0021
MALKIN



Michelle Malkin ✓

@michellemalkin



ICYMI - Dominion, Antifa & [#EricCoomer](#) exposed by Joe Oltmann on [#MalkinLive](#) last week. Joe was suspended by Twitter but you can find him on [@parler](#)



Michelle Malkin ✓ @michellemalkin · Nov 13

Joe Oltmann (now banned on Twitter) exposes pro-Antifa, cop hatred-inciting rants of [#EricCoomer](#), VP of strategy/security of Dominion Voting Systems. "What if I told you he is a major shareholder" in Dominion & "owns patents associated with other voting systems?" [#MalkinLive](#)

[Show this thread](#)



0:36 236.3K views

12:09 PM · Nov 15, 2020 · Twitter for iPhone

1.7K Retweets 130 Quote Tweets 3K Likes

**Exhibit
PLTF 0022
MALKIN**

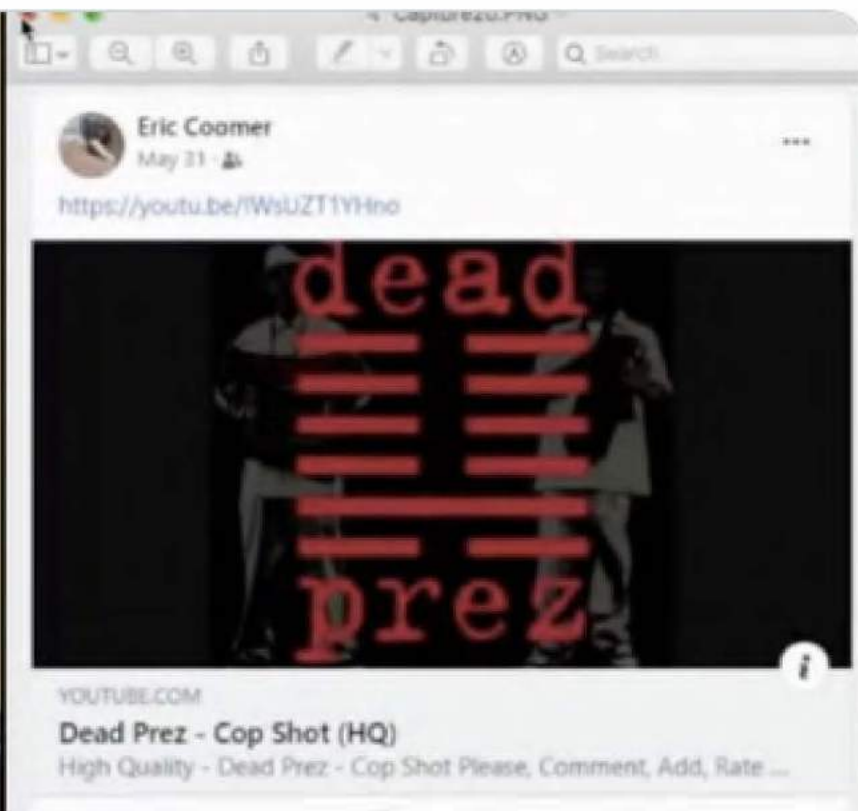


Michelle Malkin ✓
@michellemalkin

...

ICYMI: [#ExposeDominion](#) [#WholsEricCoomer](#)
[#JoeOltmann](#)

Denver Business Owner: Dominion's Eric Coomer Is an Unhinged Sociopath -- His Internet Profile Is Being Deleted and Erased (AUDIO)



Denver Business Owner: Dominion's Eric Coomer Is an Unhinged Sociopath --...
In 2010 Eric Coomer joined Dominion as Vice President of U.S. Engineering. According to his bio, Coomer graduated from the University of California, ...
[thegatewaypundit.com](#)

12:29 PM · Nov 16, 2020 · Twitter Web App

572 Retweets 62 Quote Tweets 931 Likes

**Exhibit
PLTF 0023
MALKIN**



Michelle Malkin 
@michellemalkin



In case you missed it: My interview with [#JoeOltmann](#) from six days ago exposing [#EricCoomer](#) [#Antifa](#) [#ExposeDominion](#) ==>



Michelle Malkin  @michellemalkin · Nov 13

[#MalkinLive: Election update pscp.tv/w/cn1j_zE1MzEw...](#)

[Show this thread](#)

12:19 PM · Nov 19, 2020 · Twitter Web App

287 Retweets **21** Quote Tweets **604** Likes

**Exhibit
PLTF 0024
MALKIN**



Randy >

Exhibit
PLTF 0025
MALKIN

is essential. So
glad to know
you.

Thu, Nov 12, 12:57 PM

Joe Oltmann JO >

Wed, Nov 25, 9:54 PM



iMessage





Lauren >

Hey Michelle
it's Lauren
(previously
from Hannity
radio). I am
working with
Sidney Powell
and Don
Brown (Clint



iMessage





Lauren >

Lorance's
atty)_

We saw your
interview with
Joe Oltmann-
absolutely in-
credible.

They'd like to
get a signed



iMessage





Lauren >

They'd like to get a signed affidavit from Joe about Coomer and use his info in their federal complaint. Is there any way



iMessage





Lauren >

Coomer and
use his info in
their federal
complaint. Is
there any way
you can put us
in touch?

Sun, Nov 15, 7:49 AM



iMessage





Lauren >

nect you with
Joe ASAP and
I'll email you
one of his zip
files - he has
tons of
screenshots
and docu-
ments - stand



iMessage





Lauren >

record his call
w antifa when
Joe said he's
taking care of
the election,
right? I
couldn't tell if



iMessage





Lauren >

Ugh- perfect!
Let's do this.

Thank you so
much

lauren.m-claughlin117@gmail.com



iMessage





Lauren >

Oh, I'm assuming Joe didn't record his call w antifa when Joe said he's taking care of the election, right? I couldn't tell if



iMessage





Lauren >

couldn't tell if
it was a online
chat or a
phone call...

He might have
it - it was tak-
ing forever that
morning to
send me all his



iMessage





Lauren >

morning to
send me all his
files so we just
jumped in with
discussing the
one zip

That would be
incredible

Processing...



iMessage





Joe >

iMessage

Thu, Nov 12, 1:55 PM

Hi Michelle,
this is Joe Olt-
mann. Hoping
to connect
with you at
some point. I'm
not usually the



iMessage





Joe >

not usually the
public person
but the calls
and emails are
pouring in

Thu, Nov 12, 4:40 PM

Hi Joe!!! Great



iMessage





Joe >

work you are
doing - let's
touch base to-
morrow - if you
are up for do-
ing a
livestream in
the afternoon
that would be



iMessage





Joe >

great

Fri, Nov 13, 4:43 AM

Just missed
this. Crazy
night. Twitter
suspended my
account for
telling the



iMessage





Joe >

account for
telling the
truth, I filed an
affidavit with
the trump ad-
ministration
and the death
threats rolled
in. Been a fun



iMessage





Joe >

day...

I can do a
livestream.

Fri, Nov 13, 6:21 AM

Very crazy -
thanks for
standing up -



iMessage





Joe >

can u do a
stream at
10am today

Yes I can

Ok great I use
a platform
called stream-
yard - very



iMessage





Joe >

seamless - I'll
send you the
live link 15
minutes before
start time

Here's a guest
FAQ



iMessage





Joe >

Guest instructions
streamyard.com

See you then

**There is a
share screen
function so if
you have doc-
uments or**



iMessage





Joe >

graphics you
want me to put
on screen I can
do that

Sounds great. I
have lots

Great You can
email anything



iMessage





Joe >

you want me to
line up at
writemalkin at
gmail dot com

I am headed to
the office now

Great - here is
the live link

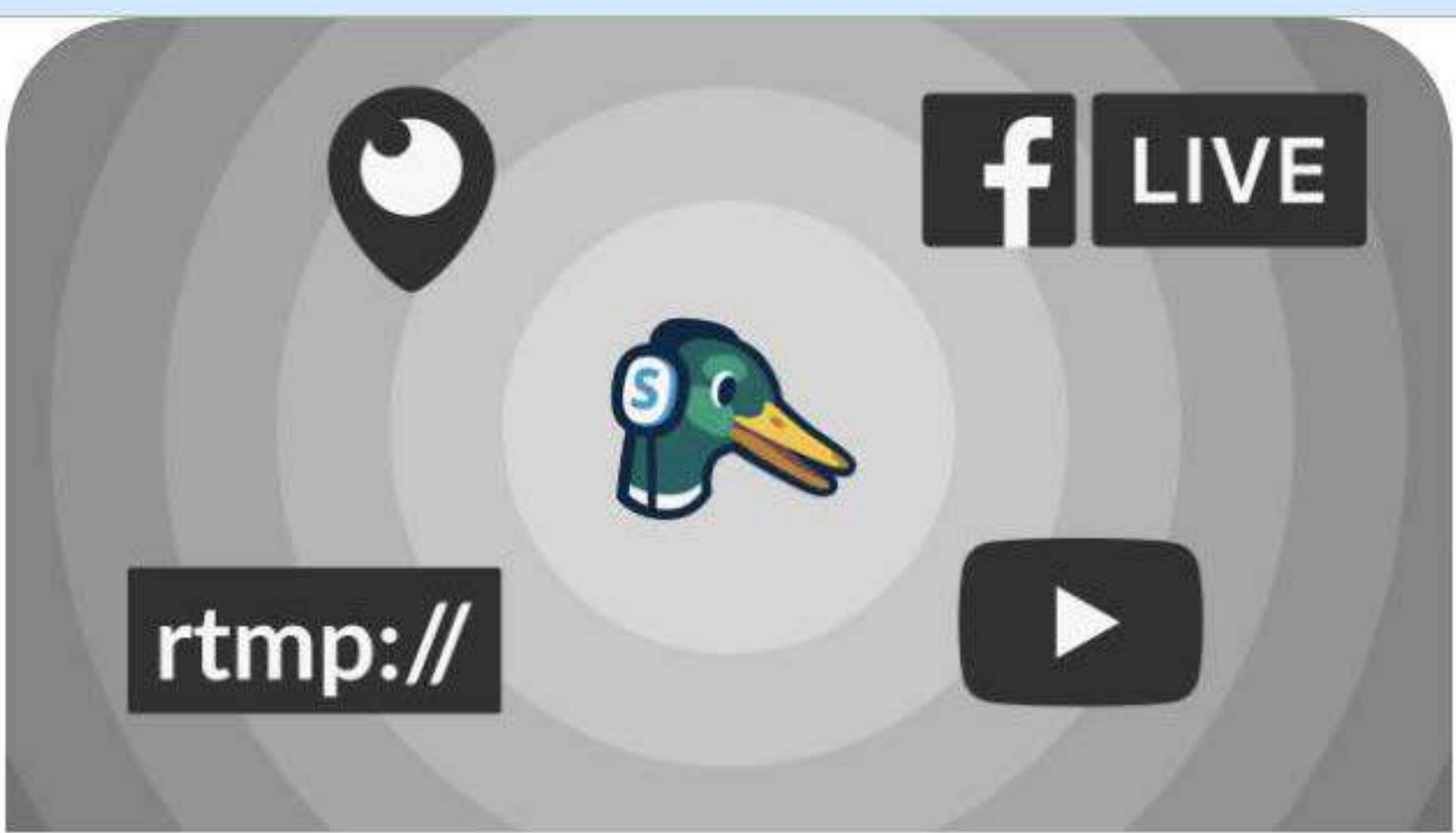


iMessage





Joe >



**StreamYard |
Browser-based
live studio for
professionals**
streamyard.com

Just sent you a



iMessage





Joe >

Just sent you a large file.

cut up with pics.

Ok didn't get it yet

am standing



iMessage





Joe >

by on stream
yard - let me
know if you
have any prob-
lems

stand by. cut-
ting it up for
you



iMessage





Joe >

Sat, Nov 14, 10:07 AM

Thank you
again for the
time yesterday.
Appreciate all
that you do.



iMessage





Joe >

Sun, Nov 15, 5:52 AM

Thank u Joe! I
just got a mes-
sage from Sid-
ney Powell's
aide - they
want to get an
affidavit from
you!! Stand by



iMessage





Joe >

you!! Stand by
- I'm going to
connect you
by text now

Lauren is Sean
Hannity's for-
mer senior
producer and a
rockstar - she



iMessage





Joe >

rockstar - she
and Sidney are
patriots

You are a patri-
ot!

Been a crazy
weekend



iMessage





Joe >

Fri, Nov 20, 6:39 AM

Thread



Josh Caplan

@joshdcaplan

NBOX: After Dominion Voting systems backed out of attending planned fact-finding hearing with PA House State Government Committee, committee members will hold press conference to discuss election at 10:00 A.M. EST

6:30 AM · 20 Nov 20 · Twitter Web App

101 Retweets and comments 1,542 Likes



iMessage





Joe >

Mainstream
media still ig-
noring it

Dawn Keefer
was amazing -
do you know
her

No



iMessage





Joe >

No

Can you talk now - sorry the day got away from me yesterday



Michelle Malkin  @mic... · 39m

This is the state legislative hearing



iMessage 





Joe >




Michelle Malkin  @mic... · 39m ▾


This is the state legislative hearing Dominion backed out of in Pennsylvania this morning. Supposedly a press conference by GOP legislators is about to happen.



Friday, November 20, 20

10:00 AM


STATE GOVERNMENT

 Add to Calendar Outlook (iCal) or Google
Informational meeting with Dominion
any other business that may come
committee. Dominion Systems will
virtually.

 33

 546


 1,367



Show this thread



Michelle Malkin  @mich... · 13m ▾

5/ Yes. Keep the heat on,
[@PAHouseGOP](#). Dawn Keefer was
total fire at the press conference 



PA House Republ...  · 31m

Rep. Dawn Keefer: 14 seconds



iMessage





Joe >



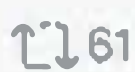
PA House Republ... · 31m



Rep. Dawn Keefer: 14 counties used the Dominion Voting Systems software. We trust the workers in our polling places and in our counties. But what...



3



161



310



Michelle Malkin · 12m



@mich... · 12m



6/ No blind trust. Not now. Not ever.



PA House Republ... · 29m



Rep. Dawn Keefer:
Transparency is key for our election security. Dominion Voting Software is asking us to give them only blind trust. We...



6



48



233



PA House Republ... · 29m



Rep. Dawn Keefer:
Transparency is key for our



iMessage





Joe >



PA House Republ... · 29m

Rep. Dawn Keefer:
Transparency is key for our
election security. Dominion
Voting Software is asking us to
give them only blind trust. We...



You Retweeted



Valerie Gaydos @valgaydos · 5h

UPDATE: At 10 pm last night we
were informed that Dominion Voter
Systems backed out of testifying
before the House State Govt
Comm. There will be a House
press conf at 10 am TODAY to
address Dominion's failure to
appear.



iMessage





Joe >

**GOP State Rep.
Dawn Keefer on
Dominion: "How
tightly controlled is
the source code
and who has
control over the
source code?"**

**[https://t.co/
0AjO86Aab1](https://t.co/0AjO86Aab1)**



iMessage





Joe >

#ExposeDominion



Michelle Malkin

twitter.com

They are
frauds



iMessage





Joe >



iMessage





Joe >

Denver Metro Scanner

#twitter Posted at 1:49PM: 'Riot cops coming in from 14th and Sherman.' No word on numbers as of right now.

58 2:05 PM



Denver Metro Scanner

#livestream 7 officers standing next to a tree about 100ft from the Capitol. Standing next to the tree where the guard rail begins on the S walkway that leads to the corner of Lincoln and W 14th. Shown about 10 mins ago.

58 2:12 PM



Denver Metro Scanner

#twitter cops are blocking 14th and Bannock.

54 4:19 PM



November 19

Denver Metro Scanner

#tip

2 2:31 AM



Denver Metro Scanner

Forwarded message
From Jackie O



Denver Metro Scanner

Sat

#twitter cops are blocking 14th and Bann...



iMessage



Done

7 of 11



Pinned Message

POSTING GUIDELINES:



DENVER METRO SCANNER

#ground Few dozen maga folks congregating at the Capitol. Lots of flags

57 1:42 PM

Denver Metro Scanner

#twitter Posted at 1:49PM: 'Riot cops coming in from 14th and Sherman.' No word on numbers as of right now.

58 2:05 PM

Denver Metro Scanner

#livestream 7 officers standing next to a tree about 100ft from the Capitol. Standing next to the tree where the guard rail begins on the S walkway that leads to the corner of Lincoln and W 14th. Shown about 10 mins ago.

58 2:12 PM

Denver Metro Scanner

#twitter cops are blocking 14th and Bannock.

54 4:19 PM

November 19

Denver Metro Scanner

#tip

2 2:31 AM

Denver Metro Scanner

Forwarded message
From Jackie O

Is Eric from Dominion here? I think he might be in trouble and maybe needs help.

3 2:31 AM

MUTE





Joe >

Tue, Nov 24, 6:08 AM

Can you come
on my News-
max show to
talk about
Coomer and
Dominion - we
pretape to-
morrow at



iMessage





Joe >

pretape to-
morrow at
1230pm
mountain time
- it would be
one segment
that will run
around 7 min-
utes



iMessage





Joe >

For you abso-
lutely

I'm in South
Dakota

So on my com-
puter ok?

Thank you!



iMessage





Joe >

Yes it will be by
Skype (send
me your Skype
account name)
- my Newsmax
producer will
be in touch
soon to nail
down logistics.



iMessage





Joe >

Let me know if you have any new graphics or documents you want me to feature - keep up the fight!

Sounds great



iMessage





Joe >

Tue, Nov 24, 12:20 PM

I'm back. I have lots of info including the Mongolia connection

Tue, Nov 24, 6:23 PM



iMessage





Joe >

Wed, Nov 25, 6:43 AM

Let me know if
there are spe-
cific questions
you want me to
ask you

A 7 minute
segment gives



iMessage





Joe >

us time for
about 3 topic
areas

Are you al-
lowed to talk
about your
conversations
with the trump
lawyers



iMessage





Joe >

Wed, Nov 25, 10:55 AM

That was
amazing - wish
we had more
time but I
know this seg-
ment will have
huge impact -



iMessage





Joe >

have a blessed
and safe
Thanksgiving !
!! Show airs
Saturday at
5pm mountain
and Sunday
9am mountain

Happy



iMessage





Joe >

Wed, Dec 2, 6:20 PM

I am so angry
at ken buck

He had a
meeting
tonight and
lied



iMessage





Joe >

And let domin-
ion have an
audience

I am so angry

What!!!!!!
Where and
how? Is he
bought off??



iMessage





Joe >

**This swamp is
so deep
Michelle**

I know ugh

**I cannot tell
you how angry
I am**



iMessage





Joe >

I have never
been this an-
gry

Flat evil

But I found Eric
Coomer

So f\$&@ ken

~~and the rest of~~



iMessage





Joe >

So f\$&@ ken
and the rest of
the Rino's

Do you want to
do another
livestream on
it? What did
buck lie about
and to whom



iMessage





Joe >

back me about
and to whom
did he lie

Michigan
grass roots
conservatives
tell me they are
also being
screwed over



iMessage





Joe >

screwed over
by rinos there

Whistleblow-
ers being
blocked

Yes

I don't under-
stand this



iMessage





Joe >

Yes

I don't understand this

Why???

This is pure evil



iMessage





Joe >

Sat, Dec 5, 9:51 AM

Hey. John Baker states today, Eric Coomer is the smoking gun. He is the motive...

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100



iMessage





Randy Corporon 




Missed audio call

Nov 11, 2020 2:29pm

Call when able re Dominion




Nov 11, 2020 1:36pm


just got off livestream and have another taping...can call after 430pm if that works

Nov 11, 2020 2:09pm 

Yup. Anytime.

Nov 11, 2020 2:12pm

Sidney Powell is talking to Joe this morning  after watching our livestream  

Nov 15, 2020 11:05am 

Good.

Nov 15, 2020 11:11am





Randy Corporon 




Nov 11, 2020 2:29pm

Call when able re Dominion


Nov 11, 2020 1:36pm


just got off livestream and have another taping...can call after 430pm if that works

Nov 11, 2020 2:09pm 

Yup. Anytime.

Nov 11, 2020 2:12pm

Sidney Powell is talking to Joe this morning  after watching our livestream  

Nov 15, 2020 11:05am 

Good.

Nov 15, 2020 11:11am

And, good job!

Nov 15, 2020 11:11am



--

*From: Michelle Malkin <writemalkin@gmail.com>
Date: Tue, Nov 24, 2020 at 1:10 PM
Subject: Sovereign Nation - Wednesday pretape - guests/contact info
To: Pierce Sargeant <pierces@newsmax.com>, Stephanie Cassidy
<stephaniec@newsmax.com>, Jaclyn Anastasakos <jaclyna@newsmax.com>*

My topic is: Hacking the Vote.

Guests:

*Joe Oltmann, Colorado businessman, founder of FEC United & host of
Conservative Daily podcast
joe@fecunited.com
303 667 5105*

*Victoria Toensing, Trump legal adviser and former Reagan Justice Department
official
202 255 8863
VT@digenovatoensing.com*

*best,
michelle*

--

*Michelle Malkin
www.michellemalkin.com*

* * *

*From: Michelle Malkin <writemalkin@gmail.com>
Date: Wed, Nov 25, 2020 at 12:30 AM
Subject: Sovereign Nation script
To: Pierce Sargeant <pierces@newsmax.com>*

Please let me know that you received this, thanks.

*best,
michelle*

**Exhibit
PLTF 0026
MALKIN**

[Note: Michelle's script was attached to this email; see below for text of script.]

WELCOME TO SOVEREIGN NATION. I'M MICHELLE MALKIN.

OUR FOCUS TODAY: HACKING THE VOTE.

NEWSFLASH: IT HAS ALREADY HAPPENED AROUND THE WORLD. THAT'S WHAT THE PROPAGANDISTS OF THE FECKLESS FOURTH ESTATE IN AMERICA DON'T WANT YOU TO KNOW. THEY ALSO DON'T WANT YOU TO REMEMBER THAT THERE WAS A TIME – NOT VERY LONG AGO - WHEN IT SERVED THE LEFT-WING MEDIA'S IDEOLOGICAL AGENDA TO EXPOSE THE GRAVE SECURITY RISKS OF AUTOMATED VOTING MACHINES.

JUST TWO YEARS AGO, THE LIBERAL SOCIAL MEDIA OUTFIT NOWTHIS SOUNDED THE ALARM OVER VULNERABLE VOTING MACHINES WITH A VIDEO SHOWING THAT "A HACKER ONLY NEEDS 1 MINUTE TO CHANGE ELECTION RESULTS IN 24 STATES." TWITTER DIDN'T CENSOR OR LABEL IT. THEY JUST PRETEND IT DOESN'T EXIST.

SOT start at :31 "The serial console in the back" ...end 1:25 "prepped and ready to go, a minute."

<https://twitter.com/nowthisnews/status/1034614864180858880>

THREE COMPANIES IMPLICATED IN WORLDWIDE ELECTION MEDDLING SCANDALS ARE INTERTWINED THROUGH A LABYRINTH OF SHELL COMPANIES: DOMINION, SMARTMATIC, AND SEQUOIA. DOMINION VOTING SYSTEMS MANUFACTURES BOTH ELECTION HARDWARE AND SOFTWARE WITH HEADQUARTERS IN TORONTO, CANADA, AND DENVER, COLORADO. SMARTMATIC IS THE MULTINATIONAL CORPORATION THAT MAKES VOTE COUNTING MACHINES AS WELL AS SOFTWARE...AND IS PURPORTEDLY TIED TO THE LATE VENEZUELAN DICTATOR HUGO CHAVEZ'S REGIME. SMARTMATIC MACHINES HAVE USED DOMINION SOFTWARE. SEQUOIA, WHICH WAS ACQUIRED BY DOMINION IN 2010, MAKES VOTING MACHINES THAT HAVE USED SMARTMATIC SOFTWARE.

THE LOS ANGELES TIMES, MIAMI HERALD, CHICAGO CITY OFFICIALS, AND THE U.S. COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES HAVE ALL INVESTIGATED THE PERILS OF FOREIGN CONTROL OVER OUR ELECTIONS POSED BY ONE OR MORE OF THESE COMPANIES

AS FAR BACK AS 2006. CNN REPORTER KITTY PILGRIM FILED THIS REPORT FOR LOU DOBBS...

SOT start :31 “the use of some 19,000” and end at 1:37 “We believe this is a national security issue”

https://www.youtube.com/watch?v=-s9PkuiIw2Q&feature=emb_logo

WATCHDOGS IN THE PHILIPPINES HAVE GRAPPLED WITH WHAT THEY BELIEVE IS WIDESPREAD SMARTMATIC AND DOMINION-RELATED ELECTION MANIPULATION FOR 10 YEARS. ATTORNEY AND FORMER FILIPINO CONGRESSMAN GLENN CHONG SCoured AUDIT LOGS TO UNCOVER HOW SMARTMATIC MACHINES HAD SOMEHOW PRELOADED AND TRANSMITTED THOUSANDS OF VOTES BEFORE POLLS EVEN OPENED.

SOT chong

Start :21 “Michelle, the term preloaded” ...to :35 “they are signed” ...pick up again 1:14 “we have 70,000 voters” and end at 1:30 “seven percent.”

<https://twitter.com/michellemalkin/status/1331430647970230273>

CHONG NOTES SIMILARITIES IN HOW HE SAYS HIS RACE AND OTHERS IN THE PHILIPPINES WERE RIGGED WITH WHAT HAPPENED HERE IN AMERICA:

SOT chong (attached MP4)

:00 to :31 end at “that was his lead” ...pick up again at 1:23 “within a few hours” and end at 1:40 “was wiped”

CHONG ALSO EXPOSED AUTOMATIC VOTE PADDING AND SHAVING MANIPULATION BY SMARTMATIC MACHINES, PLUS MISSING AND OUT OF SEQUENCE BALLOT IMAGES. HE CONFRONTED SMARTMATIC OFFICIALS WITH REAMS OF LOGS OUTLINING FRAUD. OTHER POLITICIANS TURNED UP THE HEAT:

SOT Marcos

<https://www.youtube.com/watch?v=B745Rq958G4>

3:32 “I’m sorry I have to say this” ...end at 3:43 “a method of cheating to whoever pays them the most.” (PLEASE ADD CAPTION)

INSTEAD OF PROVIDING ANSWERS, SEVERAL SMARTMATIC OFFICIALS LEFT THE COUNTRY, INCLUDING VETERAN SMARTMATIC OFFICIAL HEIDER GARCIA (SCREENSHOT THIS PAGE - [HTTPS://WWW.TARRANTCOUNTY.COM/EN/ELECTIONS/MEET-THE-STAFF.HTML](https://www.tarrantcounty.com/en/elections/meet-the-staff.html)). THE VENEZUELAN-BORN OPERATIVE NOW SERVES AS ELECTION ADMINISTRATOR FOR TARRANT COUNTY, TEXAS – WHICH TURNED BLUE FOR THE FIRST TIME SINCE 1964 AFTER THE INTRODUCTION OF NEW ELECTRONIC VOTING MACHINES.

EVADING SCRUTINY SEEMS TO BE PART OF THE VOTE-HACKING PLAYBOOK. LAST WEEK, DOMINION OFFICIALS BAILED OUT OF A STATE LEGISLATIVE HEARING IN BATTLEGROUNDS PENNSYLVANIA. GOP STATE REPRESENTATIVE DAWN KEEFER ASKED THE QUESTIONS THEY WON'T ANSWER:

SOT Keefer start at :15 “Does Dominion”...end :45 “and who has control of that source code?”

<https://twitter.com/DawnRep/status/1329804317914779654>

WHO HAS CONTROL OVER OUR ELECTIONS? WHO HAS DOMINION OVER OUR VOTES – WE THE PEOPLE OR THE ELECTRONIC VOTING OLIGARCHS? WITHOUT FULL ELECTION TRANSPARENCY, THERE CAN BE NO ELECTION PEACE.

NEXT UP: DENVER BUSINESSMAN JOE OLTMANN JOINS ME TO DISCUSS HIS SHOCKING DISCOVERIES ABOUT DOMINION VICE PRESIDENT OF STRATEGY AND SECURITY ERIC COOMER AND MUCH MORE. STAY TUNED.

WELCOME BACK TO SOVEREIGN NATION. MY FIRST GUEST IS JOE OLTMANN, FOUNDER OF FEC UNITED AND HOST OF CONSERVATIVE DAILY...

WE'VE GOTTA TAKE A QUICK BREAK. WHEN WE COME BACK, VICTORIA TOENSING WILL UPDATE US ON THE TRUMP LEGAL TEAM'S LATEST BATTLES TO PROTECT THE VOTE. DON'T TOUCH THAT DIAL.

THANKS FOR STAYING WITH US. VICTORIA TOENSING IS A MEMBER OF THE TRUMP LEGAL TEAM AND A FORMER REAGAN JUSTICE DEPARTMENT ATTORNEY.

THAT'S ALL THE TIME WE HAVE FOR TODAY. JOIN US NEXT TIME FOR ANOTHER EDITION OF SOVEREIGN NATION.

** * **

From: Michelle Malkin <writemalkin@gmail.com>
Sent: Wednesday, November 25, 2020 2:31 AM
To: Pierce Sargeant <PierceS@newsmax.com>
Subject: Sovereign Nation script

Please let me know that you received this, thanks.

*best,
michelle*

** * **

From: **Pierce Sargeant** <PierceS@newsmax.com>
Date: Wed, Nov 25, 2020 at 4:54 AM
Subject: RE: Sovereign Nation script
To: Michelle Malkin <writemalkin@gmail.com>

I got the script. One question on the second Chong SOT. Is it from the full interview in the youtube link on the tweet below the one you put in the script?

*Thanks,
Pierce Sargeant
Producer, Newsmax TV
NewsmaxTV.com
561.686.1165 EXT: 1867*

** * **

From: **Elliot Jacobson** <ElliotJ@newsmax.com>
Date: Wed, Nov 25, 2020 at 9:53 AM
Subject: Important
To: Michelle Malkin <writemalkin@gmail.com>

Cc: Pierce Sargeant <PierceS@newsmax.com>, Gary Kanofsky
<GaryK@newsmax.com>

Hi Michelle, we are being extra diligent right now about how we cover certain stories as we are very much in the cross hairs given our significant growth I am sure you have seen some of the articles.

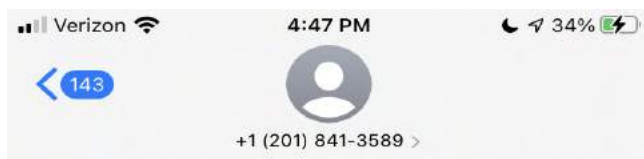
I am tied up until later today with show rehearsals for new launches so I have asked Gary Kanofsky our News Director to touch base with you (as he is doing with all weekend shows) on some guard rails we need to maintain and talk through your show.

*Also I will have ratings for you shortly,
Elliot*

*Elliot Jacobson
EVP & Chief Content Officer, NewsmaxTV
805 Third Ave, 22nd Floor
New York, NY 10022
(646) 616-3368 x3450*

** * **

Text message from Gary Kanofsky sent November 25th:



iMessage
Wed, Nov 25, 10:34 AM

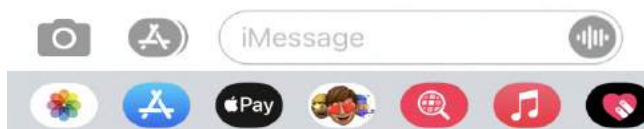
Hi. Gary Kanofsky here from NewsMax. Please call me at [201-841-3589](tel:201-841-3589) at your earliest opportunity. Thanks!

I can call after my show taping if that works - so after 3pm your time

Actually it's before your show that is like to share a quick word

Ok hang on

Delivered



DOMINION
VOTING™

Our customers come first.



State of Colorado
UNIFORM VOTING SYSTEM SUBMISSION

Provider Narrative for Dec 4th PERC Meeting



Prepared by: Steven Bennett, Regional Sales Manager
Proposal Due Date: Tuesday, December 1, 2015 – 5 pm MT

Exhibit
PLTF 0027
MALKIN

State of Colorado
 UNIFORM VOTING SYSTEM SUBMISSION
 PROVIDER NARRATIVE FOR DEC 4TH PERC MEETING

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Letter of Introduction

To Members of the Colorado Pilot Election Review Committee:

Dominion Voting Systems, Inc. ("Dominion") welcomes the opportunity to present our staffing and implementation plan for the State of Colorado, for consideration as the Uniform Voting System (UVS) provider.

Peace of mind comes with knowing that a professional project team with dedicated resources is assigned from beginning through completion of the implementation. **The State of Colorado will benefit from Dominion's years of product installation and project management experience that is unmatched in the election industry.** Our Colorado project team includes some of Dominion's most experienced team members - professionals with ample experience and understanding of system implementations, best project management practices, training methodologies, and a passion for customer service.

The Dominion project management methodology has been developed through years of experience implementing both large and small voting solutions by individuals who know and understand elections. **As an established election provider in the United States, we have a diverse customer base with jurisdictions in 18 states that have successfully implemented our Democracy Suite^{®1} system, including the States of California, Louisiana, New Mexico, and 52 counties in New York.** Best practices and lessons learned from each project have refined our approach and have been incorporated at each stage of the methodology, including our most recent pilots in the City and County of Denver and Mesa County. We are keenly aware of the realities involved and what it takes to make a smooth transition to a new voting system platform, as well as ample experience to ensure the success of all of Colorado's counties.

Dominion's project management approach is based on open communication with our customers at all times. We will work closely with the counties and the State to include their input throughout all stages of the project plan and establish effective Problem Escalation Procedures to address potential issues successfully. **One of the most important things that we do as a company is to always listen to our customer's needs.** We value an open, honest relationship with our customers, and we take every opportunity to act on their feedback and respond in a timely manner.

Our proposed project plan for the State of Colorado manages timelines for all key milestones, deliverables, training, Election Day support and post-election support for the 24 Colorado counties planning to transition in 2016. **We understand the service needs of large and small counties will be different given our support of both large and small Colorado counties today.** We are familiar not only with the unique needs of our current customers, but also with the legislative and electoral environment in Colorado. Over the past thirty years, Dominion personnel have worked with Colorado counties of all sizes, giving us a sophisticated understanding of how to deliver a uniform elections solution.

Colorado is Dominion's home state. Most of our proposed project staff are based in Colorado, and have a sincere desire to support the counties in which they live and work. Our corporate

¹ Democracy Suite is a registered trademark of Dominion Voting Systems.

State of Colorado
UNIFORM VOTING SYSTEM SUBMISSION
PROVIDER NARRATIVE FOR DEC 4TH PERC MEETING

headquarters are based in Denver, which will become an essential home base of infrastructure and support for any future implementations in the state. As a Colorado based company that spends millions of dollars on salaries and expenses in state, your investment in our growth will be repaid with excellent products, local services and experience, Colorado job creation, increased tax revenue, and other benefits that can only come from “buying” local.

We firmly believe that we have the technology, resources and capacity to become Colorado's Uniform Voting System provider, and ensure the best pathway to your continued success. We are enthusiastic about the opportunity to work with each Colorado County Clerk and their staff. We are determined and committed to meet your every challenge. This is who we are. **This is the Power of Partnership.**

If you have any questions or feedback, please feel free to contact me at (909) 362-1715 or via email at steven.bennett@dominionvoting.com.

Sincerely,

Steven Bennett
Regional Sales Manager

1) Preliminary Project Schedule

*At the time of the original RFP, the exact number of initial UVS counties was not known. For that reason, Section 5.3.12 of the original RFP requested you to provide a preliminary project schedule and staffing plan for a “large Colorado Target County....” Since the original RFP, the committee surveyed all Colorado counties and has determined that, at this juncture, **24 counties tentatively plan to convert to the new voting system before the June 28, 2016 Primary Election.** Please update the preliminary project schedule and staffing plan submitted with your original RFP response, to show how your organization will support the transition of the 24 counties before the 2016 Primary Election, giving due regard to the certification application and testing schedule set forth in the attached UVS timeline.*

Project Management Communication

Dominion subscribes to a collaborative management approach, where transparency, frankness, and open communications drive our projects. The key aspects to effective management are planning and control processes. Through experience in several state installations, we have developed comprehensive project plans, and we implement controls to maintain schedules and quality standards.

Throughout the project lifecycle, our State Project Manager (PM) will coordinate with Colorado counties to deliver exceptional management performance and high-quality products in support of the project objectives. There will be monthly status reports and during review of the status reports, Colorado counties and Dominion will determine if adjustments are needed to ensure process and project improvements are captured.

Dominion management and the PM will perform the monthly project review, in order to provide tactical communication and transparency across the project and within the corporate structure. It is also an opportunity to promote innovation, table new ideas, and deliver professional support to the PM. The agenda for this meeting includes a review of the proposed schedule and assessment of progress on deliverables. Potential issues will be reviewed, and Dominion management will provide guidance on mitigation approaches.

In addition to formal monthly and independent corporate reviews, informal daily contact will help to keep Colorado counties abreast of all contract and task activities, performance levels, and issues. Open communication between the customer and the PM will allow issues to be raised, addressed, and mitigated. This feedback loop expedites issue resolution and the development of mutually agreed upon mitigation approaches, thus increasing customer satisfaction throughout the project lifecycle.

Proposed Project Plan

The State of Colorado requires a comprehensive workplan based on well-established principles of project management. The structure of the plan includes key milestones, which allow the State of Colorado to see tangible progress.

Dominion has designed the State of Colorado workplan based on the following:

State of Colorado
UNIFORM VOTING SYSTEM SUBMISSION
PROVIDER NARRATIVE FOR DEC 4TH PERC MEETING

- 1) Dominion's workplan adheres to PMBOK standards and practices.
- 2) It is developed using MS Project and will be monitored/reported by using MS Project.
- 3) It is designed with key milestones (clear tangible deliverables) that are designed to mitigate risk to the extent possible.
- 4) Tasks are focused on accomplishing specific objectives.
- 5) The work breakdown structure is a logical progression of steps, activities, and subtasks that lead to tangible work products or deliverables.
- 6) Our plan provides Colorado counties with visibility into the tasks and schedule.
- 7) Our plan incorporates Dominion's prior experience in successfully implementing voting systems.
- 8) Our workplan is achievable and will be used to manage specific deadlines.































The proposed project workplan is based on our current understanding of project requirements from the UVS timeline provided and it draws from our extensive, real world implementation experience. This proposed project workplan and schedule will be adjusted in consultation with individual counties to establish the "baseline" plan.

Dominion's PM will closely follow the Colorado approved MS Project plan to identify variance that may indicate a problem. The PM will follow the Problem Escalation Process (PEP), provided after the project plan description, to report variances and propose mitigation actions. Additionally, the PM will update the plan on a weekly basis and provide Colorado counties with a monthly summary of project status reports and meetings. The task dependencies, resources, and critical path are available by viewing the plan in MS Project (provided in the electronic submission).

As noted above, the following project workplan is based on our current understanding of project requirements and key implementation dates. Therefore it will need to be revised in consultation with Colorado counties, in line with best practices outlined in the PMBOK. Until finalized, it should be considered draft and used for discussion purposes.

Project Implementation will be divided into the following five stages: Certification, Procurement and Logistics; Configuration, Installation, Training and Testing; 2016 Primary Election and; 2016 General Election.

State of Colorado
 UNIFORM VOTING SYSTEM SUBMISSION
 PROVIDER NARRATIVE FOR DEC 4TH PERC MEETING

| Colorado 1.0 | | | | | | |
|--------------|---|-----------|--|-----------------|---------------------|---------------------|
| ID |  | Task Mode | Task Name | Duration | Start | Finish |
| 0 |  | | Colorado 1.0 | 394 days | Tue 12/1/15 | Wed 12/28/16 |
| 1 |  | | 1 Project Milestones | 314 days | Thu 12/31/15 | Tue 11/8/16 |
| 2 |  | | 1.1 Selection of UVS Finalist | 0 days | Thu 12/31/15 | Thu 12/31/15 |
| 3 |  | | 1.2 County Contracts Negotiated and Signed | 40 days | Mon 1/4/16 | Fri 2/12/16 |
| 4 |  | | 1.3 Certification of System | 1 day | Tue 3/1/16 | Tue 3/1/16 |
| 5 |  | | 1.4 System Deployment to Counties | 59 days | Wed 3/2/16 | Fri 4/29/16 |
| 6 |  | | 1.4.1 Deployment and Installation | 31 days | Wed 3/2/16 | Fri 4/1/16 |
| 7 |  | | 1.4.2 Install Trusted Builds | 26 days | Mon 4/4/16 | Fri 4/29/16 |
| 8 |  | | 1.5 Primary Election Milestones | 58 days | Mon 5/2/16 | Tue 6/28/16 |
| 9 |  | | 1.5.1 Ballot Production | 26 days | Mon 5/2/16 | Fri 5/27/16 |
| 10 |  | | 1.5.2 UOCAVA Ballot Deadline | 1 day | Sat 5/14/16 | Sat 5/14/16 |
| 11 |  | | 1.5.3 Absentee ballots sent - Primary | 17 days | Mon 6/6/16 | Wed 6/22/16 |
| 12 |  | | 1.5.4 L&A Testing - Primary | 11 days | Tue 5/31/16 | Fri 6/10/16 |
| 13 |  | | 1.5.5 Voting Centers Open - Primary | 9 days | Mon 6/20/16 | Tue 6/28/16 |
| 14 |  | | 1.5.6 Election Day - Primary | 0 days | Tue 6/28/16 | Tue 6/28/16 |
| 15 |  | | 1.6 General Election Milestones | 58 days | Mon 9/12/16 | Tue 11/8/16 |
| 16 |  | | 1.6.1 Ballot Production | 26 days | Mon 9/12/16 | Fri 10/7/16 |
| 17 |  | | 1.6.2 UOCAVA Ballot Deadline | 1 day | Sat 9/24/16 | Sat 9/24/16 |
| 18 |  | | 1.6.3 Absentee ballots sent - General | 5 days | Mon 10/17/16 | Fri 10/21/16 |
| 19 |  | | 1.6.4 L&A Testing - General | 11 days | Mon 10/10/16 | Thu 10/20/16 |
| 20 |  | | 1.6.5 Voting Centers Open - General | 16 days | Mon 10/24/16 | Tue 11/8/16 |
| 21 |  | | 1.6.6 Election Day - General | 0 days | Tue 11/8/16 | Tue 11/8/16 |
| 22 |  | | 2 Project Management | 364 days | Thu 12/31/15 | Wed 12/28/16 |
| 23 |  | | 2.1 Initiate Project | 23 days | Thu 12/31/15 | Fri 1/22/16 |
| 24 |  | | 2.1.1 Internal Project Kick-off | 1 day | Thu 12/31/15 | Thu 12/31/15 |
| 25 |  | | 2.1.2 Kick-off with State | 1 day | Wed 1/6/16 | Wed 1/6/16 |
| 26 |  | | 2.1.3 Kick-Off Meeting with Counties | 12 days | Mon 1/11/16 | Fri 1/22/16 |
| 27 |  | | 2.2 System Certification | 43 days | Tue 1/19/16 | Tue 3/1/16 |
| 28 |  | | 2.2.1 UVS Certification Tasks | 43 days | Tue 1/19/16 | Tue 3/1/16 |

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| Colorado 1.0 | | | | | | |
|--------------|--|-----------|--|-----------------|--------------------|---------------------|
| ID | | Task Mode | Task Name | Duration | Start | Finish |
| 29 | | | 2.2.1.1 Deadline for Cert. App. With TDP | 1 day | Tue 1/19/16 | Tue 1/19/16 |
| 30 | | | 2.2.1.2 Completion of documentation review | 1 day | Tue 1/26/16 | Tue 1/26/16 |
| 31 | | | 2.2.1.3 Prepare and finalize Test Plan Agreement | 1 day | Fri 1/29/16 | Fri 1/29/16 |
| 32 | | | 2.2.1.4 Complete supplemental testing, if necessary | 1 day | Mon 2/15/16 | Mon 2/15/16 |
| 33 | | | 2.2.1.5 Certification of System | 1 day | Tue 3/1/16 | Tue 3/1/16 |
| 34 | | | 2.3 Project Management Meetings w State/Counties | 346 days | Mon 1/18/16 | Wed 12/28/16 |
| 35 | | | 2.3.1 Project Update Call | 346 days | Mon 1/18/16 | Wed 12/28/16 |
| 60 | | | 2.4 Dominion Internal Project Management Meetings | 348 days | Fri 1/15/16 | Tue 12/27/16 |
| 61 | | | 2.4.1 Project Update Call | 348 days | Fri 1/15/16 | Tue 12/27/16 |
| 86 | | | 3 Procurement and Logistics | 30 days | Mon 2/1/16 | Tue 3/1/16 |
| 87 | | | 3.1 Procurement | 30 days | Mon 2/1/16 | Tue 3/1/16 |
| 88 | | | 3.1.1 ICC system | 30 days | Mon 2/1/16 | Tue 3/1/16 |
| 89 | | | 3.1.1.1 Canon G1130 | 30 days | Mon 2/1/16 | Tue 3/1/16 |
| 90 | | | 3.1.1.2 Kofax board and software | 30 days | Mon 2/1/16 | Tue 3/1/16 |
| 91 | | | 3.1.1.3 Dell all-in-one PC | 30 days | Mon 2/1/16 | Tue 3/1/16 |
| 92 | | | 3.1.1.4 i-Button programmer | 30 days | Mon 2/1/16 | Tue 3/1/16 |
| 93 | | | 3.1.1.5 Other Requested Supplies and Consumables | 30 days | Mon 2/1/16 | Tue 3/1/16 |
| 94 | | | 3.1.2 ICX System | 30 days | Mon 2/1/16 | Tue 3/1/16 |
| 95 | | | 3.1.2.1 Tablets | 30 days | Mon 2/1/16 | Tue 3/1/16 |
| 96 | | | 3.1.2.2 Tablet Kiosk | 30 days | Mon 2/1/16 | Tue 3/1/16 |
| 97 | | | 3.1.2.3 Mag Striper Reader | 30 days | Mon 2/1/16 | Tue 3/1/16 |
| 98 | | | 3.1.2.4 Hub multiport network | 30 days | Mon 2/1/16 | Tue 3/1/16 |
| 99 | | | 3.1.2.5 BMD Printer | 30 days | Mon 2/1/16 | Tue 3/1/16 |
| 100 | | | 3.1.2.6 Networking Hardware | 30 days | Mon 2/1/16 | Tue 3/1/16 |
| 101 | | | 3.1.2.7 Administrator Laptop | 30 days | Mon 2/1/16 | Tue 3/1/16 |
| 102 | | | 3.1.2.8 Voting Booth | 30 days | Mon 2/1/16 | Tue 3/1/16 |
| 103 | | | 3.1.2.9 Accessibility system hardware | 30 days | Mon 2/1/16 | Tue 3/1/16 |
| 104 | | | 3.1.2.10 Other Identified or Requested IT Hardware | 30 days | Mon 2/1/16 | Tue 3/1/16 |
| 105 | | | 3.1.3 EMS and Adjudication Hardware | 30 days | Mon 2/1/16 | Tue 3/1/16 |







































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




State of Colorado
 UNIFORM VOTING SYSTEM SUBMISSION
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| Colorado 1.0 | | | | | | |
|--------------|-----------|--|-----------------|--------------------|---------------------|--|
| ID | Task Mode | Task Name | Duration | Start | Finish | |
| 134 | | 4.2.1.3.5 Test ICC Systems | 10 days | Tue 3/1/16 | Thu 3/10/16 | |
| 135 | | 4.2.1.3.6 Stage and Ship | 12 days | Mon 3/14/16 | Fri 3/25/16 | |
| 136 | | 4.2.2 Acceptance Testing | 26 days | Mon 4/4/16 | Fri 4/29/16 | |
| 137 | | 4.2.2.1 ICX Acceptance | 19 days | Mon 4/4/16 | Fri 4/22/16 | |
| 138 | | 4.2.2.2 Acceptance Testing of EMS Systems | 19 days | Mon 4/4/16 | Fri 4/22/16 | |
| 139 | | 4.2.2.3 Acceptance Testing of ICC Systems | 19 days | Mon 4/4/16 | Fri 4/22/16 | |
| 140 | | 4.2.2.4 End-to-End System Tests | 5 days | Mon 4/25/16 | Fri 4/29/16 | |
| 141 | | 4.3 Training | 182 days | Tue 12/1/15 | Mon 5/30/16 | |
| 142 | | 4.3.1 Finalize User Documentation | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 143 | | 4.3.1.1 ICX Documentation | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 144 | | 4.3.1.1.1 ICX User Guide | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 145 | | 4.3.1.1.2 Acceptance Test Procedure, checklist and sign-off form | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 146 | | 4.3.1.1.3 L&A Procedure, checklist and sign-off form | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 147 | | 4.3.1.1.4 Poll-Worker Training Manual | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 148 | | 4.3.1.2 ICC Documentation | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 149 | | 4.3.1.2.1 ICC User Guide | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 150 | | 4.3.1.2.2 Acceptance Test Procedure, checklist and sign-off form | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 151 | | 4.3.1.2.3 Operator Training Manual | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 152 | | 4.3.1.2.4 L & A Procedure, checklist and sign-off form | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 153 | | 4.3.1.3 Adjudication | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 154 | | 4.3.1.3.1 Adjudication Users Guide | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 155 | | 4.3.1.3.2 Adjudication Quick Reference Guide | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 156 | | 4.3.1.3.3 Operator Training Manual | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 157 | | 4.3.1.3.4 L&A Procedure, checklist and sign-off form | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 158 | | 4.3.1.4 EMS Documentation | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 159 | | 4.3.1.4.1 EED Users guide | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 160 | | 4.3.1.4.2 RTR Users guide | 28 days | Tue 12/1/15 | Mon 12/28/15 | |

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| Colorado 1.0 | | | | | | |
|--------------|---|---|---|----------------|--------------------|--------------------|
| ID |  | Task Mode | Task Name | Duration | Start | Finish |
| 161 | |  | 4.3.2 Customer System Training | 85 days | Mon 3/7/16 | Mon 5/30/16 |
| 162 | |  | 4.3.2.1 Region 1 Training | 78 days | Mon 3/7/16 | Mon 5/23/16 |
| 163 |  |  | 4.3.2.1.1 ICC/Adjudication Operations training | 2 days | Mon 3/7/16 | Tue 3/8/16 |
| 164 | |  | 4.3.2.1.2 ICX Operations training | 1 day | Wed 3/9/16 | Wed 3/9/16 |
| 165 |  |  | 4.3.2.1.3 EMS / RTR Training | 5 days | Mon 4/25/16 | Fri 4/29/16 |
| 166 | |  | 4.3.2.1.4 Pollworker Train the Trainer | 1 day | Mon 5/23/16 | Mon 5/23/16 |
| 167 | |  | 4.3.2.2 Region 2 Training | 73 days | Mon 3/14/16 | Wed 5/25/16 |
| 168 |  |  | 4.3.2.2.1 ICC/Adjudication Operations training | 2 days | Mon 3/14/16 | Tue 3/15/16 |
| 169 | |  | 4.3.2.2.2 ICX Operations training | 1 day | Wed 3/16/16 | Wed 3/16/16 |
| 170 |  |  | 4.3.2.2.3 EMS / RTR Training | 5 days | Mon 5/2/16 | Fri 5/6/16 |
| 171 | |  | 4.3.2.2.4 Pollworker Train the Trainer | 1 day | Wed 5/25/16 | Wed 5/25/16 |
| 172 | |  | 4.3.2.3 Region 3 Training | 68 days | Mon 3/21/16 | Fri 5/27/16 |
| 173 |  |  | 4.3.2.3.1 ICC/Adjudication Operations training | 2 days | Mon 3/21/16 | Tue 3/22/16 |
| 174 | |  | 4.3.2.3.2 ICX Operations training | 1 day | Wed 3/23/16 | Wed 3/23/16 |
| 175 |  |  | 4.3.2.3.3 EMS / RTR Training | 5 days | Mon 5/9/16 | Fri 5/13/16 |
| 176 | |  | 4.3.2.3.4 Pollworker Train the Trainer | 1 day | Fri 5/27/16 | Fri 5/27/16 |
| 177 | |  | 4.3.2.4 Tier 1.1 Counties Training | 64 days | Mon 3/28/16 | Mon 5/30/16 |
| 178 |  |  | 4.3.2.4.1 ICC/Adjudication Operations training | 2 days | Mon 3/28/16 | Tue 3/29/16 |
| 179 | |  | 4.3.2.4.2 ICX Operations training | 1 day | Wed 3/30/16 | Wed 3/30/16 |
| 180 |  |  | 4.3.2.4.3 EMS / RTR Training | 5 days | Mon 5/2/16 | Fri 5/6/16 |
| 181 | |  | 4.3.2.4.4 Pollworker Train the Trainer | 1 day | Mon 5/30/16 | Mon 5/30/16 |
| 182 | |  | 5 2016 Primary Election | 87 days | Mon 4/4/16 | Wed 6/29/16 |
| 183 | |  | 5.1 Election Programming | 56 days | Mon 4/4/16 | Sun 5/29/16 |
| 184 | |  | 5.1.1 Import Jurisdictional Data | 16 days | Mon 4/4/16 | Tue 4/19/16 |
| 185 | |  | 5.1.1.1 Jurisdictional data imported | 1 day | Mon 4/4/16 | Mon 4/4/16 |
| 186 |  |  | 5.1.1.2 Preliminary Election Database, Ballot and Report Creation | 8 days | Fri 4/8/16 | Fri 4/15/16 |
| 187 | |  | 5.1.1.3 Initial Ballot Proofs Reviewed by Counties | 1 day | Mon 4/18/16 | Mon 4/18/16 |
| 188 | |  | 5.1.1.4 Initial Report Proofing Packages Reviewed by Counties | 1 day | Tue 4/19/16 | Tue 4/19/16 |




























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| Colorado 1.0 | | | | | | | |
|--------------|---|--|----------------|--------------------|--------------------|--|--|
| ID | Task Mode | Task Name | Duration | Start | Finish | | |
| 189 |  | 5.1.2 Final Election Ballot and Database Creation | 11 days | Mon 5/2/16 | Thu 5/12/16 | | |
| 190 |  | 5.1.2.1 Ballot Certification Deadline for Primary | 1 day | Mon 5/2/16 | Mon 5/2/16 | | |
| 191 |  | 5.1.2.2 Final Ballot and Report Proofs to County Officials | 8 days | Tue 5/3/16 | Tue 5/10/16 | | |
| 192 |  | 5.1.2.3 Ballot and Report Review by Client | 1 day | Wed 5/11/16 | Wed 5/11/16 | | |
| 193 |  | 5.1.2.4 Revisions to Ballots and/or Reports | 1 day | Thu 5/12/16 | Thu 5/12/16 | | |
| 194 |  | 5.1.3 Election Materials Provided to County | 17 days | Fri 5/13/16 | Sun 5/29/16 | | |
| 195 |  | 5.1.3.1 Official Ballot Images generated | 1 day | Fri 5/13/16 | Fri 5/13/16 | | |
| 196 |  | 5.1.3.2 L&A Test Ballots Generated | 8 days | Fri 5/13/16 | Fri 5/20/16 | | |
| 197 |  | 5.1.3.3 Distribute Election Project Packages | 7 days | Mon 5/23/16 | Sun 5/29/16 | | |
| 198 |  | 5.2 Primary Election - Finalize Election Files & Logic and Accuracy Testing | 12 days | Mon 5/30/16 | Fri 6/10/16 | | |
| 199 |  | 5.2.1 County Receives and Restores Election package | 1 day | Mon 5/30/16 | Mon 5/30/16 | | |
| 200 |  | 5.2.2 Test ballots provided to printer | 3 days | Tue 5/31/16 | Thu 6/2/16 | | |
| 201 |  | 5.2.3 Load Election Files to ICC and ICX | 1 day | Tue 5/31/16 | Tue 5/31/16 | | |
| 202 |  | 5.2.4 Scan test ballots, upload and verify results | 10 days | Tue 5/31/16 | Thu 6/9/16 | | |
| 203 |  | 5.2.5 Export Results to State-wide System | 1 day | Fri 6/10/16 | Fri 6/10/16 | | |
| 204 |  | 5.3 Election Support - Primary Election | 17 days | Mon 6/13/16 | Wed 6/29/16 | | |
| 205 |  | 5.3.1 Mail Ballot Tabulation Support | 16 days | Mon 6/13/16 | Tue 6/28/16 | | |
| 206 |  | 5.3.1.1 Region 1 | 16 days | Mon 6/13/16 | Tue 6/28/16 | | |
| 207 |  | 5.3.1.2 Region 2 | 16 days | Mon 6/13/16 | Tue 6/28/16 | | |
| 208 |  | 5.3.1.3 Region 3 | 16 days | Mon 6/13/16 | Tue 6/28/16 | | |
| 209 |  | 5.3.1.4 County Tier 1.1 | 16 days | Mon 6/13/16 | Tue 6/28/16 | | |
| 210 |  | 5.3.1.5 County Tier 1.1 | 16 days | Mon 6/13/16 | Tue 6/28/16 | | |
| 211 |  | 5.3.2 VSPC | 9 days | Mon 6/20/16 | Tue 6/28/16 | | |
| 212 |  | 5.3.2.1 Region 1 | 9 days | Mon 6/20/16 | Tue 6/28/16 | | |
| 213 |  | 5.3.2.2 Region 2 | 9 days | Mon 6/20/16 | Tue 6/28/16 | | |
| 214 |  | 5.3.2.3 Region 3 | 9 days | Mon 6/20/16 | Tue 6/28/16 | | |
| 215 |  | 5.3.2.4 County Tier 1.1 | 9 days | Mon 6/20/16 | Tue 6/28/16 | | |
| 216 |  | 5.3.2.5 County Tier 1.1 | 9 days | Mon 6/20/16 | Tue 6/28/16 | | |



























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| ID | Task Mode | Task Name | Duration | Start | Finish |
|-----|-----------|--|-----------------|--------------------|---------------------|
| 217 | | 5.3.3 Election Day Support | 3 days | Mon 6/27/16 | Wed 6/29/16 |
| 218 | | 5.3.3.1 Region 1 | 3 days | Mon 6/27/16 | Wed 6/29/16 |
| 219 | | 5.3.3.2 Region 2 | 3 days | Mon 6/27/16 | Wed 6/29/16 |
| 220 | | 5.3.3.3 Region 3 | 3 days | Mon 6/27/16 | Wed 6/29/16 |
| 221 | | 5.3.3.4 County Tier 1.1 | 3 days | Mon 6/27/16 | Wed 6/29/16 |
| 222 | | 5.3.3.5 County Tier 1.1 | 3 days | Mon 6/27/16 | Wed 6/29/16 |
| 223 | | 6 General Election 2016 | 165 days | Tue 7/5/16 | Fri 12/16/16 |
| 224 | | 6.1 Project Plan Review and Update | 28 days | Tue 7/5/16 | Mon 8/1/16 |
| 225 | | 6.1.1 Capture Lessons Learned | 14 days | Tue 7/5/16 | Mon 7/18/16 |
| 226 | | 6.1.1.1 Internal Review | 14 days | Tue 7/5/16 | Mon 7/18/16 |
| 227 | | 6.1.1.2 Stakeholder consultations | 14 days | Tue 7/5/16 | Mon 7/18/16 |
| 228 | | 6.1.1.3 Review issues log | 14 days | Tue 7/5/16 | Mon 7/18/16 |
| 229 | | 6.1.2 Revise Project Plan and Project Schedule | 14 days | Tue 7/19/16 | Mon 8/1/16 |
| 230 | | 6.1.3 Revise Project and User Documentation | 14 days | Tue 7/19/16 | Mon 8/1/16 |
| 231 | | 6.2 General Election Supplemental Training for Trainers | 16 days | Mon 9/19/16 | Tue 10/4/16 |
| 232 | | 6.2.1 Region 1 Training | 2 days | Mon 9/19/16 | Tue 9/20/16 |
| 233 | | 6.2.1.1 Refresh Training | 2 days | Mon 9/19/16 | Tue 9/20/16 |
| 234 | | 6.2.2 Region 2 Training | 2 days | Wed 9/21/16 | Thu 9/22/16 |
| 235 | | 6.2.2.1 Refresh Training | 2 days | Wed 9/21/16 | Thu 9/22/16 |
| 236 | | 6.2.3 Region 3 Training | 2 days | Mon 9/26/16 | Tue 9/27/16 |
| 237 | | 6.2.3.1 Refresh Training | 2 days | Mon 9/26/16 | Tue 9/27/16 |
| 238 | | 6.2.4 County Tier 1.1 | 2 days | Wed 9/28/16 | Thu 9/29/16 |
| 239 | | 6.2.4.1 Refresh Training | 2 days | Wed 9/28/16 | Thu 9/29/16 |
| 240 | | 6.2.5 County Tier 1.1 | 2 days | Mon 10/3/16 | Tue 10/4/16 |
| 241 | | 6.2.5.1 Refresh Training | 2 days | Mon 10/3/16 | Tue 10/4/16 |
| 242 | | 6.3 Election Programming - General Election | 25 days | Tue 9/6/16 | Fri 9/30/16 |
| 243 | | 6.3.1 Import Jurisdictional Data | 4 days | Tue 9/6/16 | Fri 9/9/16 |
| 244 | | 6.3.1.1 Jurisdictional data imported | 1 day | Tue 9/6/16 | Tue 9/6/16 |

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| Colorado 1.0 | | | | | | |
|--------------|---|--|----------------|---------------------|---------------------|--|
| ID | Task Mode | Task Name | Duration | Start | Finish | |
| 245 |  | 6.3.1.2 Preliminary Election Database, Ballot and Report Creation | 2 days | Wed 9/7/16 | Thu 9/8/16 | |
| 246 |  | 6.3.1.3 Initial Ballot Proofs Reviewed by Counties | 1 day | Fri 9/9/16 | Fri 9/9/16 | |
| 247 |  | 6.3.2 Final Election Ballot and Database Creation | 9 days | Mon 9/12/16 | Tue 9/20/16 | |
| 248 |  | 6.3.2.1 Ballot Certification Deadline for General | 1 day | Mon 9/12/16 | Mon 9/12/16 | |
| 249 |  | 6.3.2.2 Final Ballot and Report Proofs to County Officials | 8 days | Tue 9/13/16 | Tue 9/20/16 | |
| 250 |  | 6.3.2.3 Ballot and Report Review by Client | 1 day | Tue 9/13/16 | Tue 9/13/16 | |
| 251 |  | 6.3.2.4 Revisions to Ballots and/or Reports | 1 day | Wed 9/14/16 | Wed 9/14/16 | |
| 252 |  | 6.3.3 Election Materials Provided to County | 16 days | Thu 9/15/16 | Fri 9/30/16 | |
| 253 |  | 6.3.3.1 Official Ballot Images generated | 1 day | Thu 9/15/16 | Thu 9/15/16 | |
| 254 |  | 6.3.3.2 L & A Test Ballots Generated | 8 days | Fri 9/16/16 | Fri 9/23/16 | |
| 255 |  | 6.3.3.3 Distribute Election Project Packages | 7 days | Sat 9/24/16 | Fri 9/30/16 | |
| 256 |  | 6.4 General Election - Finalize Election Files & Logic and Accuracy Testing | 16 days | Wed 10/5/16 | Thu 10/20/16 | |
| 257 |  | 6.4.1 County Receives and Restores Election package | 1 day | Wed 10/5/16 | Wed 10/5/16 | |
| 258 |  | 6.4.2 Test ballots provided to printer | 3 days | Thu 10/6/16 | Sat 10/8/16 | |
| 259 |  | 6.4.3 Load Election Files to ICC and ICX | 1 day | Mon 10/10/16 | Mon 10/10/16 | |
| 260 |  | 6.4.4 Scan test ballots, upload and verify results | 10 days | Mon 10/10/16 | Wed 10/19/16 | |
| 261 |  | 6.4.5 Export Results to State-wide System | 1 day | Thu 10/20/16 | Thu 10/20/16 | |
| 262 |  | 6.5 Election Support - General Election | 54 days | Mon 10/24/16 | Fri 12/16/16 | |
| 263 |  | 6.5.1 Mail Ballot Tabulation Support | 16 days | Mon 10/24/16 | Tue 11/8/16 | |
| 264 |  | 6.5.1.1 Region 1 | 16 days | Mon 10/24/16 | Tue 11/8/16 | |
| 265 |  | 6.5.1.2 Region 2 | 16 days | Mon 10/24/16 | Tue 11/8/16 | |
| 266 |  | 6.5.1.3 Region 3 | 16 days | Mon 10/24/16 | Tue 11/8/16 | |
| 267 |  | 6.5.1.4 County Tier 1.1 | 16 days | Mon 10/24/16 | Tue 11/8/16 | |
| 268 |  | 6.5.1.5 County Tier 1.1 | 16 days | Mon 10/24/16 | Tue 11/8/16 | |
| 269 |  | 6.5.2 VSPC support | 16 days | Mon 10/24/16 | Tue 11/8/16 | |
| 270 |  | 6.5.2.1 Region 1 | 16 days | Mon 10/24/16 | Tue 11/8/16 | |
| 271 |  | 6.5.2.2 Region 2 | 16 days | Mon 10/24/16 | Tue 11/8/16 | |

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| Colorado 1.0 | | | | | | |
|--------------|---|---|---|----------------|---------------------|---------------------|
| ID |  | Task Mode | Task Name | Duration | Start | Finish |
| 272 |  |  | 6.5.2.3 Region 3 | 16 days | Mon 10/24/16 | Tue 11/8/16 |
| 273 |  |  | 6.5.2.4 County Tier 1.1 | 16 days | Mon 10/24/16 | Tue 11/8/16 |
| 274 |  |  | 6.5.2.5 County Tier 1.1 | 16 days | Mon 10/24/16 | Tue 11/8/16 |
| 275 | |  | 6.5.3 Election Day Support | 3 days | Mon 11/7/16 | Wed 11/9/16 |
| 276 |  |  | 6.5.3.1 Region 1 | 3 days | Mon 11/7/16 | Wed 11/9/16 |
| 277 |  |  | 6.5.3.2 Region 2 | 3 days | Mon 11/7/16 | Wed 11/9/16 |
| 278 |  |  | 6.5.3.3 Region 3 | 3 days | Mon 11/7/16 | Wed 11/9/16 |
| 279 |  |  | 6.5.3.4 County Tier 1.1 | 3 days | Mon 11/7/16 | Wed 11/9/16 |
| 280 |  |  | 6.5.3.5 County Tier 1.1 | 3 days | Mon 11/7/16 | Wed 11/9/16 |
| 281 | |  | 6.5.4 Project Plan Review and Update | 33 days | Mon 11/14/16 | Fri 12/16/16 |
| 282 | |  | 6.5.4.1 Capture Lessons Learned | 33 days | Mon 11/14/16 | Fri 12/16/16 |
| 283 |  |  | 6.5.4.1.1 Internal Review | 5 days | Mon 11/14/16 | Fri 11/18/16 |
| 284 |  |  | 6.5.4.1.2 Stakeholder consultations | 5 days | Mon 12/5/16 | Fri 12/9/16 |
| 285 |  |  | 6.5.4.1.3 Review issues log | 5 days | Mon 12/12/16 | Fri 12/16/16 |

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Certification

Dominion shall participate and comply with all items prescribed by the UVS committee for certification including:

- Deadline for finalist to file Applications for Certification with State Elections Division Voting Systems Team, together with Technical Data Package (TDP) consisting of all system documentation, prior certifications and test reports: 1/19/2016
- Completion of documentation review: 1/26/2016
- Prepare and finalize Test Plan Agreement, if final system differs from system temporarily authorized: 1/29/2016
- Complete supplemental testing, if necessary: 2/15/2016
- Certification of system, issuance of conditions of use (if any), and county authorization to purchase: 3/1/2016

As part of the implementation cycle, Dominion will continue to solicit feedback from our customers, including our Colorado counties. This feedback loop will feed back into our development cycle, and as we develop additional features and improvements, these will be put back into certification working with the State.

Procurement

Procurement will be conducted in a manner that allows the coordination of supplies and consumables to be shipped directly to each county. During the procurement phase of the project, all of the commercial off the shelf components used in our election system are purchased.

While it would be preferable for all parties to identify final quantities of all supplies and consumables required for Election Day on the initial contract, provision in the project plan has been made to allow incremental orders to be placed following change management processes.

Configuration, Installation, Testing and Training

System Configuration

The Dominion Voting Democracy Suite Election Management System (EMS) is a configurable election system that can be adapted to meet the needs of any jurisdiction. The initial steps in each installation involve working closely with the county to ensure that the system is deployed in a manner that meets all jurisdiction requirements. The following steps are required:

Create Election Data Import Bridge – In this series of steps, Dominion works with the IT professional responsible for the creation and maintenance of SCORE to create a bridge that allows the direct import of jurisdictional data into the Democracy Suite EMS. This step

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dramatically increases the speed and accuracy of the creation of the election database within the Democracy Suite EMS. As a result, election divisions, contests, candidate names, propositions and other essential data will be inputted only once, reducing the likelihood of user error. Normally several iterations are required, and some manual data adjustment may be required.

Tiers 1.4, 2 and 3 counties will have the option to use Dominion staff for database creation in our Colorado local office on equipment that has had the trusted build installed by the Secretary of State staff.

Customization of Configurable Options – Basic compliance with the requirements will have been demonstrated in the certification of the Democracy Suite line of products; however additional customization may be required. During this stage, final input and approval on ballot layouts, reports content, and the configuration of the options to the ImageCast^{®2} Central and ImageCastX may be requested. This step takes place at the same time that the data import bridge is created.

Create Audio Ballot Production Process – Dominion understands the importance of generating accurate and easily understood audio ballots. As part of the initial configuration process and during the election cycle, Dominion and the counties will leverage existing processes, tools and systems to generate audio ballots.

Staging and Logistics

Dominion deliveries take place on a continuous basis. In this way, the acceptance process can operate in a just-in-time basis, thus minimizing the need to handle equipment twice, and reducing the burden and disruption to the acceptance test process during the scheduled delivery dates.

At the same time, delivery of the IT hardware and central count scanning system will take place. This allows Dominion technicians to begin installation of election servers in parallel with equipment acceptance. In this way, counties will have the benefit of being able to work with the complete election system immediately upon delivery of the tabulators.

Installation and Acceptance Testing

Preparation for Acceptance Testing - A Dominion technical lead will provide guidelines to the counties for acceptance testing and coordinate dates with the Secretary of State staff for trusted build installation. This includes assessing suitability and identifying any modifications required, identifying areas for each process including a secure area for inventory control, preparing necessary acceptance documentation, and ensuring all necessary supplies are available.

Acceptance Testing – Dominion and county staff will conduct detailed acceptance testing of the voting equipment. This acceptance testing provides assurance of full product functionality. Acceptance testing is an essential part of the Dominion quality assurance process. While it is our goal that all election equipment arrive to the county in perfect condition, it is normal to see a

² ImageCast is a registered trademark of Dominion Voting Systems.

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small number of issues that may fail initial acceptance. A Dominion employee will be on-site during the tabulator acceptance test process to assist, answer questions, troubleshoot, and where necessary complete minor adjustments.

Installation of EMS – IT Servers will be procured and shipped to Dominion's Denver office where the servers will be prepared for the trusted build installation of the EMS system software.

Training

At Dominion, our training methodology focuses on providing election administration staff the necessary knowledge for successful implementation and effective operation of our voting system. We accomplish this through tailored training, using various training formats, implementing adult learning principles, and proper course pacing. Training customization begins with tailoring our courses to a specific jurisdiction's needs. For example, for those counties that will rely on Dominion to provide election services, such as building the voting system database, the training curriculum will only focus on the aspects of the system pertaining to how they will deploy it. Counties that will be doing their own election programming will be trained on how to do so using the Democracy Suite EMS. Another aspect of the customization is using different formats for training, including instructor-led classes in person, and instructor-led classes online.

Tier 1.1 counties will have their own county project managers that will be dedicated to their accounts. This is based on the size of the jurisdiction and need for a more intimate approach dealing with larger staff. Often, election preparation schedules prevent the delivery of training at the optimal time for retention on Election Day. This can be particularly apparent in small counties, where a very limited team is responsible for all election related activities. To that end, Dominion proposes a regional training program for all other tiered counties where regional project managers will be dedicated to multiple counties. All counties regardless of size will have a technical project manager, product specialist(s), documentation & training specialist(s), voter outreach and a networking hardware specialist. Training for the regional accounts will be combined which allows questions and concerns from multiple counties to be heard. This will facilitate ideas on how our training program can work best for each county, and allow trainees to discuss concerns with the implementation that can help all involved. This type of training does not affect VSPC or election night support requirements for each individual county.

2016 Primary Election Implementation

Election Programming

For those counties where Dominion will be providing election programming services such as database programming and generating ballots, the following steps outline this phase of the implementation.

The creation of the election database is a critical step in the election implementation. Given the very limited time available between the certification of the final ballot and the distribution of UOCAVA / Absentee ballots, it is very important that timelines are appropriately managed.

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Dominion employs an iterative approach to ballot and report creation, where successive rounds of proofs are provided to election officials as more information becomes available. Using this approach, in many cases ballots have already been approved by the time they are certified, maximizing the time available for pre-election testing and logistics.

Dominion is familiar with the level of care and attention, and the rigorous proofing that election data should receive. While we are strong advocates of exercising rigor and caution during the ballot production phase, some or all of the iterative steps described below may not be required. This decision will be made by the Dominion PM in conjunction with the county following system configuration and end-to-end testing.

Import Jurisdictional Data - Using the data import bridge created during configuration, the Dominion project team will create an initial election database, ballots and reports using approved templates. Dominion staff will review the database for internal consistency, and provide draft proofing packages to the county for review.

Final Election Ballot and Database Creation – As soon as possible following the certification of final election data, the Dominion project team will provide final ballot proofs to the county.

Election Materials Provided to or Generated by the County – Final ballot PDF images are provided to the county for provision to certified printers. Election Project back-ups are uploaded to a secure transfer site for restoration on election servers.

Generate Audio Files – Dominion uses machine synthesized audio files for the ImageCast X systems.

Logic and Accuracy Testing

Logic and Accuracy testing (L&A) is the responsibility of the counties. The Dominion project team will be available throughout the L&A process available to assist on an as required basis.

To facilitate the L&A process, Democracy Suite has an optional, stand-alone test deck generation utility that can be employed by certified printers, or sold separately for the automated creation of pre-marked test decks. These decks are always marked with 100% accuracy, allowing for increased confidence in the L&A process.

Dominion recommends that L&A testing include the upload of results files to the election database, so that a full end-to-end test of the relevant election is completed prior to Election Day.

Election Support

The Dominion project team will reach an agreement with the county on their specific roles during VSPC voting and Election Night. Dominion takes pride in our ability to transfer to local officials the skills necessary to conduct even complex elections with complete autonomy. As an example, following the successful initial deployment of Democracy Suite in Mongolia in June 2012, a nation-wide Presidential election was subsequently conducted by the Mongolian General Election Commission with only two Dominion staff members in-country. Throughout the

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election, their role was simply to respond to questions and to be available in case of unexpected performance issues, of which there were none. This is a testament not only to Dominion's strength as capacity-builders, but also the reliability and ease of use of our systems.

2016 General Election Implementation

The Election support plan for the 2016 General Election is the same as the support plan for the 2016 Primary.

Project Plan Review and Update

In accordance with accepted project management practice, Dominion will conduct a project review upon completion of the 2016 Primary Election. The counties will be consulted, and a review of change orders and PEP tickets will be conducted. On completion of these reviews, project documentation and the project plan will be revised to reflect learning from the Primary Election. This will be presented to the counties for their approval prior to moving forward with the implementation of the 2016 General Election.

Problem Escalation Procedure

During the normal course of implementing Democracy Suite, Dominion staff works closely with customers to establish a clear and timely flow of information. This communication helps reduce the number of issues and support early identification of problems that may require resolution through the Problem Escalation Procedure (PEP).

Dominion has successfully applied the proposed PEP to implementations in States of Louisiana, New Mexico, Nevada and many other large jurisdictions. The proposed process has the following key steps:

- **Problem Identification** – Customer identifies a problem or Dominion proactively identifies a problem.
- **Problem Analysis** – The Dominion PM will describe, document, and log the problem into Dominion's automated ticket tracking system. They will notify appropriate Customer/Dominion staff of the severity and risk of the problem.
- **Problem Mitigation Plan (PMP)** – The Dominion PM will lead a team to identify the root cause, determine/document mitigation approach, and identify the management point of contact for approval of the PMP.
- **Mitigation Execution** – The team will execute the approved PMP and track resolution.
- **Problem Escalation Process** – The Dominion PM will escalate a problem based on exceeding the resolution target time or at their discretion.
- **Problem Close-out** – The Dominion PM will document problem, resolution, and lessons learned. The PM will also close out the item on the problem and risk logs.

Problem Identification – The Project Management Institute (PMI) defines a problem or issue as a variance between planned and actual performance in terms of schedule, resource allocation, technical performance, or quality. A problem or potential problem can be identified by Colorado counties or proactively by Dominion staff.

Problem Analysis – The Dominion PM will work with the individual that identified the problem and Dominion staff to clearly characterize the issue, assess its severity, and determine the initial mitigation strategy. The Dominion PM will update the problem log (Dominion's automated ticket tracking system) and make an entry into the risk log if necessary.

Problem Mitigation Plan (PMP) – The Dominion PM will work with key Dominion and Colorado county staff to identify the root cause and to determine a mitigation approach. They will document the approach and seek authorization (if necessary) from the Colorado PM to execute the PMP. The Dominion PM will carefully analyze the PMP to avoid implementing a mitigation solution that causes more problems or does not address the root cause.

Mitigation Execution - The Dominion PM will lead, monitor, and report on the execution of the PMP. The Dominion PM will monitor the problem on daily or weekly bases during mitigation execution. If the PMP results in problem resolution, the Dominion PM will close out the problem. If the PMP fails to address the problem, the Dominion PM will notify the state and execute the escalation procedure.

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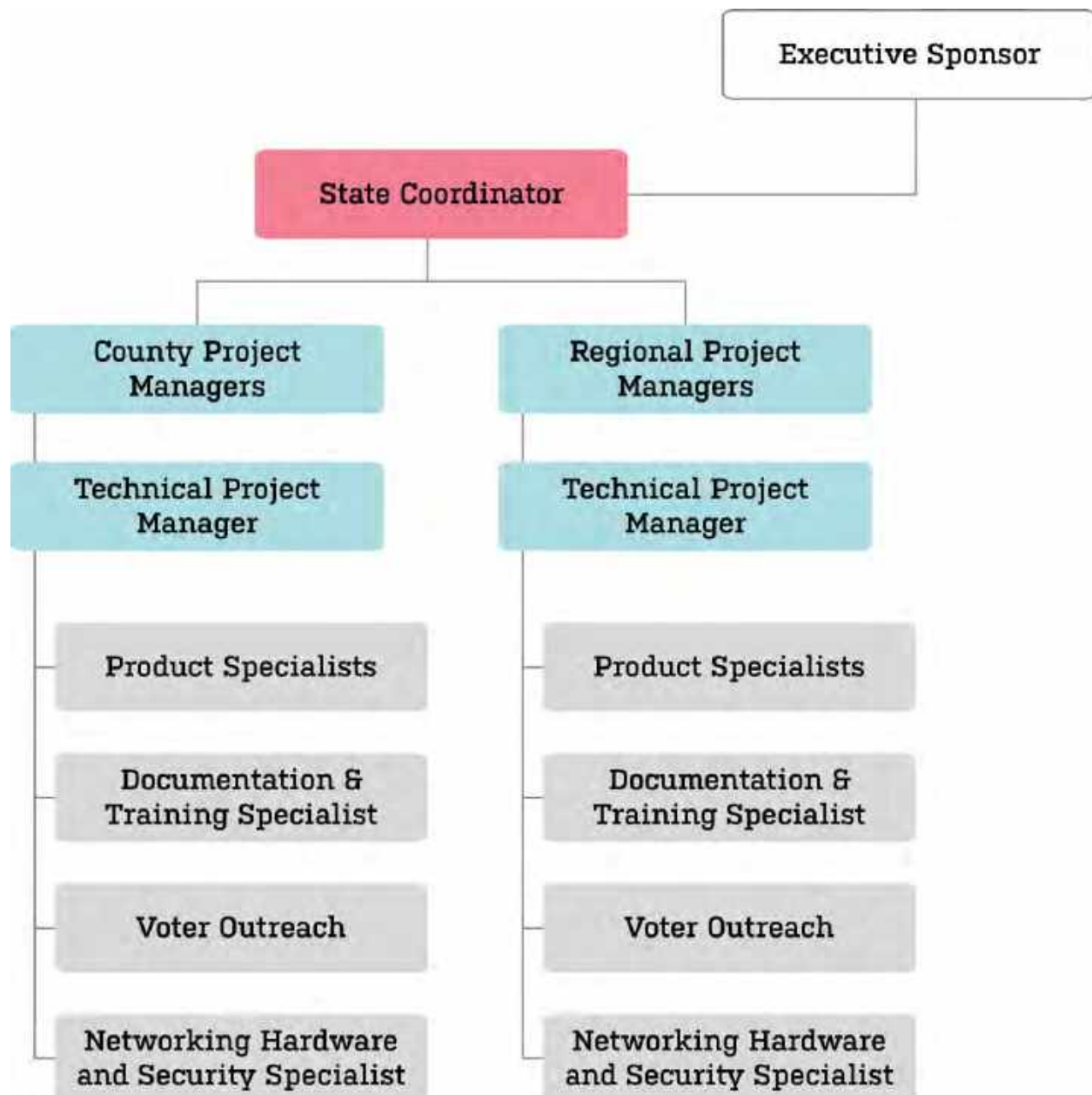
Problem Close Out – The Dominion PM will update the problem and risk logs, document lessons learned, and report the problem in the monthly status report.

Problem Escalation – If the PMP is not completed within the specified Target Resolution Time, the Dominion PM will execute problem escalation process.

2) Proposed Staffing

Section 5.3.13 of the original RFP requested you to identify and provide information about proposed staffing to implement UVS. To the extent necessary, please update your original RFP response on this issue.

Dominion Colorado Project Team



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Staff Qualifications

Executive Sponsor – Mike Frontera

As Executive Vice-President of Operations, Mike brings over 22 years of election experience to Dominion's operations team, which manages voting system implementations, customer relations, election support, training and sales support. Mike was the Executive Sponsor for a number of large Dominion implementations including the country of Mongolia and States of New York and Louisiana. Prior to joining Dominion, Mike was the Vice President of Operations for Sequoia Voting Systems for over seven years. Mike began his career working in the public sector, including serving as the Election Director for the City and County of Denver. Mike is licensed to practice law in the State of Colorado and holds a Juris Doctor from the University of Arizona College of Law, as well as a Bachelor of Arts in Psychology.

Regional Sales Manager (Primary Business Contact) - Steven Bennett

Steven Bennett is the Regional Sales Manager for the State of Colorado, and responsible for all activities in the State. He has been involved in the sale and installation of election solutions for the past 10 years, in California, Colorado and New Mexico. Steven has studied the process by which jurisdictions deploy voting systems, understands how counties procure the equipment they need, and the role of the State in elections and voting system implementation. He has expertise in developing election solutions for state and county needs, cultivating partnerships to ensure successful collaboration between the customer and the company. Additionally, Steven has been instrumental in translating customer needs into R&D priorities for the companies, ensuring that customers have the products they truly need.

Steven received a Bachelor of Science in Business Administration, with a focus on Finance, from Indiana University of Pennsylvania in 1988. Steven will be your contact for the duration of the contract.

Director of Operations, West – Sheree Noell

A seasoned professional, Sheree has more than twenty years of experience in the elections industry. She has extensive experience in ballot printing, optical scan and direct record electronic tabulation, audio voting, precinct and central count environments. Sheree has served as the Director of Operations, Sales manager and Project/Implementation Manager on various installs in California, Washington, Oregon and Nevada. Most recently, Sheree manages the day to day activities of the Western Region, which includes over 100 separate jurisdictions and 20+ personnel resources. Sheree is a direct liaison to customers and is stationed in California. From this strategic location she can ensure the provision of day to day services and actively participate with her team and customers in planning for future election cycles and needed services. Sheree received her under-grad degree from College of the Sequoias. Sheree is currently enrolled in the Election Center's CERA/CERV Professional Education Program.

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Customer Relations Manager – Geneice Mathews

Geneice Mathews is the in-state Customer Relations Manager for the State of Colorado responsible for Project management of multiple, parallel projects within the state. These tasks include new equipment installations, preventative maintenance and state wide election support activities. Geneice has a stellar record of customer satisfaction, and has been a great asset for investigating and solving customers' problems, which may be complex or long-standing problems. She has over 14 years of elections experience having held many positions in the company. From her start as a QA Analyst, to her experience in product management, election programming and implementation, testing, technical documentation and election support, and now as Customer Relations Manager, Geneice has a deep understanding of Dominion's systems, products and services. She helped manage numerous county and international implementations, and specifically state implementations of Nevada and Louisiana. Geneice received a Bachelor of Arts in Political Science and German at the University of Longwood in Virginia.

Product Specialist – Lisa Flanagan-Crane

Lisa is based out of Colorado and has worked in Elections Administration for 16 years. During that time, Lisa has been Project Manager of Voting System installations for multiple Colorado counties, provided software/hardware training and election judge training for customers, produced and printed Op-Tech ballots, provided support for Logic and Accuracy Testing, Public Tests, hardware preventative maintenance and supported customers in voter registration. Previous to Dominion/Sequoia, Lisa worked for the Colorado Department of State and Arapahoe County. While working in the Colorado Secretary of State Office, Lisa helped with upgrading 19 counties to a Windows based Voter Registration System, trained staff from each county, and ran the help desk. Lisa has visited over 25 election offices around the state, understands Colorado Election Law, and has worked hard to build an outstanding reputation for customer service.

Lisa has provided election support to jurisdictions in Arizona, California, Colorado, Illinois, Nevada, New Jersey, New Mexico, and Pennsylvania.

Senior Product Manager – Ronald Morales

Ronald Morales is a Systems Engineer with more than 15 years of experience, providing technological expertise and solutions to ensure quality implementation and integration of Dominion Voting System products.

Ronald began his career in elections when he joined Smartmatic in 2004 where he managed the EMS Quality Assurance process for elections in Venezuela. After the acquisition of Sequoia by Smartmatic, Ronald was responsible for the integration of Smartmatic's newly-developed equipment with Sequoia's EMS and for the EAC certification of the integrated solution.

When Dominion Voting Systems acquired Sequoia and assets of Premier Election Solutions in 2010, Ronald began working with modifications and new solutions in software and hardware for the Premier product line, along with the EAC certification process of the updated products.

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In his current role, Ronald is engaged in the research and implementation of new technologies with a focus on reliability, performance and efficiency, for both existing legacy systems (Sequoia and Premier) and systems currently in development by Dominion. His most noticeable achievement is the design and implementation of fully redundant Dominion Democracy Suite EMS server infrastructure for the elections in Mongolia during 2012 and 2013.

Director, Product Strategy – Eric Coomer

Eric Coomer graduated from the University of California, Berkeley in 1997 with a Ph.D. in Nuclear Physics. After working in IT consulting for several years, Eric entered the elections industry in 2005 with Sequoia Voting Systems as Chief Software Architect. After three years with the company, Eric took over all development operations as Vice President of Engineering. When Sequoia was acquired by Dominion Voting Systems in 2010, Eric joined the DVS team as Vice President of US Engineering overseeing development in the Denver, Colorado office.

Recently, Eric has taken over as the Director of Product Strategy driving the creation of next generation products through close collaboration with customers, combined with a deep understanding of technology and the needs of Elections departments throughout the United States and abroad. Eric has been an active participant in the development of the IEEE common data format for Elections systems, as well as the working group for developing standards for Risk-Limiting Audits for elections results. When not designing new products, Eric supports large and small scale customers during Election season.

Director, Product Strategy – David Moreno

David Moreno is an accomplished and committed IT professional, with years of experience in software design, development, deployment, and testing.

David has more than 20 years of professional experience in the areas of IT support, IT infrastructure, capacity planning, system design and development, QA and QC processes applied to software and hardware development and full Product Lifecycle Management. David also brings over 10 years of experience in the election business, from working in the design and development of different voting equipment, to deploying new voting technology in counties like San Francisco and Alameda County, California. David's career has been full of learning experiences, like implementing the RCV (Ranked Choice Voting) vote tally system for the City of San Francisco and Alameda County and working on multiple demonstrations of voting technology in different countries and states.

Product Specialist – Alyssa Prohaska

Alyssa Prohaska has over 11 years of elections experience ranging from county elections administration to technical support, training, and quality assurance testing of election management, voter registration, and other web-based applications. Alyssa began working in elections as an Election and Campaign Finance Specialist with the Adams County Elections Division of the Clerk & Recorder Office in 2004. She has recently worked with the Colorado Secretary of State's office where she served in a technical and business support capacity -

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testing, training, and providing tier 2 support of the voter registration and election management systems, and online voter registration applications.

Alyssa holds a Bachelor of Arts degree in Communication from the University of Denver, as well as a Master's of Science in Information Technology Management and Graduate Certificates in Oracle Database Administration, and Executive Information Technology from Regis University.

Senior Software Developer - Benjamin Rice

Benjamin Rice has over six years of experience in architecting, developing, and managing elections software solutions. He is a certified ScrumMaster and evangelist for Agile practices and technologies in software development. He has close to twenty years' experience in the Web development and client-service solutions world. Before joining Dominion, Ben was a senior software developer at Sequoia and Slice of Lime and director of technology with FOCI.

Ben graduated from Northwestern University with Bachelor of Arts degrees in both Psychology and English Literature.

Manager, Certification - Jessica Bowers

Jessica has been involved in the voting industry for over seven years in the R&D, engineering, and certification of voting systems. She has been involved in both state and federal level certifications and, most recently, led the Colorado provisional certification effort for Dominion's Universal Voting System entry. Jessica brings over 18 years of experience in development and Information Technology to her work with Dominion and is responsible for ensuring that the company's products are compliant with all state and federal certification standards.

Jessica earned a Bachelor of Science in Information Technology from the University of Phoenix in 2005 and is a U.S. Air Force veteran.

Quality Assurance Analyst - Yaping Lou

Yaping Lou is a Quality Assurance Analyst for our Denver development department, and is responsible for ongoing testing to ensure the high performance quality of Democracy Suite. She has expertise in testing all components of our products, understands processes of the equipment and implementation of the voting system. Yaping has experience in election support, collaboration between software development and testing, and developing product test procedures to ensure high quality and performance of products. She has seven years of work experience in the field of computer science, including software testing and development.

Yaping received a Master of Computer Science from the University of Colorado, Denver, and joined Dominion Voting in 2015.

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3) Updated Schedule of Activities in Other Jurisdictions

Please provide us with the information regarding your activities in other jurisdictions. For each of the following categories, please list the individual jurisdictions, and provide the name, title, telephone number and email address of your organization's principal local contact.

(a) Jurisdictions in which provider has deployed the temporarily approved (or a substantially similar) voting system

Dominion's Democracy Suite voting system has been sold in 19 states. Below is a list of all election jurisdictions where the Democracy Suite system has been deployed, the major scanning components used (ImageCast Central, ImageCast Evolution, ImageCast Precinct, ImageCast X), and the year of signed business. Contact details for a cross section of customers are also provided in the references section. Should additional references be necessary, please contact our sales representative.

References

State of Louisiana

Contact Name: Angie Rogers, Commissioner of Elections, LA Secretary of State's Office
 Address: 8585 Archives Ave, Baton Rouge, LA, 70809
 Phone Number: 1-225-922-0900
 E-mail: Angie.rogers@sos.louisiana.gov

The state of Louisiana uses a blend of Dominion products for precinct, early voting and absentee voting. In 2011, Louisiana bought the ImageCast Central absentee ballot counting system for all parishes in the State. The ImageCast Central system is a software-driven central count solution. For the State of Louisiana, the ImageCast Central software was paired with a Kodak Sidekick COTS scanner.

The State of Louisiana uses 110 ImageCast Central units to process their absentee ballots. The State has benefited from significant efficiencies and cost-savings through the use of this system, also being proposed for the State of Colorado. The complete system is administered and managed by the Secretary of State with support from the Dominion Team, and administered at the local level by the Registrar of Voters and Clerk of Court in each parish.

City and County of Denver

Amber McReynolds, Director of Elections
 Address: Denver Elections Division, 200 W 14th Ave #100, Denver, CO 80204
 Phone Number: 720-865-4850
 E-mail: amber.mcreynolds@denvergov.org

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In 2015, the City and County of Denver streamlined their election processes by replacing their voting system - which required three vendors and seven different databases - with a single database to power the entire election – Democracy Suite. Denver selected the ImageCast Central to tabulate paper ballots, more than 90% of which came from ballots received by mail. Denver also implemented the ImageCast X, a tablet-based in-person voting device, which prints a paper ballot for tabulation by the ImageCast Central. Dominion provided training on all aspects of the system, technical services and support for system installation and configuration, early voting, Election Day voting and post-election activities. Dominion also provided a dedicated project manager for their May 2015 Municipal Election. Dominion worked closely with the City and County of Denver to configure the system to meet their needs and requirements.

Clark County, Nevada

Joe Gloria, Registrar of Voters

Address: 965 Trade Drive #1, North Las Vegas, NV 89030-7801

Phone: 702-455-2846

E-mail: jpg@co.clark.nv.us

Clark County, Nevada uses a blend of Dominion products for precinct, early voting and absentee voting. In 2015, Clark County upgraded their central count scanning system to Democracy Suite, deploying six ImageCast Central workstations paired with Canon G1130 scanners. Clark County also implemented Dominion's ImageCast Adjudication software for digital real-time adjudication of ballots with outstack conditions.

The State of Nevada has been a customer of Dominion and its predecessors for over 20 years, and this longstanding relationship is a testament to Dominion's commitment to outstanding customer service and support. Most of the original members of the Clark County install team in 1991 are still employed by Dominion Voting today and continue to provide support and services in the state.

Democracy Suite Customers

Below is a list of all election jurisdictions where the Democracy Suite system has been deployed, the major scanning components used (ImageCast Central - ICC, ImageCast Evolution - ICE, ImageCast Precinct - ICP, ImageCast X - ICX), and the year of signed business.

52 Counties in the State of New York (all except Albany, Erie, Nassau, Rockland, Schenectady and the five boroughs of New York City) (ICP, BMD, ICC - 2008)

The State of New Jersey

- Burlington County (ICC, 2014)
- Camden County (ICC, 2013)
- Cape May County (ICC, 2013)
- Cumberland County (ICC, 2015)
- Essex County (ICC, 2013)

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- Mercer County (ICC 2013)
- Monmouth County (ICC, 2014)
- Hunterdon County (ICC, 2015)
- Salem County (ICC, 2015)
- Gloucester County (ICC, 2015)
- Morris County (ICC, 2015)
- Passaic County (ICC, 2015)
- Union County (ICC, 2013)
- Hudson County (ICC, 2013)

All 64 Parishes in the State of Louisiana (ICC, 2011)

The Commonwealth of Virginia

- Caroline County (ICP BMD Audio, 2015)
- Isle of Wight County (ICE, 2011)
- King George County (ICP- BMD Audio, 2014)
- Bedford County (ICE, 2015)
- Page County (ICP- BMD Audio, 2014)
- Craig County (ICE, 2015)
- Franklin County (ICE, 2015)
- Louisa County (ICE, 2015)
- Mecklenburg County (ICE, 2015)
- Nottoway County (ICE, 2015)
- Suffolk City (ICE, 2015)

The State of Ohio

- Guernsey County (ICE, ICC, 2013)
- Harrison County (ICP, ICE, ICC, 2014)
- Huron County (ICC, ICE, ICP-AV, MBP, 2015)
- Belmont County (ICP-AV, ICC, 2015)

The State of Tennessee

- Hamilton County (ICE, ICP-A, ICC, 2013)

The State of Iowa

- Cedar County (ICP BMD Audio, 2013)
- Adair County (ICP, 2015)
- Hardin County (ICP-BMD Audio, ICC, 2015)
- Mitchell County (ICP-BMD Audio, 2015)

The State of Florida

- Baker County (ICE, 2013)
- Hardee County (ICE, 2013)
- Hernando (ICE-DD, ICC, MBP, 2015)
- Leon County (ICE, ICC, 2014)

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- Levy County (ICE, 2014)
- Madison County (ICE, 2013)
- Monroe County (ICE, 2013)
- St Lucie County (ICE, ICC, 2014)
- Alachua County (ICE, ICC, 2015)
- Flagler County (ICC, 2015)

The State of New Mexico (ICC, ICE, ICP BMD Audio, ICP, 2014)

The State of Alaska

- City and Borough of Sitka (ICP BMD Audio, 2014)

The State of Massachusetts

- Clinton County (ICP, 2015)
- Needham County (ICP, 2014)

The State of Missouri

- Adair County (ICP-BMD Audio, 2015)
- Warren County (ICP, 2015)
- Osage County (ICP-BMD Audio, 2015)
- Callaway County (ICP-BMD Audio, 2015)
- Crawford County (ICP-BMD Audio, 2015)
- Gasconade County (ICP-BMD Audio, 2015)
- Jasper County (ICP-BMD Audio, 2015)
- Maries County (ICP-BMD Audio, 2015)
- McDonald County (ICP-BMD Audio, 2015)
- Newton County (ICP-BMD Audio, 2015)
- Warren County (ICP-BMD Audio, 2015)
- Saline County (ICP-BMD Audio, 2015)
- Carroll County (ICP-BMD Audio, 2015)
- Lafayette County (ICP-BMD Audio, 2015)

The State of Nevada

- Clark County (ICC, 2015)

The State of Colorado

- City and County of Denver (ICC, ICX, 2015)
- Mesa County (ICC, ICX, 2015)

The State of California

- Imperial County (ICC, ICE, 2015)
- Kern County (ICC, 2015)

The State of Kansas

- Lane County (ICP-BMD Audio, 2015)

State of Colorado
UNIFORM VOTING SYSTEM SUBMISSION
PROVIDER NARRATIVE FOR DEC 4th PERC MEETING

The State of Utah

- Salt Lake County (ICC, 2014)

The State of Minnesota

- Dakota County (ICC, ICE, 2015)
- Scott County (ICC, ICE, 2015)

(b) Jurisdictions in which provider has contractually committed to deploy voting system(s) in 2016-2020

Dominion is contractually committed to deploy the Democracy Suite Voting System in the following jurisdictions in the United States:

The Commonwealth of Puerto Rico

The State of California

- Del Norte County
- Glenn County
- Siskiyou County
- Tehama County
- Napa County

The State of Florida

- Columbia County

The State of Ohio

- Lorain County

The State of Wisconsin

- Door County
- Green County
- Ozaukee County
- Vilas County
- Washington County
- Winnebago County

Dominion has a number of distributors who provide election implementation services in various jurisdictions. Dominion and its distributors are contractually committed to deploy the Democracy Suite Voting System in the following jurisdictions:

The State of Iowa

- Appanoose County
- Wayne County
- Lucas County

The State of Missouri

- Livingston County

State of Colorado
UNIFORM VOTING SYSTEM SUBMISSION
PROVIDER NARRATIVE FOR DEC 4th PERC MEETING

- Pike County
- Grundy County
- Mercer County
- Harrison County
- Montgomery County

The Commonwealth of Virginia











































- Buchanan County
- Dickenson County
- Russell County
- Lee County
- Salem City
- Amelia County
- Waynesboro City

















































The State of Wisconsin
















































- Fond du Lac County




















































(c) Jurisdictions in which provider has an outstanding offer but has not yet contracted to deploy voting system(s) in 2016-2020.













































Dominion continues to work with jurisdictions to provide upgrade paths and demonstrate new technologies. At this time, we do not have any outstanding offers for contractual commitments beyond 2015 for new implementations.





































| ID |  | Task Mode | Task Name | Duration | Start | Finish | Predecessor |
|----|---|---|---|-----------------|---------------------|---------------------|-------------|
| 0 | |  | Colorado 1.0 | 394 days | Tue 12/1/15 | Wed 12/28/16 | |
| 1 | |  | 1 Project Milestones | 314 days | Thu 12/31/15 | Tue 11/8/16 | |
| 2 | |  | 1.1 Selection of UVS Finalist | 0 days | Thu 12/31/15 | Thu 12/31/15 | |
| 3 | |  | 1.2 County Contracts Negotiated and Signed | 40 days | Mon 1/4/16 | Fri 2/12/16 | |
| 4 | |  | 1.3 Certification of System | 1 day | Tue 3/1/16 | Tue 3/1/16 | |
| 5 | |  | 1.4 System Deployment to Counties | 59 days | Wed 3/2/16 | Fri 4/29/16 | |
| 6 |  |  | 1.4.1 Deployment and Installation | 31 days | Wed 3/2/16 | Fri 4/1/16 | |
| 7 | |  | 1.4.2 Install Trusted Builds | 26 days | Mon 4/4/16 | Fri 4/29/16 | |
| 8 | |  | 1.5 Primary Election Milestones | 58 days | Mon 5/2/16 | Tue 6/28/16 | |
| 9 |  |  | 1.5.1 Ballot Production | 26 days | Mon 5/2/16 | Fri 5/27/16 | 14SS-69 da |
| 10 | |  | 1.5.2 UOCAVA Ballot Deadline | 1 day | Sat 5/14/16 | Sat 5/14/16 | |
| 11 | |  | 1.5.3 Absentee ballots sent - Primary | 17 days | Mon 6/6/16 | Wed 6/22/16 | |
| 12 |  |  | 1.5.4 L&A Testing - Primary | 11 days | Tue 5/31/16 | Fri 6/10/16 | |
| 13 | |  | 1.5.5 Voting Centers Open - Primary | 9 days | Mon 6/20/16 | Tue 6/28/16 | |
| 14 | |  | 1.5.6 Election Day - Primary | 0 days | Tue 6/28/16 | Tue 6/28/16 | |
| 15 | |  | 1.6 General Election Milestones | 58 days | Mon 9/12/16 | Tue 11/8/16 | |
| 16 |  |  | 1.6.1 Ballot Production | 26 days | Mon 9/12/16 | Fri 10/7/16 | 21SS-69 da |
| 17 | |  | 1.6.2 UOCAVA Ballot Deadline | 1 day | Sat 9/24/16 | Sat 9/24/16 | |
| 18 | |  | 1.6.3 Absentee ballots sent - General | 5 days | Mon 10/17/16 | Fri 10/21/16 | |
| 19 |  |  | 1.6.4 L&A Testing - General | 11 days | Mon 10/10/16 | Thu 10/20/16 | |
| 20 | |  | 1.6.5 Voting Centers Open - General | 16 days | Mon 10/24/16 | Tue 11/8/16 | |
| 21 | |  | 1.6.6 Election Day - General | 0 days | Tue 11/8/16 | Tue 11/8/16 | |
| 22 | |  | 2 Project Management | 364 days | Thu 12/31/15 | Wed 12/28/16 | |
| 23 | |  | 2.1 Initiate Project | 23 days | Thu 12/31/15 | Fri 1/22/16 | |
| 24 |  |  | 2.1.1 Internal Project Kick-off | 1 day | Thu 12/31/15 | Thu 12/31/15 | |
| 25 |  |  | 2.1.2 Kick-off with State | 1 day | Wed 1/6/16 | Wed 1/6/16 | |
| 26 |  |  | 2.1.3 Kick-Off Meeting with Counties | 12 days | Mon 1/11/16 | Fri 1/22/16 | 25SS |
| 27 | |  | 2.2 System Certification | 43 days | Tue 1/19/16 | Tue 3/1/16 | |
| 28 |  |  | 2.2.1 UVS Certification Tasks | 43 days | Tue 1/19/16 | Tue 3/1/16 | |
| 29 | |  | 2.2.1.1 Deadline for Cert. App. With TDP | 1 day | Tue 1/19/16 | Tue 1/19/16 | |
| 30 | |  | 2.2.1.2 Completion of documentation review | 1 day | Tue 1/26/16 | Tue 1/26/16 | |
| 31 | |  | 2.2.1.3 Prepare and finalize Test Plan Agreement | 1 day | Fri 1/29/16 | Fri 1/29/16 | |
| 32 | |  | 2.2.1.4 Complete supplemental testing, if necessary | 1 day | Mon 2/15/16 | Mon 2/15/16 | |





















































| ID |  | Task Mode | Task Name | Duration | Start | Finish | Predecessor |
|-----|---|---|--|-----------------|--------------------|---------------------|-------------|
| 33 | |  | 2.2.1.5 Certification of System | 1 day | Tue 3/1/16 | Tue 3/1/16 | |
| 34 | |  | 2.3 Project Management Meetings w State/Counties | 346 days | Mon 1/18/16 | Wed 12/28/16 | |
| 35 |  |  | 2.3.1 Project Update Call | 346 days | Mon 1/18/16 | Wed 12/28/16 | |
| 60 | |  | 2.4 Dominion Internal Project Management Meetings | 348 days | Fri 1/15/16 | Tue 12/27/16 | |
| 61 |  |  | 2.4.1 Project Update Call | 348 days | Fri 1/15/16 | Tue 12/27/16 | |
| 86 | |  | 3 Procurement and Logistics | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 87 | |  | 3.1 Procurement | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 88 | |  | 3.1.1 ICC system | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 89 |  |  | 3.1.1.1 Canon G1130 | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 90 |  |  | 3.1.1.2 Kofax board and software | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 91 |  |  | 3.1.1.3 Dell all-in-one PC | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 92 |  |  | 3.1.1.4 i-Button programmer | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 93 |  |  | 3.1.1.5 Other Requested Supplies and Consumables | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 94 | |  | 3.1.2 ICX System | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 95 |  |  | 3.1.2.1 Tablets | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 96 |  |  | 3.1.2.2 Tablet Kiosk | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 97 |  |  | 3.1.2.3 Mag Striper Reader | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 98 |  |  | 3.1.2.4 Hub multiport network | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 99 |  |  | 3.1.2.5 BMD Printer | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 100 | |  | 3.1.2.6 Networking Hardware | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 101 | |  | 3.1.2.7 Administrator Laptop | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 102 | |  | 3.1.2.8 Voting Booth | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 103 | |  | 3.1.2.9 Accessibility system hardware | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 104 |  |  | 3.1.2.10 Other Identified or Requested IT Hardware | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 105 | |  | 3.1.3 EMS and Adjudication Hardware | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 106 |  |  | 3.1.3.1 EMS Server | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 107 | |  | 3.1.3.2 EMS Workstation | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 108 | |  | 3.1.3.3 Adjudication Workstation | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 109 |  |  | 3.1.3.4 Network Security Devices | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 110 |  |  | 3.1.3.5 Monitors (2 server and Adjudication) | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 111 |  |  | 3.1.3.6 Keyboard, Mouse, Cables... | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 112 |  |  | 3.1.3.7 Report Printer | 30 days | Mon 2/1/16 | Tue 3/1/16 | |
| 113 |  |  | 3.1.3.8 Other Identified or Requested IT Hardware | 30 days | Mon 2/1/16 | Tue 3/1/16 | |














| ID |  | Task Mode | Task Name | Duration | Start | Finish | Predecessor |
|-----|---|---|--|-----------------|---------------------|---------------------|-------------|
| 114 | |  | 4 Configuration, Installation, Training and Testing | 182 days | Tue 12/1/15 | Mon 5/30/16 | |
| 115 | |  | 4.1 System Configuration | 51 days | Thu 12/31/15 | Fri 2/19/16 | |
| 116 | |  | 4.1.1 Create Election Data Import Bridge | 49 days | Thu 12/31/15 | Wed 2/17/16 | |
| 117 |  |  | 4.1.1.1 Examine existing data structure | 21 days | Thu 12/31/15 | Wed 1/20/16 | |
| 118 | |  | 4.1.1.2 Create data import bridge from customer database | 21 days | Thu 1/21/16 | Wed 2/10/16 | 117 |
| 119 | |  | 4.1.1.3 Test import bridge and revise as required | 7 days | Thu 2/11/16 | Wed 2/17/16 | 118 |
| 120 | |  | 4.1.2 Customization of configurable options | 49 days | Thu 12/31/15 | Wed 2/17/16 | |
| 121 | |  | 4.1.2.1 Finalize ballot style template | 28 days | Thu 12/31/15 | Wed 1/27/16 | 2 |
| 122 | |  | 4.1.2.2 Define configurable settings | 28 days | Thu 12/31/15 | Wed 1/27/16 | 2 |
| 123 | |  | 4.1.2.3 Finalize reporting templates | 21 days | Thu 1/28/16 | Wed 2/17/16 | 121 |
| 124 | |  | 4.1.3 End-to-End Test | 2 days | Thu 2/18/16 | Fri 2/19/16 | 119,121,12 |
| 125 | |  | 4.2 Installation and Acceptance Testing | 121 days | Thu 12/31/15 | Fri 4/29/16 | |
| 126 | |  | 4.2.1 Preparation for Acceptance Testing | 86 days | Thu 12/31/15 | Fri 3/25/16 | |
| 127 | |  | 4.2.1.1 Review County Operations Space | 18 days | Thu 12/31/15 | Sun 1/17/16 | 2 |
| 128 | |  | 4.2.1.2 Issue space recommendations | 5 days | Mon 1/18/16 | Fri 1/22/16 | 127 |
| 129 | |  | 4.2.1.3 Stage and Ship Delivery | 25 days | Tue 3/1/16 | Fri 3/25/16 | |
| 130 |  |  | 4.2.1.3.1 Configure Servers | 5 days | Tue 3/1/16 | Sat 3/5/16 | |
| 131 | |  | 4.2.1.3.2 Test Servers | 5 days | Mon 3/7/16 | Fri 3/11/16 | 130FS+1 da |
| 132 |  |  | 4.2.1.3.3 Internal Acceptance of ICX, ICC and Adjudication systems | 10 days | Mon 3/14/16 | Wed 3/23/16 | 131FS+2 da |
| 133 |  |  | 4.2.1.3.4 Configure ICC Systems | 10 days | Tue 3/1/16 | Thu 3/10/16 | |
| 134 |  |  | 4.2.1.3.5 Test ICC Systems | 10 days | Tue 3/1/16 | Thu 3/10/16 | |
| 135 |  |  | 4.2.1.3.6 Stage and Ship | 12 days | Mon 3/14/16 | Fri 3/25/16 | |
| 136 | |  | 4.2.2 Acceptance Testing | 26 days | Mon 4/4/16 | Fri 4/29/16 | |
| 137 |  |  | 4.2.2.1 ICX Acceptance | 19 days | Mon 4/4/16 | Fri 4/22/16 | |
| 138 |  |  | 4.2.2.2 Acceptance Testing of EMS Systems | 19 days | Mon 4/4/16 | Fri 4/22/16 | |
| 139 |  |  | 4.2.2.3 Acceptance Testing of ICC Systems | 19 days | Mon 4/4/16 | Fri 4/22/16 | |
| 140 |  |  | 4.2.2.4 End-to-End System Tests | 5 days | Mon 4/25/16 | Fri 4/29/16 | |
| 141 | |  | 4.3 Training | 182 days | Tue 12/1/15 | Mon 5/30/16 | |
| 142 | |  | 4.3.1 Finalize User Documentation | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 143 | |  | 4.3.1.1 ICX Documentation | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 144 |  |  | 4.3.1.1.1 ICX User Guide | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 145 |  |  | 4.3.1.1.2 Acceptance Test Procedure, checklist and sign-off form | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 146 |  |  | 4.3.1.1.3 L&A Procedure, checklist and sign-off form | 28 days | Tue 12/1/15 | Mon 12/28/15 | |

| ID |  | Task Mode | Task Name | Duration | Start | Finish | Predecessor |
|-----|---|---|--|----------------|--------------------|---------------------|-------------|
| 147 |  |  | 4.3.1.1.4 Poll-Worker Training Manual | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 148 | |  | 4.3.1.2 ICC Documentation | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 149 |  |  | 4.3.1.2.1 ICC User Guide | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 150 |  |  | 4.3.1.2.2 Acceptance Test Procedure, checklist and sign-off form | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 151 | |  | 4.3.1.2.3 Operator Training Manual | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 152 |  |  | 4.3.1.2.4 L & A Procedure, checklist and sign-off form | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 153 | |  | 4.3.1.3 Adjudication | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 154 |  |  | 4.3.1.3.1 Adjudication Users Guide | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 155 |  |  | 4.3.1.3.2 Adjudication Quick Reference Guide | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 156 |  |  | 4.3.1.3.3 Operator Training Manual | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 157 |  |  | 4.3.1.3.4 L&A Procedure, checklist and sign-off form | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 158 | |  | 4.3.1.4 EMS Documentation | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 159 |  |  | 4.3.1.4.1 EED Users guide | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 160 |  |  | 4.3.1.4.2 RTR Users guide | 28 days | Tue 12/1/15 | Mon 12/28/15 | |
| 161 | |  | 4.3.2 Customer System Training | 85 days | Mon 3/7/16 | Mon 5/30/16 | |
| 162 | |  | 4.3.2.1 Region 1 Training | 78 days | Mon 3/7/16 | Mon 5/23/16 | |
| 163 |  |  | 4.3.2.1.1 ICC/Adjudication Operations training | 2 days | Mon 3/7/16 | Tue 3/8/16 | |
| 164 | |  | 4.3.2.1.2 ICX Operations training | 1 day | Wed 3/9/16 | Wed 3/9/16 | |
| 165 |  |  | 4.3.2.1.3 EMS / RTR Training | 5 days | Mon 4/25/16 | Fri 4/29/16 | |
| 166 | |  | 4.3.2.1.4 Pollworker Train the Trainer | 1 day | Mon 5/23/16 | Mon 5/23/16 | |
| 167 | |  | 4.3.2.2 Region 2 Training | 73 days | Mon 3/14/16 | Wed 5/25/16 | |
| 168 |  |  | 4.3.2.2.1 ICC/Adjudication Operations training | 2 days | Mon 3/14/16 | Tue 3/15/16 | |
| 169 | |  | 4.3.2.2.2 ICX Operations training | 1 day | Wed 3/16/16 | Wed 3/16/16 | |
| 170 |  |  | 4.3.2.2.3 EMS / RTR Training | 5 days | Mon 5/2/16 | Fri 5/6/16 | |
| 171 | |  | 4.3.2.2.4 Pollworker Train the Trainer | 1 day | Wed 5/25/16 | Wed 5/25/16 | |
| 172 | |  | 4.3.2.3 Region 3 Training | 68 days | Mon 3/21/16 | Fri 5/27/16 | |
| 173 |  |  | 4.3.2.3.1 ICC/Adjudication Operations training | 2 days | Mon 3/21/16 | Tue 3/22/16 | |
| 174 | |  | 4.3.2.3.2 ICX Operations training | 1 day | Wed 3/23/16 | Wed 3/23/16 | |
| 175 |  |  | 4.3.2.3.3 EMS / RTR Training | 5 days | Mon 5/9/16 | Fri 5/13/16 | |
| 176 | |  | 4.3.2.3.4 Pollworker Train the Trainer | 1 day | Fri 5/27/16 | Fri 5/27/16 | |
| 177 | |  | 4.3.2.4 Tier 1.1 Counties Training | 64 days | Mon 3/28/16 | Mon 5/30/16 | |
| 178 |  |  | 4.3.2.4.1 ICC/Adjudication Operations training | 2 days | Mon 3/28/16 | Tue 3/29/16 | |
| 179 | |  | 4.3.2.4.2 ICX Operations training | 1 day | Wed 3/30/16 | Wed 3/30/16 | |

| ID |  | Task Mode | Task Name | Duration | Start | Finish | Predecessor |
|-----|---|---|--|----------------|--------------------|--------------------|-------------|
| 180 |  |  | 4.3.2.4.3 EMS / RTR Training | 5 days | Mon 5/2/16 | Fri 5/6/16 | |
| 181 | |  | 4.3.2.4.4 Pollworker Train the Trainer | 1 day | Mon 5/30/16 | Mon 5/30/16 | |
| 182 | |  | 5 2016 Primary Election | 87 days | Mon 4/4/16 | Wed 6/29/16 | |
| 183 | |  | 5.1 Election Programming | 56 days | Mon 4/4/16 | Sun 5/29/16 | |
| 184 | |  | 5.1.1 Import Jurisdictional Data | 16 days | Mon 4/4/16 | Tue 4/19/16 | |
| 185 | |  | 5.1.1.1 Jurisdictional data imported | 1 day | Mon 4/4/16 | Mon 4/4/16 | |
| 186 |  |  | 5.1.1.2 Preliminary Election Database, Ballot and Report Creation | 8 days | Fri 4/8/16 | Fri 4/15/16 | |
| 187 | |  | 5.1.1.3 Initial Ballot Proofs Reviewed by Counties | 1 day | Mon 4/18/16 | Mon 4/18/16 | 186FS+2 da |
| 188 | |  | 5.1.1.4 Initial Report Proofing Packages Reviewed by Counties | 1 day | Tue 4/19/16 | Tue 4/19/16 | 187 |
| 189 | |  | 5.1.2 Final Election Ballot and Database Creation | 11 days | Mon 5/2/16 | Thu 5/12/16 | |
| 190 | |  | 5.1.2.1 Ballot Certification Deadline for Primary | 1 day | Mon 5/2/16 | Mon 5/2/16 | |
| 191 |  |  | 5.1.2.2 Final Ballot and Report Proofs to County Officials | 8 days | Tue 5/3/16 | Tue 5/10/16 | 190 |
| 192 |  |  | 5.1.2.3 Ballot and Report Review by Client | 1 day | Wed 5/11/16 | Wed 5/11/16 | 191 |
| 193 | |  | 5.1.2.4 Revisions to Ballots and/or Reports | 1 day | Thu 5/12/16 | Thu 5/12/16 | 192 |
| 194 | |  | 5.1.3 Election Materials Provided to County | 17 days | Fri 5/13/16 | Sun 5/29/16 | |
| 195 | |  | 5.1.3.1 Official Ballot Images generated | 1 day | Fri 5/13/16 | Fri 5/13/16 | 193 |
| 196 | |  | 5.1.3.2 L&A Test Ballots Generated | 8 days | Fri 5/13/16 | Fri 5/20/16 | 193SS+1 da |
| 197 | |  | 5.1.3.3 Distribute Election Project Packages | 7 days | Mon 5/23/16 | Sun 5/29/16 | 196FS+2 da |
| 198 | |  | 5.2 Primary Election - Finalize Election Files & Logic and Accuracy Testing | 12 days | Mon 5/30/16 | Fri 6/10/16 | |
| 199 | |  | 5.2.1 County Receives and Restores Election package | 1 day | Mon 5/30/16 | Mon 5/30/16 | 197 |
| 200 | |  | 5.2.2 Test ballots provided to printer | 3 days | Tue 5/31/16 | Thu 6/2/16 | 199 |
| 201 | |  | 5.2.3 Load Election Files to ICC and ICX | 1 day | Tue 5/31/16 | Tue 5/31/16 | 199 |
| 202 | |  | 5.2.4 Scan test ballots, upload and verify results | 10 days | Tue 5/31/16 | Thu 6/9/16 | 199 |
| 203 | |  | 5.2.5 Export Results to State-wide System | 1 day | Fri 6/10/16 | Fri 6/10/16 | 202 |
| 204 | |  | 5.3 Election Support - Primary Election | 17 days | Mon 6/13/16 | Wed 6/29/16 | |
| 205 | |  | 5.3.1 Mail Ballot Tabulation Support | 16 days | Mon 6/13/16 | Tue 6/28/16 | |
| 206 |  |  | 5.3.1.1 Region 1 | 16 days | Mon 6/13/16 | Tue 6/28/16 | |
| 207 |  |  | 5.3.1.2 Region 2 | 16 days | Mon 6/13/16 | Tue 6/28/16 | |
| 208 |  |  | 5.3.1.3 Region 3 | 16 days | Mon 6/13/16 | Tue 6/28/16 | |
| 209 |  |  | 5.3.1.4 County Tier 1.1 | 16 days | Mon 6/13/16 | Tue 6/28/16 | |
| 210 |  |  | 5.3.1.5 County Tier 1.1 | 16 days | Mon 6/13/16 | Tue 6/28/16 | |
| 211 | |  | 5.3.2 VSPC | 9 days | Mon 6/20/16 | Tue 6/28/16 | |
| 212 |  |  | 5.3.2.1 Region 1 | 9 days | Mon 6/20/16 | Tue 6/28/16 | |

| ID |  | Task Mode | Task Name | Duration | Start | Finish | Predecessor |
|-----|---|---|---|-----------------|--------------------|---------------------|-------------|
| 213 |  |  | 5.3.2.2 Region 2 | 9 days | Mon 6/20/16 | Tue 6/28/16 | |
| 214 |  |  | 5.3.2.3 Region 3 | 9 days | Mon 6/20/16 | Tue 6/28/16 | |
| 215 |  |  | 5.3.2.4 County Tier 1.1 | 9 days | Mon 6/20/16 | Tue 6/28/16 | |
| 216 |  |  | 5.3.2.5 County Tier 1.1 | 9 days | Mon 6/20/16 | Tue 6/28/16 | |
| 217 | |  | 5.3.3 Election Day Support | 3 days | Mon 6/27/16 | Wed 6/29/16 | 14 |
| 218 |  | | 5.3.3.1 Region 1 | 3 days | Mon 6/27/16 | Wed 6/29/16 | |
| 219 |  | | 5.3.3.2 Region 2 | 3 days | Mon 6/27/16 | Wed 6/29/16 | |
| 220 |  | | 5.3.3.3 Region 3 | 3 days | Mon 6/27/16 | Wed 6/29/16 | |
| 221 |  | | 5.3.3.4 County Tier 1.1 | 3 days | Mon 6/27/16 | Wed 6/29/16 | |
| 222 |  | | 5.3.3.5 County Tier 1.1 | 3 days | Mon 6/27/16 | Wed 6/29/16 | |
| 223 | |  | 6 General Election 2016 | 165 days | Tue 7/5/16 | Fri 12/16/16 | |
| 224 | |  | 6.1 Project Plan Review and Update | 28 days | Tue 7/5/16 | Mon 8/1/16 | |
| 225 | |  | 6.1.1 Capture Lessons Learned | 14 days | Tue 7/5/16 | Mon 7/18/16 | |
| 226 | |  | 6.1.1.1 Internal Review | 14 days | Tue 7/5/16 | Mon 7/18/16 | 14FS+7 day |
| 227 | |  | 6.1.1.2 Stakeholder consultations | 14 days | Tue 7/5/16 | Mon 7/18/16 | 14FS+7 day |
| 228 | |  | 6.1.1.3 Review issues log | 14 days | Tue 7/5/16 | Mon 7/18/16 | 14FS+7 day |
| 229 | |  | 6.1.2 Revise Project Plan and Project Schedule | 14 days | Tue 7/19/16 | Mon 8/1/16 | 228,226,22 |
| 230 | |  | 6.1.3 Revise Project and User Documentation | 14 days | Tue 7/19/16 | Mon 8/1/16 | 228,226,22 |
| 231 | |  | 6.2 General Election Supplemental Training for Trainers | 16 days | Mon 9/19/16 | Tue 10/4/16 | |
| 232 | |  | 6.2.1 Region 1 Training | 2 days | Mon 9/19/16 | Tue 9/20/16 | |
| 233 |  |  | 6.2.1.1 Refresh Training | 2 days | Mon 9/19/16 | Tue 9/20/16 | |
| 234 | |  | 6.2.2 Region 2 Training | 2 days | Wed 9/21/16 | Thu 9/22/16 | |
| 235 | |  | 6.2.2.1 Refresh Training | 2 days | Wed 9/21/16 | Thu 9/22/16 | 233SS+2 da |
| 236 | |  | 6.2.3 Region 3 Training | 2 days | Mon 9/26/16 | Tue 9/27/16 | |
| 237 | |  | 6.2.3.1 Refresh Training | 2 days | Mon 9/26/16 | Tue 9/27/16 | 235SS+5 da |
| 238 | |  | 6.2.4 County Tier 1.1 | 2 days | Wed 9/28/16 | Thu 9/29/16 | |
| 239 | |  | 6.2.4.1 Refresh Training | 2 days | Wed 9/28/16 | Thu 9/29/16 | 237SS+2 da |
| 240 | |  | 6.2.5 County Tier 1.1 | 2 days | Mon 10/3/16 | Tue 10/4/16 | |
| 241 | |  | 6.2.5.1 Refresh Training | 2 days | Mon 10/3/16 | Tue 10/4/16 | 239SS+5 da |
| 242 | |  | 6.3 Election Programming - General Election | 25 days | Tue 9/6/16 | Fri 9/30/16 | |
| 243 | | | 6.3.1 Import Jurisdictional Data | 4 days | Tue 9/6/16 | Fri 9/9/16 | |
| 244 | | | 6.3.1.1 Jurisdictional data imported | 1 day | Tue 9/6/16 | Tue 9/6/16 | |
| 245 | | | 6.3.1.2 Preliminary Election Database, Ballot and Report Creation | 2 days | Wed 9/7/16 | Thu 9/8/16 | 244 |

| ID |  | Task Mode | Task Name | Duration | Start | Finish | Predecessor |
|-----|---|---|--|----------------|---------------------|---------------------|-------------|
| 246 | |  | 6.3.1.3 Initial Ballot Proofs Reviewed by Counties | 1 day | Fri 9/9/16 | Fri 9/9/16 | 244,245 |
| 247 | |  | 6.3.2 Final Election Ballot and Database Creation | 9 days | Mon 9/12/16 | Tue 9/20/16 | |
| 248 |  |  | 6.3.2.1 Ballot Certification Deadline for General | 1 day | Mon 9/12/16 | Mon 9/12/16 | 245 |
| 249 |  |  | 6.3.2.2 Final Ballot and Report Proofs to County Officials | 8 days | Tue 9/13/16 | Tue 9/20/16 | 248 |
| 250 | |  | 6.3.2.3 Ballot and Report Review by Client | 1 day | Tue 9/13/16 | Tue 9/13/16 | 249SS |
| 251 | |  | 6.3.2.4 Revisions to Ballots and/or Reports | 1 day | Wed 9/14/16 | Wed 9/14/16 | 250 |
| 252 | |  | 6.3.3 Election Materials Provided to County | 16 days | Thu 9/15/16 | Fri 9/30/16 | 250 |
| 253 | |  | 6.3.3.1 Official Ballot Images generated | 1 day | Thu 9/15/16 | Thu 9/15/16 | 251 |
| 254 | |  | 6.3.3.2 L & A Test Ballots Generated | 8 days | Fri 9/16/16 | Fri 9/23/16 | 253 |
| 255 | |  | 6.3.3.3 Distribute Election Project Packages | 7 days | Sat 9/24/16 | Fri 9/30/16 | 254 |
| 256 | |  | 6.4 General Election - Finalize Election Files & Logic and Accuracy Testing | 16 days | Wed 10/5/16 | Thu 10/20/16 | 254 |
| 257 |  |  | 6.4.1 County Receives and Restores Election package | 1 day | Wed 10/5/16 | Wed 10/5/16 | |
| 258 | |  | 6.4.2 Test ballots provided to printer | 3 days | Thu 10/6/16 | Sat 10/8/16 | 257 |
| 259 |  |  | 6.4.3 Load Election Files to ICC and ICX | 1 day | Mon 10/10/16 | Mon 10/10/16 | |
| 260 |  |  | 6.4.4 Scan test ballots, upload and verify results | 10 days | Mon 10/10/16 | Wed 10/19/16 | |
| 261 | |  | 6.4.5 Export Results to State-wide System | 1 day | Thu 10/20/16 | Thu 10/20/16 | 260FS+2 da |
| 262 | |  | 6.5 Election Support - General Election | 54 days | Mon 10/24/16 | Fri 12/16/16 | |
| 263 | |  | 6.5.1 Mail Ballot Tabulation Support | 16 days | Mon 10/24/16 | Tue 11/8/16 | |
| 264 |  |  | 6.5.1.1 Region 1 | 16 days | Mon 10/24/16 | Tue 11/8/16 | |
| 265 |  |  | 6.5.1.2 Region 2 | 16 days | Mon 10/24/16 | Tue 11/8/16 | |
| 266 |  |  | 6.5.1.3 Region 3 | 16 days | Mon 10/24/16 | Tue 11/8/16 | |
| 267 |  |  | 6.5.1.4 County Tier 1.1 | 16 days | Mon 10/24/16 | Tue 11/8/16 | |
| 268 |  |  | 6.5.1.5 County Tier 1.1 | 16 days | Mon 10/24/16 | Tue 11/8/16 | |
| 269 | |  | 6.5.2 VSPC support | 16 days | Mon 10/24/16 | Tue 11/8/16 | |
| 270 |  |  | 6.5.2.1 Region 1 | 16 days | Mon 10/24/16 | Tue 11/8/16 | |
| 271 |  |  | 6.5.2.2 Region 2 | 16 days | Mon 10/24/16 | Tue 11/8/16 | |
| 272 |  |  | 6.5.2.3 Region 3 | 16 days | Mon 10/24/16 | Tue 11/8/16 | |
| 273 |  |  | 6.5.2.4 County Tier 1.1 | 16 days | Mon 10/24/16 | Tue 11/8/16 | |
| 274 |  |  | 6.5.2.5 County Tier 1.1 | 16 days | Mon 10/24/16 | Tue 11/8/16 | |
| 275 | |  | 6.5.3 Election Day Support | 3 days | Mon 11/7/16 | Wed 11/9/16 | |
| 276 |  |  | 6.5.3.1 Region 1 | 3 days | Mon 11/7/16 | Wed 11/9/16 | |
| 277 |  |  | 6.5.3.2 Region 2 | 3 days | Mon 11/7/16 | Wed 11/9/16 | |
| 278 |  |  | 6.5.3.3 Region 3 | 3 days | Mon 11/7/16 | Wed 11/9/16 | |

| ID |  | Task Mode | Task Name | Duration | Start | Finish | Predecessor |
|-----|---|---|---|----------------|---------------------|---------------------|-------------|
| 279 |  |  | 6.5.3.4 County Tier 1.1 | 3 days | Mon 11/7/16 | Wed 11/9/16 | |
| 280 |  |  | 6.5.3.5 County Tier 1.1 | 3 days | Mon 11/7/16 | Wed 11/9/16 | |
| 281 | |  | 6.5.4 Project Plan Review and Update | 33 days | Mon 11/14/16 | Fri 12/16/16 | |
| 282 | |  | 6.5.4.1 Capture Lessons Learned | 33 days | Mon 11/14/16 | Fri 12/16/16 | |
| 283 |  |  | 6.5.4.1.1 Internal Review | 5 days | Mon 11/14/16 | Fri 11/18/16 | |
| 284 |  |  | 6.5.4.1.2 Stakeholder consultations | 5 days | Mon 12/5/16 | Fri 12/9/16 | |
| 285 |  |  | 6.5.4.1.3 Review issues log | 5 days | Mon 12/12/16 | Fri 12/16/16 | |

| Resource Names |
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STATE OF COLORADO)
County of Douglas)ss.

Exhibit
PLT 0058
JAM

COMES NOW, Affiant Joseph T. Oltmann, being first duly sworn, under oath, and states under penalty of perjury that the following information is true and accurate within his personal knowledge and belief:

My name Joseph Oltmann. I am over eighteen years of age. I am not suffering under any mental disability and am competent to give this sworn affidavit. I am able to read and write and to give this affidavit voluntarily and on my own free will and accord. No one has used any threats, force, pressure, or intimidation to make me sign this affidavit. I make this affidavit in support of the truth.

I am the CEO of a tech company based just outside of Denver, Colorado. I am also the founder of an organization called FEC United. [fecunited.com] The goal of this organization is to restore constitutional integrity to our community and empower those in our community to stand up to state and national leadership that intends to suppress the rights of individuals holistically.

Through this organization "FEC" I became a target of journalists who began to slander both me and my organization. I became the topic of Antifa and extremists through my involvement in a movement to resist the narrative that police are bad and our society represented the rhetoric shared by these extremists. As a result of these attacks, I started researching Antifa, BLM, Inc. and their connection to violence and unrest inside of our communities. As a result, I set out to infiltrate Antifa meetings and de-mask those Antifa members who are journalists in the mainstream media in Colorado specifically.

On or about the week of September 27, 2020, I was able to attend an Antifa meeting which appeared to be between Antifa members in Colorado Springs and in Denver Colorado. I cannot verify the connection between the two or the leadership as they were disorganized. Discussions of Our Revolution and Antifa were discussed. Rhetoric of "eliminating fascists" and frustration as to the dwindling of support to rally in the street was evident.

Then I honed in among other conversations key actors in the organization who work for local and state news publications. One such person of interest was _____, identified leader of Our Revolution in El Paso County (Southern Colorado) and Antifa leader of the same area.

name is actually . She is a journalist at Colorado Springs Independent, Colorado Springs Business Journal and a freelance writer for several online publications. Others to remain unnamed in this were present.

The conversation went like this:

Someone identified as "Eric" began to speak. Someone asked who Eric was, and someone else replied "he is the Dominion guy" [paraphrased].

Eric then began to speak after being told to continue, but was interrupted and asked by someone, "What are we going to do if Trump wins this fucking election?"

Eric responded, "Don't worry about the election. Trump is not going to win. I made fucking sure of that.. Hahaha"

Someone responded, "Fucking right."

Eric continued with fortifying the groups and recruiting. I would describe his tone as eccentric and boisterous. I wrote down his name and started to do some research into him.

At the time, I thought that they were so disconnected with reality that they think they can "make sure Trump is not elected."

I started with a simple google search: Keywords: "Eric," "Dominion," "Denver Colorado." The fifth result in organic search returned:

Dominion Voting Systems | Employee Profiles, Emails, Mutual ...

www.leadcandy.io › company › Dominion-Voting-Syst...

Find people working at Dominion Voting Systems. LeadCandy provides Full ... Denver, Colorado. VIEW FULL PROFILE ... FULL PROFILE. Eric Coomer's photo ...

Above that were results for Eric Schussler- Old Dominion University and Eric E Johnson, Attorney - Sherman & Howard. The first two on organic search however was as follows:

Dominion - Colorado Secretary of State

www.sos.state.co.us › elections › files › projectPlans
PDF

Sep 9, 2016 — our most recent pilots in the City and County of Denver and Mesa County.

... 1 Democracy Suite is a registered trademark of Dominion Voting Systems. ... Eric

Coomer graduated from the University of California, Berkeley in ...

And

Eric Coomer's email & phone | Dominion Voting Systems's ...

rocketreach.co › eric-coomer-email_7112825

Location, Denver, Colorado, United States. Work, Director, Market Strategy @ Dominion

Voting Systems Member, Board of Directors @ Friends of Levitt Pavilion ...

I began doing research on Eric Coomer and discovered that Colorado Secretary of state link the following about Dr. Eric Coomer on page 26:

“Eric Coomer graduated from the University of California, Berkeley in 1997 with a Ph.D. in Nuclear Physics. After working in IT consulting for several years, Eric entered the elections industry in 2005 with Sequoia Voting Systems as Chief Software Architect. After three years with the company, Eric took over all development operations as Vice President of Engineering. When Sequoia was acquired by Dominion Voting Systems in 2010, Eric joined the DVS team as Vice President of US Engineering overseeing development in the Denver, Colorado office.

Recently, Eric has taken over as the Director of Product Strategy driving the creation of next generation products through close collaboration with customers, combined with a deep understanding of technology and the needs of Elections departments throughout the United States and abroad. Eric has been an active participant in the development of the IEEE common data format for Elections systems, as well as the working group for developing standards for Risk-Limiting Audits for elections results. When not designing new products, Eric supports large and small scale customers during Election season.”

I did some cursory research on Eric, but my conclusion was that he was either a part of the government or not relevant to the conversation. In other words, this was not a target I would

identify as being influential in Antifa. My conclusion was based on his credentials of having a PhD in Nuclear Physics. Did not add up for someone with that intelligence. I set it aside and concentrated my focus on the activist journalist who were actually Antifa members.

On October 15, 2020 I spoke at an FEC meeting in Bandimere Speedway. It was a rally around the unconstitutional actions of Jefferson County, Colorado government leadership to hurt Bandimere Speedway. I spoke and before the event started they escorted a suspected Antifa Journalist Erik Maulbetsch [Colorado Recorder] off the premises. In that meeting I talked about outing activist journalists who were Antifa and holding them accountable in our community for attacking organizations like FEC United that serve the community.

These activist journalists frequently slander people of faith, conservatives and call them names that defame them in the community. I had enough and warned that we would call them out by name. Maulbetsch wrote an article reflecting this as he was listening in online and decided to omit details about the meeting, causing the entire journalistic community to wonder if they were on the list. It had a positive effect contrary to their intentions.

On Friday November 6th, I received a forwarded article about Georgia irregularities on the election day. I normally do not read many of these articles because I am inundated with information both from FEC, and my company. I started reading it and noticed Eric Coomer was the spokesperson for a company called Dominion Voting Systems. I immediately stopped and started to go back through my notes to find the info on Eric Coomer. I then started research Dominion Voting Systems. The information became rather scary as everywhere I looked I found Eric's name. Some listing him as VP of Security and others calling him Director of Strategy and Security. I began my search for everything Eric Coomer, Dr. Eric Coomer and any information related to legal filings, RFPs, states using Dominion, Colorado uses and even areas in Colorado that do not use Dominion.

I then turned my attention to Eric Coomer's Facebook profile and page while I gathered information on correlating email addresses, profiles, screen names, etc. Searching Twitter, Reddit, Facebook, 4Chan, etc etc.

I was able to get screenshots of Eric Coomer's Facebook posts going back to 2016. What I discovered was disturbing. Anti-Trump rhetoric, posts referring to: Fuck USA, Fuck the Police, A.C.A.B., posts that were anti Conservative, and even posts being happy someone died. Then the bigger shocker. He reposted the Antifa "Manifesto" letter to Donald Trump. I knew that I had the right guy and someone that was clearly mentally unstable and radical. I started digging into the

code irregularities and tying all of the pieces together with the irregularities and the Dominion uses in the disputed states. The correlation was astonishing. I then found the information related to justifying voting machines being online and his justification that they had "hardware and IP address protection". This statement by itself is FALSE.

I then attempted to reach out to all sources to bring this information to light. Calling major news stations and attempting to connect with the DOJ.

I took the information to the listeners of an organization that I also own called Conservative Daily. We have a podcast that we do on weekdays. I felt I had enough information and was confident that the Eric on the conference call was the same Eric Coomer that worked for Dominion. I was also confident that given the Facebook and other information I was able to collect that Eric Coomer was interfering with the election and as he admits in one of his posts that people at his company think and feel the same way he does. I began to research his patents, who owns them, the pattern of states they acquired as clients.

I began to research the connection to Diane Feinstein, her husband, campaign manager, Clinton Foundation and became worried that the finger of radicals had taken away the voice of the American people in deciding the election. I used ARIMA analysis to show me trends on data and probability models to prove that they were in fact using code and technology to ghost votes, switch votes or even remove probable ballots completely. Code is random unless it is not. Since we are a data company and understand artificial intelligence and use of neural networks, we understand the capabilities of creating chaos in outcome based on weighted density of probable voters.

These statements are true and accurate to the best of my knowledge.



Joseph Oltmann

STATE OF COLORADO
COUNTY OF Douglas

Personally appeared before me, LYNN KIEFFER, a Notary Public in and for the aforesaid State and County, JOSEPH T OLTMANN, the within named bargainer, with whom I am personally acquainted and who, after being duly sworn, acknowledged that she executed the foregoing Agreement for the purposes contained therein.



JOSEPH T OLTMANN

Sworn to and subscribed before me this 13th day of November, 2020.

My Commission Expires:

07-24-2021



NOTARY PUBLIC



REPORTER'S NOTE:

EXHIBIT 30

Video File

PRESERVED IN NATIVE FORMAT
(AVAILABLE UPON REQUEST.)