

DISTRICT COURT, DENVER COUNTY, COLORADO 1437 Bannock Street Denver, CO 80202	DATE FILED: September 17, 2021 8:12 PM FILING ID: E9E5DD591D201 CASE NUMBER: 2020CV34319
ERIC COOMER, Ph.D., Plaintiff vs. DONALD J. TRUMP FOR PRESIDENT, INC., et al., Defendants	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
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<p style="text-align: center;">EXHIBIT I-1</p>	

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 OLTSMANN,
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
CHARLES PETER HERRING,
individually and as representative of
HERRING NETWORKS, INC., dba ONE AMERICA NEWS NETWORK

July 30, 2021

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FOR THE PLAINTIFF:

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Page 2	Page 4
<p>1 REMOTE APPEARANCES (Continued):</p> <p>2 FOR DEFENDANT MICHELLE MALKIN: GORDON A. QUEENAN, ESQ. 3 Patterson Ripplinger, P.C. 5613 DTC Parkway, Suite 400 4 Greenwood Village, Colorado 80111 Telephone: 303-741-4539 5 Email: gqueenan@prpclegal.com</p> <p>6 FOR DEFENDANT ERIC METAXAS: MARGARET BOEHMER, ESQ. 7 Gordon Rees Scully Mansukhani, LLP 555 Seventeenth Street, Suite 3400 8 Denver, Colorado 80202 Telephone: 303-534-5160 9 Email: mboehmer@grsm.com</p> <p>10 FOR DEFENDANTS CHANEL RION and HERRING NETWORKS, INC., dba ONE AMERICA NEWS NETWORK: 11 STEPHEN K. DEXTER, ESQ. BERNARD J. RHODES, ESQ. 12 Lathrop GRM LLP 1515 Wynkoop Street, Suite 600 13 Denver, Colorado 80202 Telephone: 720-931-3200 14 Email: stephen.dexter@lathropgpm.com bernie.rhodes@lathropgpm.com</p> <p>15</p> <p>16 ERIC P. EARLY, ESQ. Early Sullivan Wright Gizer & McRae, LLP 6420 Wilshire Boulevard, Seventeenth Floor 17 Los Angeles, California 90048 Telephone: 323-301-4670 18 Email: eearly@earlysullivan.com</p> <p>19 FOR DEFENDANT DEFENDING THE REPUBLIC: MICHAEL W. REAGOR, ESQ. 20 CHRISTOPHER SEERVELD, ESQ. Dymond • Reagor, PLLC 21 8400 East Prentice Avenue, Suite 1040 Greenwood Village, Colorado 80111 22 Telephone: 303-734-3400 Email: mreagor@drc-law.com</p> <p>23 24 25</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 9:05 a m ,</p> <p>5 Pacific Time, on July 27, 2021, before Sara A Stueve,</p> <p>6 Registered Professional Reporter and Notary Public in and</p> <p>7 for the 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 9</p> <p>12 By Mr Rhodes 116</p> <p>13</p> <p>14 PLAINTIFF'S DEPOSITION EXHIBITS PAGE</p> <p>15</p> <p>16 Exh 31 Declaration of Charles Herring in Support 10</p> <p>17 of Motion to Dismiss Pursuant to Colorado's</p> <p>18 Anti-SLAPP Statute, Colo Rev Stat</p> <p>19 § 13-20-110</p> <p>20 Exh 46 Joe Oltmann Parler post re Eric Coomer 36</p> <p>21 Exh 34 November 10, 2020, email from Joe to 40</p> <p>22 Contact Re: One America News Network Contact</p> <p>23 Form</p> <p>24 Exh 35 November 10, 2020, email from Oltmann to 42</p> <p>25 Taylor Scott Re: Voter Fraud Follow Up</p> <p>Exh 36 November 15, 2020, email from Charles Herring 45</p> <p>to Chanel Rion Christina Robb</p> <p>re Eric Coomer</p> <p>Exh 37 November 15, 2020, email from Joe Oltmann to 53</p> <p>Chanel Rion Re: Responding to your LinkedIn</p> <p>Message</p> <p>Exh 38 November 15, 2020, email from Joe Oltmann to 57</p> <p>Chanel Rion re Voter Fraud Follow Up</p>
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1	I N D E X (Continued)		1	P R O C E E D I N G S	
2	PLAINTIFF'S DEPOSITION EXHIBITS	PAGE	2	* * * * *	
3	Exh 39 November 16, 2020, email from Charles Herring to Kara McKinney Alexander Salvi Dan Ball Stephanie Hamill, Re: Who is Eric Coomer? Potentially the "smoking gun" at Dominion for 2020 Voter Riggging	58	3	THE VIDEOGRAPHER: Here begins the deposition of	
4			4	Charles Herring, the corporate representative of	
5			5	Herring Networks, Inc., d/b/a One America News Network.	
6	Exh 40 November 16, 2020, email from Chanel Rion to Joe Oltmann Re: email 5 capture 1-10 please confirm receipt	60	6	Today's date is July 20, 2021. The time is	
7			7	9:05, Pacific Standard Time.	
8	Exh 33 Chanel Rion's tweet quoting Ron @CodeMonkeyZ November 16, 2020	63	8	Counsel will be noted on the record	
9			9	stenographically.	
10	Exh 32 Video: Dominion-izing the Vote	76	10	Will the court reporter please swear in the	
11	Exh 43 Text messages between Rudy Giuliani and Charles Herring	114	11	witness?	
12	OAN DEPOSITION EXHIBITS	PAGE	12	THE REPORTER: Yes. I have a brief stipulation	
13	Exh A Article from coloradopolitics.com: "Antifa Among the Press Corps? New Colorado Conservative Says So	121	13	to read in the record.	
14			14	The attorneys participating in this deposition	
15	Exh B Oltmann YouTube video October 5, 2020	123	15	acknowledge that I am not physically present in a	
16	Exh C Project Veritas video	125	16	deposition room and that I will be reporting this	
17	Exh D October 14, 2020, email from "De Van" to multiple recipients Re: Democrat Official: "I will lie. I will cheat. I will steal."	129	17	deposition remotely. They further acknowledge that, in	
18			18	lieu of an oath administered in person, the witness will	
19	Exh E Breitbart article, "WATCH- 'Guillotines Motherf*ck*r': Colorado Dem Operative Reveals Violent Agenda Should Trump Win"	130	19	verbally declare his testimony in this matter is given	
20			20	under penalty of perjury.	
21	Exh F October 11, 2020, email correspondence Re: One America News Network Contact Form	131	21	The parties and their counsel consent to this	
22	Exh G NOQ Report article, "Alleged Denver Shooter Matthew Robert Dolloff is a Proud Radical Leftist	132	22	arrangement and waive any objections to this manner of	
23			23	reporting. If there are any objections to this manner of	
24			24	reporting, please state them at this time.	
25			25	Hearing none, Mr. Herring, will you please raise	
		Page 6			Page 8
1	I N D E X (Continued)		1	your right hand?	
2	OAN DEPOSITION EXHIBITS	PAGE	2	CHARLES PETER HERRING,	
3	Exh H Screenshot from www oanm com	137	3	having been first duly sworn to state the whole truth,	
4	Dominion Voting Systems Categorically Denies False Assertions About Vote Switching And Software Issues With Our Voting Systems		4	testified as follows:	
5			5	DIRECT EXAMINATION	
6	Exh I Screenshot from www oanm com	138	6	BY MR. CAIN:	
7	1) Vote Deletion/Switching Assertions Are Completely False		7	Q. Can you state your full name, please?	
8	Exh J Eric Coomer Facebook post	144	8	A. Charles Peter Herring.	
9	Re: Stiff Little Fingers - Suspect Device		9	Q. Well, good morning, Mr. Herring. Thank you for	
10	Exh K Series of Facebook posts by Eric Coomer	146	10	being with us this morning.	
11	Exh L Series of Facebook posts by Eric Coomer	150	11	My name is Charley Cain, as I indicated off the	
12	Exh M Series of Facebook posts by Eric Coomer	154	12	record. I'll be taking your deposition on behalf of the	
13	Exh N One America News Network Ingest Form	159	13	plaintiff today.	
14	PREVIOUSLY MARKED PLAINTIFF'S EXHIBITS	PAGE	14	If you need to take a break during the course of	
15	29 Photos of handwritten notes from Antifa call	20	15	this proceeding, just let me know. As long as there's not	
16	16 Screenshot for Dominion website, November 13, 2020 Setting the Record Straight: Facts & Rumors	34	16	a pending question on the floor, you're entitled to take a	
17			17	break, and I'm happy to accommodate you. Okay?	
18			18	A. Understood. Thank you.	
19			19	Q. Do you have any questions of me about how this	
20			20	is going to be conducted before we begin?	
21			21	A. No, sir.	
22			22	Q. All right. I will be sharing my screen from	
23			23	time to time, showing you some of the exhibits that have	
24			24	been marked, both in your deposition -- premarked -- and	
25			25	then also in prior depositions.	
		Page 7			Page 9

<p>1 I'm going to start with Plaintiffs Exhibit 31. 2 (Plaintiff's Exhibit Number 31 was introduced.) 3 Q. (By Mr. Cain) Are you able to view that? 4 A. Yes, sir. 5 Q. Okay. Plaintiff's Exhibit 31 was filed in this 6 case in -- as part of the anti-SLAPP motion that OAN 7 filed. And I believe it contains your signature on the 8 declaration; is that correct? 9 A. Yes. 10 Q. All right. You begin your declaration by saying 11 that you are the president of Herring Networks, Inc., 12 dba One American News Network. Is that still true? 13 A. Yes, sir. 14 Q. How long have you been president? 15 A. Just trying to do the math in my head. 16 Approximately 15 years. 17 Q. And during this deposition, if I refer to OAN, 18 can we agree that I'm referring to Defendant 19 Herring Networks, Inc., doing business as One America News 20 Network? 21 A. Yes. 22 Q. Are you also an owner of OAN? 23 A. Yes, I am. 24 Q. And is your father, Robert Herring Sr., an owner 25 of OAN?</p> <p style="text-align: right;">Page 10</p>	<p>1 A. Yes, I can. 2 Chanel Rion researched extensively, along with 3 other staff members, liabilities in voting machines that 4 were known as early as 2000 all the way up through the 5 summer of 2020. 6 There are a number of media organizations that 7 reported issues through the years. The most recent one 8 that comes to mind was the summer 2020 election in 9 Georgia, where a number of things went wrong, causing 10 names on the ballots not to show up and a number of other 11 issues. 12 That was one of the things that we investigated 13 for that report. 14 We also -- we also looked at the videos of 15 Joe Oltmann. I personally looked at the video of 16 Joe Oltmann. I looked at the video of Michelle Malkin. I 17 read a number of articles, as a matter of fact, basically 18 anything and everything I can find during the weekend 19 of -- I think it was around the 14th and the 15th of 20 November and following into the 16th. There are a number 21 of articles. 22 I believe there's a trio of articles by 23 Gateway Pundit. There were some articles from sources 24 that, frankly, I don't recall right now and had never 25 heard of. And there was one by an outlet; I believe it</p> <p style="text-align: right;">Page 12</p>
<p>1 A. Yes, sir. 2 Q. And is your brother, Bobby, an owner of OAN? 3 A. Yes. 4 Q. Collectively, do you, your father, and your 5 brother own a controlling interest in OAN? 6 A. We do. 7 Q. In your declaration -- I'm going to skip down to 8 paragraph five. You start that paragraph by saying, "I 9 have reviewed the report by Ms. Rion that Plaintiff 10 Eric Coomer contends is defamatory." 11 I'll stop right then -- there. 12 We can agree that that report is the -- the 13 investigative special called "Dominion-izing the Vote"? 14 Is that what you're referring to? 15 A. Yes. 16 Q. Okay. You go on to say in paragraph five, "I 17 have discussed this report with Ms. Rion as well as other 18 persons at OAN involved with its content, including the 19 research done prior to the broadcast and the manner in 20 which the segment was originated and produced." 21 A. Yes. 22 Q. Okay. Given that statement, can you describe 23 for us the research that OAN did, including vetting 24 sources and corroborating facts prior to broadcasting the 25 "Dominion-izing the Vote" piece?</p> <p style="text-align: right;">Page 11</p>	<p>1 was called the Clover Chronicle. 2 So that was some of the initial reviews that I 3 did. 4 I had some existing knowledge at the time. I 5 knew that there were issues with Antifa in general in 6 Colorado, and there was some pushback in the community 7 with respect to Antifa and some of the alleged violence by 8 Antifa in the area. 9 I was aware of some statements by a gentleman by 10 the name of Kris Jacks that Project Veritas, 11 James O'Keefe's organization, disclosed. 12 I was aware of a shooting that took place in 13 Colorado. A gentleman by the name of Dolloff, which we 14 actually ran reports on, was accused, and on video, 15 shooting a gentleman that was using a nonlethal spray. 16 I'm aware of some of the reports as to whether 17 he was a legitimate security officer or not. And I'm 18 aware of some of his postings that were, I believe, on 19 Facebook -- it might have been Twitter -- including 20 comments about the police and about the president at the 21 time, which would be President Trump. 22 Q. I'll stop you there. I appreciate the answer. 23 You used a pronoun, and I don't want it to be 24 ambiguous. You said "I was aware of some of his posts." 25 Who was the -- the "he" that you were referring to there?</p> <p style="text-align: right;">Page 13</p>

<p>1 A. The posts were posts of Mr. Dolloff, I believe 2 his name is. He was a -- a shooter. At the time, he was 3 a security guard for a local news broadcast company. I 4 think it was 8 -- or 9News or News9 or something to that 5 effect. 6 Q. Okay. I just wanted to make sure that when you 7 said the "posts," you weren't referring to, or if you 8 were, Dr. Coomer's Facebook posts. 9 A. No, sir. I wasn't referring to Dr. Coomer's 10 Facebook posts when I made that statement. 11 But I did review a number of Facebook posts that 12 were reported by Gateway Pundit that were shown on the 13 video that Mr. Oltmann produced and that were shown by 14 Michelle Malkin. 15 In addition, we were in possession of the social 16 media posts, approximately 80 of them, that were 17 transferred over by Mr. Oltmann. 18 And I believe sometime going into -- or coming 19 out of that weekend, which I believe is Sunday, and I 20 think that's November 15th -- somewhere between that time 21 and the 16th, before Chanel Rion, I interviewed 22 Mr. Oltmann. I believe that she received approximately 80 23 Facebook posts from Mr. Oltmann. 24 We also were in possession of a email from 25 Mr. Oltmann that came in through our viewer feed- -- what Page 14</p>	<p>1 A. Yes, sir. He's in San Diego. 2 Q. He's still employed by OAN? 3 A. Yes. 4 Q. Okay. Anything else, as you sit here, that you 5 can think of that describes the research that OAN did 6 prior to -- 7 A. I -- I think that's a general summary of the 8 types of research we were doing. 9 Q. Okay. In terms of the investigation, you 10 described the articles that were read, et cetera, the 11 videos, the posts. Have -- has OAN produced all of those 12 background research materials to its counsel for -- 13 A. I believe we have. We made the best effort we 14 could to get those to him. 15 Q. And -- and I -- I typically will say this at the 16 beginning of a deposition. I am a slow, sometimes halting 17 and awkward speaker, which is interesting given my 18 profession. 19 But if you can let me finish my question before 20 you answer, even if you know where I'm going, that will 21 give us a cleaner record for the court reporter. Okay? 22 A. Understood. 23 MR. RHODES: Mr. Cain, let me just -- let me 24 just clarify Mr. Herring's statement. 25 The information that Mr. Herring said that he Page 16</p>
<p>1 I call our viewer feedback form on our website. I think 2 it's actually shown as "comments." We refer to it as our 3 viewer feedback form. 4 I recall that email coming in, and I recall 5 seeing FEC United. At the time I had -- I believe I had 6 heard of FEC United, but I wasn't sure. And I didn't have 7 time to dig into that email. I waited until the weekend 8 to actually do a deep dive and investigate further and 9 listen to the videos and such. 10 That's -- that's, maybe, a quick summary of some 11 of the things that -- that were being done. 12 We had other staff members that were also 13 digging in and doing very similar work to what Chanel Rion 14 was doing. We had one gentleman here -- he's an 15 investigative reporter. His name is Pearson Sharp -- that 16 was heavily involved. We had a senior editor that was 17 reviewing content and reviewed "Dominion-izing the Vote" 18 with me. 19 Q. And the identity of that person? 20 A. Brandon Gadow. He's a senior editor for the 21 company. 22 Q. And I -- I apologize. Brandon -- and can you 23 spell the last name for us, please? 24 A. I hope I can. I believe it's G-a-d-o-w. 25 Q. And he was at -- in San Diego? Page 15</p>	<p>1 was already aware of relating to Kris Jacks and 2 Mr. Dolloff has not been produced, because that's not an 3 investigation that was done into the allegations of 4 Mr. Oltmann. 5 That was information that -- that Mr. Herring 6 and OAN already had preexisting to ever hearing from 7 Mr. Oltmann. 8 MR. CAIN: Gotcha. Thank you for that. 9 Q. (By Mr. Cain) So in connection, then, with this 10 "Dominion-izing the Vote" piece, who at 11 Dominion Voting Systems did OAN speak to prior to running 12 the piece on, I believe, November 21? 13 A. I don't believe that we spoke with anybody at 14 Dominion. The focus was to highlight voter irregularities 15 that were highlighted by other known legitimate media 16 sources, I believe, dating back as far as 2000 all the way 17 up into the summer of 2020. 18 Q. Okay. So the answer to my question is, OAN did 19 not contact Dominion Voting Systems prior to running this 20 particular report? 21 A. Not to my knowledge. 22 Q. And OAN knew when it ran the report that one of 23 the subjects of the piece was Dominion Voting Systems; 24 true? 25 A. The piece included Dominion machines. That's Page 17</p>

<p>1 correct. We were highlighting voting irregularities, 2 including with machines, and one of the machines was 3 Dominion. That's correct.</p> <p>4 Q. And, likewise, Dr. Eric Coomer, my client, was 5 the subject of the "Dominion-izing the Vote" report; 6 correct?</p> <p>7 A. Yes. He was a -- a small component, but he was 8 included in "Dominion-izing the Vote".</p> <p>9 Q. Okay. And when did OAN reach out to Dr. Coomer 10 for his comments prior to broadcasting this report?</p> <p>11 A. I made the request of Chanel Rion to make an 12 effort to reach out to Dr. Coomer. My understanding is 13 she was unsuccessful in reaching out and -- and unable to 14 speak with Dr. Coomer.</p> <p>15 Q. Can you be any more specific as to Ms. Rion's 16 attempts to reach Dr. Coomer?</p> <p>17 A. I instructed her to reach out and try to get his 18 side of the story. She had communicated to me that she 19 believed he was in hiding at that time; that his Facebook 20 had been scrubbed, social media was scrubbed; that names 21 were being removed from the Dominion websites.</p> <p>22 And I'm not exactly sure what reach-out she 23 made, but I encouraged her to try to get his side of the 24 story.</p> <p>25 Q. Do you know whether she attempted to contact Page 18</p>	<p>1 along those lines.</p> <p>2 Q. And when, prior to the publication of the -- the 3 report, when did OAN request copies of Mr. Oltmann's 4 notes?</p> <p>5 A. I'm not aware of us requesting copies of the 6 notes.</p> <p>7 Q. Have you seen -- I know you did -- you said you 8 didn't request, or OAN didn't request, copies of those 9 notes. Have you subsequently requested copies of the 10 notes following the publication?</p> <p>11 A. Not to my knowledge.</p> <p>12 Q. Bear with me just one minute. I'm loading up an 13 exhibit.</p> <p>14 This is Exhibit 29. It was marked in the prior 15 deposition. That's why it says "Malkin."</p> <p>16 It is a four-page document. And I'll scroll 17 through it slowly so you can familiarize yourself with it.</p> <p>18 The number of names, as you can see referenced 19 here -- I'm not sure who is, other than the Greek 20 new-age musician, but you can see that there's a few names 21 that are jotted down on these notes.</p> <p>22 Are you telling us, Mr. Herring, that this is 23 the first time that you've seen copies of the notes that 24 Mr. Oltmann took?</p> <p>25 A. That's correct, sir. Page 20</p>
<p>1 Dr. Coomer through Dominion?</p> <p>2 A. I know that was discussed. I -- I don't know 3 exactly what was done or what was not done.</p> <p>4 Q. I didn't see a -- and, you know, I haven't 5 memorized everything. I think OAN produced 700-plus pages 6 of documents.</p> <p>7 I didn't see any emails or contact inquiries 8 along the lines of what you said Mr. Oltmann did with OAN.</p> <p>9 Are you aware of any written requests to either 10 Dominion or to Dr. Coomer for comment on this piece?</p> <p>11 A. I'm aware of some discussions about trying to 12 reach out to Dr. Coomer and potential avenues, but I'm not 13 aware of any documents that show that a reach-out was 14 actually done.</p> <p>15 Q. Okay. Now, obviously, Mr. Oltmann is, in this 16 report, describing an Antifa conference call that he 17 claims Dr. Coomer was on; correct?</p> <p>18 A. Yes.</p> <p>19 Q. Was OAN aware at the time of the publication of 20 this report that Joe Oltmann had taken quote, "copious 21 notes," closed quote, of this alleged Antifa conference 22 call?</p> <p>23 A. I believe those were the words that I heard in 24 one of those videos, yes. If it wasn't those exact words, 25 he was basically saying he had extensive notes, something Page 19</p>	<p>1 Q. Is there a reason OAN didn't ask for further 2 corroboration of the Antifa conference call in the form of 3 the notes that were taken?</p> <p>4 A. I think we had sufficient information and were 5 comfortable that it was credible to report in the manner 6 that we did and use the segment in "Dominion-izing the 7 Vote".</p> <p>8 There's always things in hindsight that we could 9 go back and do if we'd had a little more time, more 10 resources. But I think we had a pretty good idea, and we 11 were comfortable that what was being said was credible.</p> <p>12 Q. Okay. Your -- the second part of your answer 13 was a lot clearer than the first, I think, because of the 14 audio issue.</p> <p>15 MR. CAIN: Sara, can you tell me what the first 16 part of the answer was, please? I did not hear it. 17 (The court reporter read back the requested 18 portion of the question.)</p> <p>19 MR. CAIN: That's what I missed.</p> <p>20 Q. (By Mr. Cain) Was OAN aware that there was no 21 recording of this alleged call, either video or 22 audio-recording?</p> <p>23 A. Yes. We were aware that there was no video or 24 audio. It appeared that he was only taking hand notes on 25 paper and -- Page 21</p>

<p>1 THE REPORTER: I didn't hear the last part of 2 your answer. I'm sorry. You're -- you're kind of fading 3 in and out, Mr. Herring. It's difficult to hear you. 4 THE WITNESS: Let me see if I can move a little 5 closer and see if this might help a little bit. 6 THE REPORTER: Thank you. 7 A. The summation is, we knew that there was no 8 electronic audio-recording, and we knew that he was taking 9 notes with his hand, pen and paper. 10 Q. (By Mr. Cain) But, again, you -- you have now 11 told us that you had sufficient information regarding 12 corroborating the story without actually seeing copies of 13 those notes; correct? 14 A. We were comfortable that the information that we 15 used was credible, substantial, newsworthy. 16 Q. And we'll get to the credibility of it 17 throughout this deposition. 18 Based, though, on the -- just the -- the facts 19 that had been described to OAN by Mr. Oltmann, OAN would 20 have been aware that there were other individuals 21 allegedly on this Antifa conference call; right? 22 A. Yes. 23 Q. Okay. So you knew that, obviously, Mr. Oltmann 24 claims to have been on the call, number one. 25 A. Yes.</p> <p style="text-align: right;">Page 22</p>	<p>1 that would have been futile. 2 Q. The last word you used was what? 3 A. Was an attempt at futile, would have been 4 unsuccessful. 5 Q. Well, success or not, you didn't make the 6 effort, so you're not in a position to know whether you 7 would be successful if you had made that effort; fair? 8 A. That -- that's fair. We didn't have the names, 9 so we didn't know who the individuals were. 10 Q. All right. Well, am I still sharing my screen? 11 I don't think I was. 12 You had indicated some familiarity with the -- 13 the Colorado Antifa world. I don't know how you would 14 want to characterize it. But -- and you've already 15 testified to that, about the shooting and about Mr. Jacks, 16 et cetera. And then you just said that you didn't have 17 the names. 18 Just a fair reading of a page of these notes 19 indicates that -- a couple of names. Contact is , 20 quote, "rat," closed quote. dash, question 21 mark. "This guy is Antifa?" question mark. 22 Is it a fair characterization that there were 23 some -- or there are some indication of possible Antifa 24 members just by referencing the notes that were allegedly 25 taken?</p> <p style="text-align: right;">Page 24</p>
<p>1 Q. You knew -- and if I say the term "you," because 2 it's a corporate deposition, I'm using that also 3 synonymously with OAN. 4 A. I understand. 5 Q. You knew that Oltmann, Mr. Oltmann, had claimed 6 that Dr. Coomer was also on the call; correct? 7 A. Yes. 8 Q. And did you know that Mr. Oltmann believed that 9 there were somewhere in the neighborhood of 15 to 19 other 10 people on the call, by his estimate? 11 A. I don't believe I knew there were 15 to 19. I 12 knew that there are -- it was an Antifa call, and there 13 were other Antifa individuals on the call. I'm not sure I 14 had knowledge of the exact number. 15 Q. Fair enough. 16 But also fair to say that OAN was aware that 17 there were other people on this call that were in a 18 position to hear the alleged statements. Is that fair? 19 A. That is fair. 20 Q. What efforts did OAN make, if any, to reach out 21 to the other individuals that were part of this Antifa 22 call? 23 A. We didn't make any efforts. The Antifa call -- 24 as I understand it, was a clandestine, secretive call, and 25 to expect any of them to try to engage with us, I think</p> <p style="text-align: right;">Page 23</p>	<p>1 A. I haven't reviewed the notes. I -- you know, I 2 saw them as you were going through. I was attempting to 3 try to read. 4 But my understanding was it was an Antifa 5 conference call, and I would expect Antifa individuals 6 that are sympathetic to Antifa would have been on the 7 call. 8 Q. Let me ask you this. You were on record when 9 OAN was launched. I think you made some statements at 10 CPAC to the effect that journalists should confirm sources 11 multiple times and then report the facts. 12 A. Yes. We should make an effort at doing so. 13 Absolutely. 14 Q. Okay. But in terms of confirming this 15 particular story, we've been through some areas that OAN 16 did not actually try to corroborate the piece. 17 Is there some explanation that you want to give 18 the Court as to why, taking the group that I just referred 19 to, Dominion, Dr. Coomer -- you said there was an effort 20 there -- or any of the other participants on this call -- 21 why you felt like OAN had sufficient information at that 22 point to run the story? 23 MR. RHODES: Objection to form. 24 Mischaracterizes the witness's prior testimony. 25 You can go ahead and answer, Mr. Herring.</p> <p style="text-align: right;">Page 25</p>

<p>1 A. Yeah. That -- the last part, why OAN had -- I 2 did not get that. Restate it, please.</p> <p>3 Q. (By Mr. Cain) You're going to have to lean 4 forward, because I did not hear, and I doubt Sara did.</p> <p>5 A. All right. I -- I didn't hear the last part of 6 the statement: Why OAN had --</p> <p>7 Q. Well, let me restate it the best I can.</p> <p>8 We talked about your statement that you agreed 9 to, that journalists and news organizations like OAN 10 should confirm multiple times their sources and report the 11 facts.</p> <p>12 My question is, on a global scale with respect 13 to the people that were not contacted, why is it that OAN 14 felt like it had sufficient information such that it did 15 not need to verify this story with those potential 16 sources?</p> <p>17 MR. RHODES: Same objection.</p> <p>18 A. So why we thought we had sufficient information 19 is Mr. Oltmann provided about a two-hour video explaining 20 the process he went through step by step and what he was 21 trying to do.</p> <p>22 It was clear to me that Mr. Oltmann was really 23 trying to investigate Antifa. He wasn't trying to 24 investigate Dr. Coomer or Dominion at that time.</p> <p>25 Based on the knowledge that I had, that made</p> <p style="text-align: right;">Page 26</p>	<p>1 not, impossible. It's a clandestine group. They're not 2 willing to come out and talk with the media and explain 3 that they're on the call, which is why he had to try to 4 figure out how to infiltrate Antifa. And, apparently, he 5 did by getting on this call.</p> <p>6 On the other hand, Dominion seemed to be 7 scrubbing its website. I believe that Mr. Oltmann came 8 out with his report on a Monday. I believe that's 9 November 9th.</p> <p>10 By at the time we were reporting a week later, 11 on the evening of the 16th, or at least running promos for 12 the programming -- program "Dominion-izing the Vote", 13 which was scheduled to run on Saturday evening, the 20th 14 of November, Dominion, to my knowledge, had not issued any 15 sort of statement. Mr. Coomer did not issue any sort of 16 statement.</p> <p>17 It appeared that they were on the run, did not 18 want to speak with the media, and did not come out and 19 disclaim either Michelle Malkin's hour-long video or the, 20 roughly, two-hour-long video or a number of the other 21 reports that we came across from Gateway Pundit or some of 22 these other sources that were reporting on Dr. Coomer.</p> <p>23 So it seemed to me that Mr. Oltmann was -- and 24 I've seen this before, where we could only interview one 25 side with other people that were in the news cycle. And</p> <p style="text-align: right;">Page 28</p>
<p>1 sense. I know that Antifa, along with BLM, was going into 2 suburban areas and causing issues, and that there was a 3 lot of tension between Antifa and people with a 4 center-to-right lean in Denver in general.</p> <p>5 The credibility of Mr. Oltmann had to be taken 6 into consideration. He made himself available to a number 7 of interviews at the time we reported. He made himself 8 [sic] to at least three interviews with no restrictions.</p> <p>9 On the other side, we had Dr. Coomer, who we 10 didn't think we were going to be able to reach. I 11 requested that Chanel make an effort and see she if she 12 can reach Dr. Coomer.</p> <p>13 The other people on the phone call, I believe, 14 Mr. Oltmann was trying to expose. And as the notes show 15 he's trying to figure out who they are and their tie-in.</p> <p>16 I had read about how he got on that call; and 17 although there's some missing pieces, I think I have a 18 good indication from his statements that he was engaged in 19 conversation, adversarial conversation, with a person by 20 the name of (phonetic), and that the 21 loose lips, as he referred to, led him access 22 to this Antifa call, and I believe that's how he got on 23 the call.</p> <p>24 So as far as being able to reach out to the 25 other individuals, it seemed like that would be near, if</p> <p style="text-align: right;">Page 27</p>	<p>1 when they're open, they're willing to speak, they appear 2 to be legitimate.</p> <p>3 In Mr. Oltmann's case, he looked like he was 4 passionate about the community. I was trying to 5 understand his motivation for FEC United and what 6 FEC United was. It looked like he was trying to restore 7 traditional values back into the community. I don't 8 believe that was an intent to make money. I came to the 9 same conclusion with his website.</p> <p>10 What drove me to that is if you look at the 11 videos on his website --</p> <p>12 Q. (By Mr. Cain) I want you to -- I don't mean to 13 interrupt you other than when it's not clear what you're 14 saying.</p> <p>15 And when you say "his website," I just need you 16 to clarify what --</p> <p>17 A. Mr. Oltmann's postings, videos on his Facebook 18 website, when I watched, was not monetized. To put a 19 pre-roll ad in is fairly simple. So I came to the 20 conclusion that he wasn't driven by money.</p> <p>21 He gave a pretty long explanation about himself, 22 how long he's been in business. He was running a 23 business. I think it's called BIN Strategy or 24 BIN Networks. I think that's where he's able to make a 25 living.</p> <p style="text-align: right;">Page 29</p>

<p>1 But I think what he was doing was more of a 2 passion and trying to give back to the community, such as 3 FEC United and his -- his website. They didn't appear to 4 be monetized.</p> <p>5 He seemed like a credible individual. He was -- 6 according to him, he received an Entrepreneur of the Year 7 award. He explained that his father was black; that he's 8 mixed race; that his brother was killed by a police 9 officer. So he had probably some reasons to, perhaps, 10 have some concerns with police. He just seemed to really 11 put himself out and expose himself.</p> <p>12 As far as exposing himself, he was operating, 13 according to his claims, Conservative Daily, the videos 14 that are shown on Facebook, and streamed audio on other 15 outlets for 11 years. He didn't seem like he was trying 16 to get publicity.</p> <p>17 He says he's an introvert. He talked about this 18 with Michelle Malkin; that he wasn't trying to monetize or 19 get publicity, but he was trying to expose Antifa.</p> <p>20 And it seemed clear to me that Antifa led him to 21 Dr. Eric Coomer, not that he was seeking out 22 Dr. Eric Coomer or Dominion.</p> <p>23 The credibility comes into play -- 24 Q. Let's -- let's do this. I appreciate -- 25 MR. RHODES: He's -- he's not finished with his</p> <p style="text-align: right;">Page 30</p>	<p>1 the phone call to actually tie in with Dr. Coomer with 2 Dominion Voting Systems.</p> <p>3 I gave that a lot of thought. And one of the 4 things that became very clear is the email that -- or the 5 Facebook postings made it clear that Mr. Coomer was very 6 sympathetic towards Antifa and were consistent with the 7 tone, the voice, and the comments that were being shared 8 on the phone call.</p> <p>9 And I believe that that corroborates the phone 10 call, Dominion and Dr. Coomer, with the Facebook postings.</p> <p>11 I also believe that if somebody said that Eric 12 is going to impact the election and he's the Dominion 13 guy -- if he was a Dominion guy and it was Dominion 14 Hamburgers, not Dominion Voting Systems, one would likely 15 ask, Well, why can't Dominion Hamburgers -- just, kind of, 16 using a silly example -- how could he actually have an 17 impact on the election?</p> <p>18 When the word "Dominion" was used. It appeared 19 that that was sufficient justification that he had some 20 sort of means to impact the election.</p> <p>21 Q. (By Mr. Cain) Okay. Let's go back at the 22 beginning part of your testimony in response to my last 23 question.</p> <p>24 You said something to the effect of that 25 Mr. Oltmann identified a person named</p> <p style="text-align: right;">Page 32</p>
<p>1 answer. You gave the open-ended question "Why?" He's 2 answering that. Please do not interrupt the witness.</p> <p>3 MR. CAIN: I think he's gone far afield from 4 the -- the question.</p> <p>5 MR. RHODES: I do not agree. Please give him 6 the respect --</p> <p>7 MR. ARRINGTON: I -- I join with Mr. Rhodes' 8 objection. You may not be interested in what this witness 9 has to say, but I am.</p> <p>10 MR. CAIN: All right. So object to the sidebar. 11 I don't -- I don't need to quibble with the lawyers in 12 this case.</p> <p>13 I disagree with you, Mr. Rhodes. I'll allow 14 your witness to finish the question, because there's going 15 to be a lot of follow-up.</p> <p>16 MR. RHODES: Thank you.</p> <p>17 MR. CAIN: But I do believe that he's now far 18 afield.</p> <p>19 Q. (By Mr. Cain) But go ahead and complete your 20 answer.</p> <p>21 A. I'll -- I'll try to be very brief with two quick 22 points that I had.</p> <p>23 The first one is trying to determine whether the 24 emails that were exposed by Mr. Oltmann were legitimate 25 and tied in a gentleman's name of Eric with Dominion on</p> <p style="text-align: right;">Page 31</p>	<p>1 , and then you mentioned something about "loose 2 lips" and, I believe, identifying as possibly 3 the person who was -- was the conduit for Mr. Oltmann 4 getting on this call.</p> <p>5 Can you explain to me how you -- did you have a 6 conversation with Mr. Oltmann as to how he got on the 7 Antifa call?</p> <p>8 A. No.</p> <p>9 Q. Did -- did anyone at OAN have that conversation 10 with Mr. Oltmann?</p> <p>11 A. Chanel Rion may have. I -- I don't know the 12 specifics of her discussion with Mr. Oltmann.</p> <p>13 Q. So what, then, is the basis for your sworn 14 testimony that -- that was the person with 15 the loose lips, as you described?</p> <p>16 A. Mr. Oltmann, in one of the videos -- and I 17 believe it's his video that ran roughly two hours -- 18 indicates the name .</p> <p>19 And if you listen to the video, he's explaining 20 the steps that he took in, roughly, chronological order, 21 and he mentions her name, and then mentions that it's 22 because of her loose lips that he was able to get on the 23 phone call.</p> <p>24 Q. Gotcha.</p> <p>25 A. That's straight -- straight from the first video</p> <p style="text-align: right;">Page 33</p>

<p>1 that I watched.</p> <p>2 Q. That -- The Conservative Daily podcast video --</p> <p>3 A. Yes, sir.</p> <p>4 Q. -- of November 9th?</p> <p>5 A. I believe that's correct.</p> <p>6 Q. Then you also talked about something that you</p> <p>7 considered, which was the fact that, after the Malkin</p> <p>8 piece, around that time, that Dominion did not issue any</p> <p>9 kind of disclaimers regarding -- regarding their</p> <p>10 reporting.</p> <p>11 I'm going to show you what I've marked</p> <p>12 previously as Plaintiff's Exhibit 16, which is a</p> <p>13 screenshot from November 13th from</p> <p>14 Dominion Voting Systems' website.</p> <p>15 Are you familiar with this document?</p> <p>16 A. I've seen it before.</p> <p>17 Q. Okay. And do you have any reason to believe</p> <p>18 that this information was -- was not posted on the</p> <p>19 Dominion website as of November 13, 2020?</p> <p>20 A. I did not note it was on November 13th. And I</p> <p>21 haven't seen any reference to Dr. Coomer in this.</p> <p>22 Q. Okay. You were referring to Dominion in your</p> <p>23 response. Isn't it true that Dominion had already been</p> <p>24 posting information on its website directly about the</p> <p>25 voter rigging or fraud allegations that were being made?</p> <p style="text-align: right;">Page 34</p>	<p>1 MS. DOMINGUEZ: Yes, sir.</p> <p>2 MR. CAIN: I'm going to ask you all to</p> <p>3 multitask.</p> <p>4 Rebecca, go into my private folder, if you</p> <p>5 would, and mark as the next exhibit the document that</p> <p>6 starts 20201205 Oltmann Parler.</p> <p>7 MS. DOMINGUEZ: Yes, sir.</p> <p>8 MR. CAIN: While she's doing that, Sara, there</p> <p>9 was an attorney that interjected when I objected to the</p> <p>10 responsiveness of the question, and that attorney did not</p> <p>11 state his name. Do you have that for the record?</p> <p>12 THE REPORTER: Yes. I believe it was</p> <p>13 Mr. Arrington.</p> <p>14 MR. CAIN: Let me know when you have that,</p> <p>15 Rebecca.</p> <p>16 MS. DOMINGUEZ: It should be available:</p> <p>17 Exhibit 46.</p> <p>18 (Plaintiff's Exhibit Number 46 was introduced.)</p> <p>19 Q. (By Mr. Cain) When you were giving your</p> <p>20 testimony a minute ago about the credibility of</p> <p>21 Mr. Oltmann, were you aware of the Parler post that he</p> <p>22 made on or about November 5th -- or, excuse me --</p> <p>23 December 5th of 2020, regarding Dr. Coomer, the one that</p> <p>24 I'm showing you as Exhibit 46?</p> <p>25 A. No. I'm not familiar with it. I've not seen</p> <p style="text-align: right;">Page 36</p>
<p>1 A. I see the date, November 13th. So, yes, I would</p> <p>2 agree with that.</p> <p>3 Q. Okay. And I didn't see a copy of anything</p> <p>4 relating to the Dominion position in the investigation</p> <p>5 file that OAN had. Do you know whether or not this</p> <p>6 information was considered by OAN before it issued its</p> <p>7 report called "Dominion-izing the Vote"?</p> <p>8 A. I don't. I don't have any information either</p> <p>9 way.</p> <p>10 Q. You said a number of times that you viewed --</p> <p>11 stop sharing -- Mr. Oltmann as a -- as a credible source.</p> <p>12 Then you gave some examples for us.</p> <p>13 Now, as I understand it, the "Dominion-izing the</p> <p>14 Vote" piece is still available online on YouTube. Is that</p> <p>15 your understanding?</p> <p>16 A. I don't believe it's on OAN. It may be reposted</p> <p>17 by others. I would need to confirm that. But that's my</p> <p>18 general belief.</p> <p>19 Q. Okay. And I'm happy to -- to show you YouTube</p> <p>20 right now. I will represent to you it's still available</p> <p>21 on YouTube, indicating about 1.2 million views.</p> <p>22 As it relates to Mr. Oltmann, though, you said,</p> <p>23 as I mentioned, you viewed him as a credible source.</p> <p>24 MR. CAIN: Rebecca, are you monitoring this</p> <p>25 deposition?</p> <p style="text-align: right;">Page 35</p>	<p>1 this.</p> <p>2 If you don't mind, could you just scroll down so</p> <p>3 I could see the rest of it real quickly? Thank you.</p> <p>4 Q. So this is a Parler post Mr. Oltmann made</p> <p>5 shortly after the airing of "Dominion-izing the Vote"</p> <p>6 piece.</p> <p>7 And you can, obviously, read it. He's referring</p> <p>8 to Dr. Coomer, and he says, "So it is up to you. Blow</p> <p>9 this shit up. Share, put his name everywhere. No rest</p> <p>10 for this shitbag. Eric Coomer, Eric Coomer, Eric Coomer.</p> <p>11 "This shitbag and the corrupt asshats in</p> <p>12 Dominion Voting Systems must not steal our election and</p> <p>13 our country. Eric, we are watching you." And there is a</p> <p>14 picture that purports to be of Eric's home.</p> <p>15 And are you telling us, sir, that, you were not</p> <p>16 aware of this Parler post that Mr. Oltmann posted?</p> <p>17 MR. RHODES: Objection. Aware as to when? I</p> <p>18 don't see that the exhibit has a date on it.</p> <p>19 MR. CAIN: It doesn't. It's a screenshot. And</p> <p>20 I made the representation that it was December 5th of</p> <p>21 2020.</p> <p>22 MR. RHODES: All right. Well, objection as</p> <p>23 irrelevant. He clearly could not have been aware of it</p> <p>24 when "Dominion-izing the Vote" occurred. The post hadn't</p> <p>25 been made.</p> <p style="text-align: right;">Page 37</p>

<p>1 MR. CAIN: No. And the post remains up and</p> <p>2 accessible to this day.</p> <p>3 Q. (By Mr. Cain) Would it surprise you to learn</p> <p>4 that your credible source, Mr. Herring, posted a Parler</p> <p>5 post that contained this type of content?</p> <p>6 MR. RHODES: Objection to form. He said he's</p> <p>7 never seen it.</p> <p>8 A. Yeah. I -- I have not seen this. And I think</p> <p>9 the language is very harsh, not something I would do. And</p> <p>10 I do think that the pushback, the issues, the threats that</p> <p>11 Mr. Oltmann experienced were severe and changed his</p> <p>12 thinking and made him very harsh towards Mr. Coomer.</p> <p>13 But I don't -- I don't think this language is</p> <p>14 appropriate and this type of posting is appropriate.</p> <p>15 Q. (By Mr. Cain) Well, you're speculating, aren't</p> <p>16 you, as to why Mr. Oltmann would have made this post?</p> <p>17 A. I don't know any reason why he made the post</p> <p>18 on -- what I'm commenting on is I believe that Mr. Oltmann</p> <p>19 in his family experienced a lot of hardships after his</p> <p>20 November 9th, two-hour video. And I think that got to him</p> <p>21 emotionally. I think he's experienced a number of things.</p> <p>22 I think we're seeing that here.</p> <p>23 Q. Were you -- do you know what the term "doxing"</p> <p>24 is?</p> <p>25 A. In general, I do, yes.</p> <p style="text-align: right;">Page 38</p>	<p>1 was the source of the threats that he was allegedly</p> <p>2 receiving as a result of his activities?</p> <p>3 A. I don't believe I am aware of Dr. Coomer being</p> <p>4 the threat to him. I think I'm generally aware that</p> <p>5 Mr. Oltmann, I believe, in some interviews stated that he</p> <p>6 was receiving death threats.</p> <p>7 And I'm aware he had to take action to the death</p> <p>8 threats, but not that Dr. Coomer specifically was the</p> <p>9 source of it. I think it was the exposing of Dr. Coomer</p> <p>10 in his Facebook posts that led to them.</p> <p>11 Q. In your prior testimony, you -- you mentioned --</p> <p>12 this was a little earlier on, not just recently -- that</p> <p>13 there was some form of a web portal at OAN that</p> <p>14 Mr. Oltmann reached out to contact your company; is that</p> <p>15 correct?</p> <p>16 A. Yeah. I -- I refer to it as a viewer feedback</p> <p>17 form, or it might be called a comment form. But they're</p> <p>18 basically one in the same. Yes.</p> <p>19 Q. Okay. Let's divert and talk about that issue</p> <p>20 briefly.</p> <p>21 I am going to bring up one of the first -- I</p> <p>22 think the first document that OAN produced to us. This is</p> <p>23 Plaintiff's Exhibit 34.</p> <p>24 (Plaintiff's Exhibit Number 34 was introduced.)</p> <p>25 Q. (By Mr. Cain) I'll let you familiarize yourself</p> <p style="text-align: right;">Page 40</p>
<p>1 Q. Would this be an example of doxing a person,</p> <p>2 based on your understanding?</p> <p>3 A. Well, "doxing" usually refers to providing</p> <p>4 specific address information or phone number information</p> <p>5 to harass somebody, and I don't see that here.</p> <p>6 I don't see a phone number. I see what looks</p> <p>7 like a house. I couldn't -- I couldn't figure out where</p> <p>8 that house was. I don't see the phone number.</p> <p>9 Q. I know you -- you explained why this -- why</p> <p>10 Mr. Oltmann, in your view, might have posted something</p> <p>11 like this. But in light of the fact that he did so, is it</p> <p>12 still your view and OAN's view that Mr. Oltmann should be</p> <p>13 considered a credible and unbiased source for this story?</p> <p>14 A. Credible, yes; and unbiased, no. I think he has</p> <p>15 a bias. I think most people have a bias.</p> <p>16 And I was aware of that when I was reviewing his</p> <p>17 information going into the weekend and through the</p> <p>18 weekend. And I'm a little shaky on the date. I think the</p> <p>19 Sunday is the 15th -- the 14th, 15th, 16th time frame</p> <p>20 where I was doing a deep dive.</p> <p>21 I was aware that he had a bias, and that needed</p> <p>22 to be taken into consideration. And I think that's the</p> <p>23 case with just about anyone.</p> <p>24 Q. Well, maybe to a certain extent.</p> <p>25 Did Mr. Oltmann indicate to OAN that Dr. Coomer</p> <p style="text-align: right;">Page 39</p>	<p>1 with it. As I do that, I'll just read the top.</p> <p>2 It's from Joe. It's dated November 10, 2020, at</p> <p>3 11:27 a.m. Contact: One American News Contact Form.</p> <p>4 There's some biographical information and then a message</p> <p>5 I have a massive -- "I have massive amounts of information</p> <p>6 on Eric Coomer, VP and head of security for</p> <p>7 Dominion Voting Systems. Ran the story on Conservative</p> <p>8 Daily. Heard him say he would make sure Trump does not</p> <p>9 win." There's, presumably, his phone number. "No bigger</p> <p>10 piece to the story than this."</p> <p>11 Is this the document or the contact form that</p> <p>12 you were referring to in your prior testimony?</p> <p>13 A. Yes, sir.</p> <p>14 Q. And how -- how quickly do these contacts --</p> <p>15 viewer contacts come to your attention? And in this</p> <p>16 context, I'm saying -- I'm using that in -- in -- as</p> <p>17 Charles Herring.</p> <p>18 A. Understood.</p> <p>19 If you don't mind, can you scroll to the top?</p> <p>20 Q. Of course.</p> <p>21 A. The contract form, where it says,</p> <p>22 "To: Contact" --</p> <p>23 Q. Yes, sir.</p> <p>24 A. -- is an alias group. That group includes me.</p> <p>25 Q. Okay. So who else would be in the group of</p> <p style="text-align: right;">Page 41</p>

<p>1 aliases in this form?</p> <p>2 A. I don't know. It's a very broad group. It</p> <p>3 includes a number of staff members here in San Diego. And</p> <p>4 I believe some additional staff members at other location</p> <p>5 have requested access to it.</p> <p>6 There's a lot of information that comes -- a lot</p> <p>7 of forms that come over on a -- on a daily basis.</p> <p>8 Q. Okay. But you, your father, and your brother</p> <p>9 Bobby are in that group?</p> <p>10 A. Yes, sir.</p> <p>11 Q. All right. Exhibit 35 is a four-page document.</p> <p>12 Have you seen this document before?</p> <p>13 (Plaintiff's Exhibit Number 35 was introduced.)</p> <p>14 A. Yes.</p> <p>15 Q. (By Mr. Cain) I'm characterizing this as a</p> <p>16 follow-up from the initial contact by Mr. Oltmann where</p> <p>17 one of the employees of One America News asked for</p> <p>18 additional information; is that fair?</p> <p>19 A. Yes.</p> <p>20 Q. And would this person have been instructed --</p> <p>21 Ms. Scott, in this instance -- to do so by -- by one of</p> <p>22 the -- the ownership group? Or how -- how is that process</p> <p>23 in this instance?</p> <p>24 A. Yeah. So Miss Scott -- Miss Scott was informed</p> <p>25 to look at all the -- again, I'm going to call them viewer</p> <p style="text-align: right;">Page 42</p>	<p>1 was on the call. Now I want to start that I cannot verify</p> <p>2 on this call that it is the same Eric but let me tell you</p> <p>3 as I jotted down notes what I discovered."</p> <p>4 So at the time that, at least, the initial</p> <p>5 contact to OAN, the -- the -- OAN was aware that</p> <p>6 Mr. Oltmann hadn't confirmed the identity of the Eric on</p> <p>7 the call as being Dr. Eric Coomer; true?</p> <p>8 A. I don't read this that way. And I'm glad to</p> <p>9 give an explanation.</p> <p>10 I believe that this email was Mr. Oltmann</p> <p>11 replying back and pieced together a bunch of</p> <p>12 already-prepared statements that were not specific or</p> <p>13 designed for OAN.</p> <p>14 As you read through it, it's very chaotic. And</p> <p>15 I think he -- like I said, I think he was piecing together</p> <p>16 information.</p> <p>17 I believe when he was on the call, the voice --</p> <p>18 he couldn't confirm that was Eric. But when he looked at</p> <p>19 all the additional evidence, you know, he came up and he</p> <p>20 saw the smoking gun and made it clear that it was Eric</p> <p>21 from Dominion.</p> <p>22 Q. As you sit here today, does OAN believe that</p> <p>23 Dr. Eric Coomer was actually on this call?</p> <p>24 A. Yes.</p> <p>25 Q. All right. We'll go chronologically for a</p> <p style="text-align: right;">Page 44</p>
<p>1 feedback forms, and any that involved election</p> <p>2 irregularities, to categorize those forms on an Excel</p> <p>3 spreadsheet and, where warranted, reach out for</p> <p>4 additional -- and in this case she asked, "Do you have any</p> <p>5 hard evidence to prove this?"</p> <p>6 Q. Right. And then, I want to make sure I'm</p> <p>7 interpreting this form correctly.</p> <p>8 Is it your understanding, then, that this would</p> <p>9 be Mr. Oltmann's reply in response to Ms. Scott asking for</p> <p>10 additional information?</p> <p>11 A. Yes, sir.</p> <p>12 Q. Okay. When did -- scroll down for a second.</p> <p>13 This bolded section -- so strike what I was first starting</p> <p>14 to say.</p> <p>15 This bolded section, is that from Mr. Oltmann,</p> <p>16 or is that an internal comment?</p> <p>17 A. My best understanding is that's from</p> <p>18 Mr. Oltmann.</p> <p>19 Q. Okay. Now, it's a fair reading of this section</p> <p>20 from, as you identified, Mr. Oltmann, that he</p> <p>21 identified -- excuse me, not identified. I've used that</p> <p>22 term too much.</p> <p>23 But it's fair to say that he wrote to OAN in</p> <p>24 this section, "As the call carried on," referring to the</p> <p>25 Antifa call -- "on [sic] a person who called himself Eric</p> <p style="text-align: right;">Page 43</p>	<p>1 minute. And I think what I'd like to do is get through</p> <p>2 the exhibits, and then we can take a short break.</p> <p>3 This is Plaintiff's Exhibit 36.</p> <p>4 (Plaintiff's Exhibit Number 36 was introduced.)</p> <p>5 Q. (By Mr. Cain) I'm still sharing my screen, I</p> <p>6 believe. So this is on Sunday, November 15th.</p> <p>7 Explain to me what was occurring at this time?</p> <p>8 Obviously, we can read what you're saying to Chanel Rion</p> <p>9 and Christina Bobb. But what -- what caused you to email</p> <p>10 them about Dr. Coomer at this point?</p> <p>11 A. I saw the initial FEC United reach-out via our</p> <p>12 viewer feedback form come in. I did not have time to dig</p> <p>13 in and try to understand what all the information was,</p> <p>14 watch any of the videos, or -- or do too much at that</p> <p>15 time.</p> <p>16 I went back on the weekend and really dug in,</p> <p>17 especially on Sunday, from the morning until -- I think I</p> <p>18 wrapped up at this time, at 7:04.</p> <p>19 Basically, I had reviewed quite a bit of</p> <p>20 information, and I wanted to highlight to Chanel Rion, and</p> <p>21 I copied Christina Bobb.</p> <p>22 Not a lot of relevance on why I did that, to</p> <p>23 tell you the truth. I wanted to copy our CEO, my father,</p> <p>24 Robert Herring.</p> <p>25 And, basically, my summation here, although it's</p> <p style="text-align: right;">Page 45</p>

<p>1 not clear in the words, is I thought that there was 2 substantial credible information that needed to be 3 reported on this story, specifically Dr. Eric Coomer and 4 what he said during the phone call with -- that Oltmann 5 had back in the end of September.</p> <p>6 The last --</p> <p>7 Q. Sorry. I thought you were finished.</p> <p>8 A. The last point is -- the last piece of 9 information that I read, or one of the last pieces of 10 information was the Clover Chronicle. And I just attached 11 the Clover Chronicle as a summation, even though I don't 12 think that was the most relevant document, to tell you the 13 truth.</p> <p>14 Q. In your -- "you" personal in this instance -- in 15 your mind at this point, if these allegations were true, 16 then it was possible that Dr. Coomer was engaging in 17 criminal conduct; fair?</p> <p>18 A. I don't think a statement alone would be 19 criminal conduct. But I'm not an attorney. If he 20 actually followed through with this statement, yes.</p> <p>21 Q. And OAN, as -- as it sits here today, has no 22 evidence that Dr. Coomer, even if he made these 23 statements, followed through on the boast that he had 24 rigged the 2020 presidential election?</p> <p>25 A. That is correct. He never stated that he</p> <p style="text-align: right;">Page 46</p>	<p>1 machines were very vulnerable. When the final draft came 2 in, I reviewed the final drafts. I reviewed the final 3 draft. I signed off on the final draft to go to air.</p> <p>4 Q. Were you -- is it fair to say, of you and your 5 father and your brother, you were the most involved in 6 this process amongst the three of you?</p> <p>7 A. I think that's a fair statement.</p> <p>8 Q. And the general concept that you said that you 9 approved the "Dominion-izing the Vote" -- whose concept 10 was -- to run the story -- whose concept was it 11 originally?</p> <p>12 A. I -- I, frankly, don't recall.</p> <p>13 Q. And then -- and pardon me if I -- my notes are a 14 little difficult to discern.</p> <p>15 You said that Pearson Sharp and Brandon Gadow 16 were involved in this piece as well; is that -- is that 17 true?</p> <p>18 A. No. Brandon Gadow was involved in reviewing the 19 final drafts when they were submitted from our East Coast 20 office to our West Coast facility, Washington, D.C. to 21 San Diego.</p> <p>22 Pearson Sharp was involved in looking at the 23 voter irregularities. And some of what -- some of his 24 findings, some of the things he was doing at the time, 25 were being done by Chanel.</p> <p style="text-align: right;">Page 48</p>
<p>1 actually impacted the 2020 election. And we felt he had 2 the means. He had -- he had the technical expertise. He 3 was in a position to do so.</p> <p>4 But we've never made -- made that statement. 5 And we've been pretty careful with that respect, in my 6 opinion.</p> <p>7 MR. CAIN: Object as nonresponsive to everything 8 after "That is correct." And not a commentary, just for 9 the record, sir. I'm not trying to harass you.</p> <p>10 THE WITNESS: No worries.</p> <p>11 Q. (By Mr. Cain) Ms. Rion says, "He's included in 12 my special." And then you ask, "Is the FBI 13 investigating?"</p> <p>14 Now, you said earlier -- and I'll stop now with 15 these exhibits and change course a little bit.</p> <p>16 You described some individuals that were 17 involved in the production of the "Dominion-izing the 18 Vote" piece. See if I can find their names.</p> <p>19 You -- you -- how would you describe your 20 involvement -- your level of involvement?</p> <p>21 A. I approved the general concept of doing a 22 program called "Dominion-izing the Vote." I was aware of 23 the recording, the efforts to gather information that 24 would be used in "Dominion-izing the Vote."</p> <p>25 The general concept was to show that the voting</p> <p style="text-align: right;">Page 47</p>	<p>1 So I think there -- there was some overlap 2 there. But he wasn't directly involved in "Dominion-izing 3 the Vote."</p> <p>4 Q. Okay. Besides Ms. Rion, yourself, and 5 Mr. Gadow, who else was involved in producing that report?</p> <p>6 A. Primarily Chanel Rion. She did the heavy 7 lifting.</p> <p>8 Q. And she's -- at the time, was she located in 9 Washington, D.C.?</p> <p>10 A. Yes, sir.</p> <p>11 Q. Was she providing interim drafts of the report 12 to you back in San Diego?</p> <p>13 A. In the form of conversations that were taking 14 place daily.</p> <p>15 Q. But as you sit here today, you have a specific 16 recollection of the final piece that was run was reviewed 17 directly by you prior to its publication?</p> <p>18 A. Directly by me and another individual, 19 Bradon Gadow. We were looking for different things when 20 we were reviewing the final piece.</p> <p>21 Q. And was -- were there any other individuals -- 22 well, strike that. Let me -- let me back up.</p> <p>23 In Washington, D.C., does OAN have an office or 24 studio?</p> <p>25 A. We have a studio and offices. We call it</p> <p style="text-align: right;">Page 49</p>

<p>1 the D.C. Bureau.</p> <p>2 Q. And that's where this piece was produced;</p> <p>3 correct?</p> <p>4 A. That's correct.</p> <p>5 Q. And I assume Ms. Rion has a -- a cameraperson</p> <p>6 that worked with her?</p> <p>7 A. Yes.</p> <p>8 Q. Do you know who that person is?</p> <p>9 A. I -- I don't.</p> <p>10 Q. And did you -- do you yourself individually</p> <p>11 visit this Washington, D.C., office ever?</p> <p>12 A. Yes.</p> <p>13 Q. During the 2020 election cycle, did you visit</p> <p>14 the Washington, D.C., office?</p> <p>15 A. Yes.</p> <p>16 Q. Approximately how many times?</p> <p>17 A. I was just trying to think about that with</p> <p>18 COVID. I had been visiting on a fairly regular basis,</p> <p>19 maybe as frequently as monthly. It would be sporadic.</p> <p>20 With COVID, it slowed down, but I was still</p> <p>21 making visits into the D.C. office. So they were less</p> <p>22 frequently than before.</p> <p>23 Q. But in the -- I'm sorry. Go ahead.</p> <p>24 A. And I also engage with them daily via phone, and</p> <p>25 multiple times per day.</p> <p style="text-align: right;">Page 50</p>	<p>1 A. I have never heard it used inside the OAN. I</p> <p>2 have heard it used by reporters referring to OAN.</p> <p>3 MR. CAIN: All right. We've been going a little</p> <p>4 over an hour, and my coffee is kicking in. So if you</p> <p>5 don't mind, let's take a break.</p> <p>6 THE VIDEOGRAPHER: Going off the record. Time</p> <p>7 is 10:15.</p> <p>8 (Recess from 10:15 a.m. until 10:28 a.m.)</p> <p>9 THE VIDEOGRAPHER: Back on the record. Time is</p> <p>10 10:28.</p> <p>11 Q. (By Mr. Cain) Mr. Herring, I want to tie a bow</p> <p>12 around the topic of the personnel at OAN involved in the</p> <p>13 content of this piece.</p> <p>14 I won't rehash what you've testified to, but as</p> <p>15 you sit here, were there any other personnel, other than</p> <p>16 those described previously, that were involved in the</p> <p>17 production of this report?</p> <p>18 A. I know some titles of people, but I don't know</p> <p>19 the actual individuals that filled those roles on</p> <p>20 Dominion-izing.</p> <p>21 Q. Okay. Give me your best description, both as to</p> <p>22 title and gender and location, in San Diego, D.C.,</p> <p>23 et cetera.</p> <p>24 A. In D.C., Chanel would have had a videographer,</p> <p>25 and generally multiple editors. We have a handful of</p> <p style="text-align: right;">Page 52</p>
<p>1 Q. And how about your father, Robert? Did he also</p> <p>2 travel to the D.C. office during, let's just say, 2020?</p> <p>3 A. I'm not comfortable, but I believe -- there's</p> <p>4 some hesitancy. I don't believe so. I -- I can't recall</p> <p>5 if he did. But I could be wrong.</p> <p>6 Q. I did not hear you say that Lindsay Oakley was</p> <p>7 involved in the production of the "Dominion-izing the</p> <p>8 Vote" piece. Was she, or was she not?</p> <p>9 A. I don't think she played role in "Dominion-izing</p> <p>10 the Vote."</p> <p>11 Q. How about any of the copy editors in San Diego,</p> <p>12 other than Mr. Gadow?</p> <p>13 A. Nobody that I can recall was involved in it.</p> <p>14 But I just -- you know, this is -- yeah. I don't believe</p> <p>15 anybody was -- in San Diego was involved.</p> <p>16 It was a D.C. production. I don't know the</p> <p>17 other staff in D.C., who was involved and who was</p> <p>18 supporting.</p> <p>19 Q. Have you heard the term within OAN an</p> <p>20 "H story"?</p> <p>21 A. I haven't heard the term within OAN. I have</p> <p>22 read about it by press that are generally writing</p> <p>23 adversarial articles about the network.</p> <p>24 Q. Do you deny that the term "H story" is not a</p> <p>25 nomenclature that's used within OAN?</p> <p style="text-align: right;">Page 51</p>	<p>1 editors, and they rotate, along with the videographers.</p> <p>2 So it's a matter of who's available and who she utilized.</p> <p>3 And off the top of my head, I don't recall who that was.</p> <p>4 San Diego may have been used for reference, but</p> <p>5 I'm not aware of anyone in San Diego being used for</p> <p>6 reference, except Brandon Gadow and myself reviewing</p> <p>7 drafts and reviewing the final draft that went to air.</p> <p>8 Q. Does OAN have a general counsel on staff?</p> <p>9 A. No, sir.</p> <p>10 Q. Was this particular report vetted by legal</p> <p>11 counsel prior to airing?</p> <p>12 A. No, sir.</p> <p>13 Q. All right. Let's -- let's go back and build the</p> <p>14 timeline a little bit more with some of the exhibits that</p> <p>15 OAN has produced.</p> <p>16 (Plaintiff's Exhibit Number 37 was introduced.)</p> <p>17 Q. (By Mr. Cain) All right. Exhibit 37, which</p> <p>18 begins at Bates 76 -- I'll scroll through this. You may</p> <p>19 not have been copied on it.</p> <p>20 That's one email chain. You know, start at the</p> <p>21 bottom and then go up.</p> <p>22 A. Thank you.</p> <p>23 Q. So at -- on November 15th, OAN had already been</p> <p>24 contacted by Oltmann -- by Mr. Oltmann; correct?</p> <p>25 A. Yes, sir.</p> <p style="text-align: right;">Page 53</p>

<p>1 Q. According to this email, he had already sent a 2 package of screenshots and documents to OAN; correct? 3 A. I -- he had sent screenshots, not according to 4 this email, I don't think. Oh, yes. There it is. 5 Thank you, sir. Yes. 6 Q. Okay. And then Ms. Rion responds, "Hi. Please 7 do," I think, referencing the documents being resent. "I 8 am working on an investigation special, working with Rudy 9 and Sidney. Would like to include you in the special. 10 Would you be available to Skype tomorrow?" 11 Now, on this section there, what was OAN doing 12 with respect to working with Rudy, presumably Giuliani, 13 and Sidney Powell, in connection with this piece? 14 A. Yes. Chanel was interviewing Rudy Giuliani, 15 Sidney Powell, and she also wanted to include an interview 16 with Joe Oltmann. 17 Q. And do you know whether or not OAN had been 18 working with either Ms. Powell's team or Mr. Giuliani's 19 team in connection with the litigation that they were 20 potentially pursuing on behalf of former President Trump? 21 A. I don't believe so. I think she's -- when she's 22 using the term "working," I think she means she's 23 interviewing. 24 Q. Yeah. And I wasn't -- I wasn't attempting to 25 tie you to this email.</p> <p style="text-align: right;">Page 54</p>	<p>1 Sidney Powell's team, Don, Lauren, and Lynda, as well as 2 to Jenna Ellis. I can certainly resend it as well." 3 Do you know who is being referred to -- I know 4 you know Sidney Powell, but Don, Lauren, and Lynda, in 5 this chain? 6 A. I do not know Don, Lauren, or Lynda. And you 7 stated I know Sidney Powell. I have no relationship with 8 Sidney Powell. I know who she is. 9 Q. Yeah. To clarify, my question wasn't about -- 10 it was that you knew the name, not her personally. 11 A. Yeah. Just -- thank you. Just -- just to be 12 clear between us. 13 Q. And you know the name Jenna Ellis as well; 14 right? 15 A. Yes, sir. 16 Q. Okay. So as you sit here, are you saying that 17 OAN, during this time period, was not also sharing 18 information with these individuals that are listed here: 19 Sidney Powell's team and these other people, Don, Lauren, 20 and Lynda, and Jenna Ellis? 21 A. I apologize. During what time frame? 22 Q. During this time frame. 23 A. November 15th. Not that I'm aware of. 24 I'm not aware of OAN sharing information with 25 Sidney Powell or her team or Jenna Ellis.</p> <p style="text-align: right;">Page 56</p>
<p>1 The question was just, in general, do you know 2 whether or not OAN was working with Sidney Powell, her 3 team, and Mr. Giuliani's team with respect to their 4 efforts on behalf of President Trump? 5 MR. ARRINGTON: Object to form. 6 A. I do not. 7 THE REPORTER: I'm sorry. Was that 8 Mr. Arrington that objected? 9 MR. ARRINGTON: Yes. I'm sorry. Barry 10 Arrington. Object to form. 11 Q. (By Mr. Cain) Did you personally have contact 12 with either Mr. Giuliani or Ms. Powell regarding their 13 efforts at potentially filing litigation concerning 14 election rigging? 15 MR. RHODES: Object -- 16 A. No. 17 MR. RHODES: -- to form and beyond the scope of 18 anything relating to -- to Dr. Coomer. 19 MR. CAIN: Okay. Well, I -- I think my question 20 relates to another claim. But I think the witness 21 answered "No." 22 Q. (By Mr. Cain) Was that your answer? 23 A. Yes, sir. The answer is "No." 24 Q. There's a response here from Mr. Oltmann later 25 on Sunday saying, "I already sent the package to</p> <p style="text-align: right;">Page 55</p>	<p>1 Q. Okay. Or the other individuals? 2 A. Correct. 3 Q. And would that be true up through the -- the 4 producing and the airing of the piece itself? 5 A. Yes. 6 Q. Okay. The rest of this seems to be attempting 7 to get together to actually film the segment, so we don't 8 need to spend time on that. 9 All right. Exhibit 38 was produced by OAN, 10 beginning at Bates 79. 11 (Plaintiff's Exhibit Number 38 was introduced.) 12 Q. (By Mr. Cain) I'm not going to scroll through, 13 except very quickly. These appear to be Facebook pages 14 that were attached to an email that reference Eric Coomer. 15 Do you see that? 16 A. I do. 17 Q. I'm showing you this because we have last names 18 here. It appears Mr. Oltmann forwarded information to 19 Jenna Ellis, Esq., on November 11th. He then forwarded 20 information to Lauren McLaughlin, Lynda McLaughlin, 21 Don Brown, on the 15th, around the time that we were 22 talking. 23 Does that -- those names -- now that we have 24 last names, does that refresh your memory as to whether or 25 not OAN was also coordinating with these individuals?</p> <p style="text-align: right;">Page 57</p>

<p>1 A. I'm not aware of coordinating or engaging with 2 Lauren, Lynda, or Don Brown. Frankly, I don't even know 3 who those individuals are. 4 (Plaintiff's Exhibit Number 39 was introduced.) 5 Q. (By Mr. Cain) All right. Exhibit 39 is now the 6 next date, Monday, November 16th. Is this an email that 7 you authored? 8 A. Yes. 9 Q. Okay. So you start, "Who is Dr. Coomer? 10 Potentially the smoking gun at Dominion for 2020 voter 11 rigging." And it's sent to a host of people and then 12 copied to some folks. 13 On the "To" line, Kara McKinney, 14 Alexander Salvi, Dan Ball, and Stephanie Hammill -- those 15 are all newsmen at OAN; correct? 16 A. I wouldn't categorize them that way. 17 Q. Okay. Then tell me who they are. 18 A. Kara McKinney, Alex, or Alexander, Salvi, 19 Dan Ball, Stephanie Hammill -- they are the hosts and 20 producers of our political talk shows, the opinionated 21 political talk shows, not our news organization. 22 Q. And this piece, "Dominion-izing the Vote," was 23 not going to be part of a political opinion show; correct? 24 A. That's is correct. 25 Q. It was characterized by your network as a</p> <p style="text-align: right;">Page 58</p>	<p>1 during the opinion shows? 2 A. Yes. 3 Q. Let me go to the next exhibit, in theory. 4 (Plaintiff's Exhibit Number 40 was introduced.) 5 Q. (By Mr. Cain) All right. Mr. Herring, this is 6 Plaintiff's Exhibit 40. It is beginning Bates 7 Number 155. Again, an email. 8 I'll start -- scroll through it and start at the 9 bottom. It's 13 pages. 10 The bottom section -- correct me if I'm wrong -- 11 appears to be some more of the Facebook posts that were 12 attached. And at the beginning, it's, again, Mr. Oltmann 13 transmitting some information to these folks. It's 14 another email capture. 15 And then we get to Ms. Rion on Sunday, 16 November 15th -- so we backed up a little timewise -- 17 confirming receipt of the information and whether we can 18 talk. And then we get to this section. 19 Before I ask you about this, was there a 20 preinterview process with -- with Mr. Oltmann prior to 21 prerecording the show? 22 A. I don't know. I would expect there was one. 23 But, frankly, I don't know what was done. 24 Q. And I inserted "prerecording," and I didn't mean 25 to insert a fact. But -- so let me -- let me make clear.</p> <p style="text-align: right;">Page 60</p>
<p>1 special investigative report by Chanel Rion; true? 2 A. Yes. 3 Q. And the purpose of the report was to report 4 facts, not opinion? 5 A. That is correct. 6 Q. So we don't need to go into detail. It appears 7 that you're recounting some of the story. 8 What -- what was the purpose, though, of 9 transmitting this internal email to these recipients at 10 this time? 11 A. I think I wanted to raise the flag, if you will, 12 make the talk shows aware of this story, that I thought it 13 had relevance. I thought I was credible and worth them 14 discussing on their shows, in general. 15 So I wanted to make sure that they were tracking 16 the information that was available and that they were up 17 to speed. So that's -- that was the purpose of the email. 18 Q. Do you know -- this is more of a general 19 question, but is it -- is it a fair statement that there 20 is both hard news reporting at OAN and opinion shows at 21 different time slots during the day? 22 A. That's a fair statement. 23 Q. And so in this instance, in your mind, OAN was 24 going to be doing hard news reporting by Chanel Rion, 25 which then, in turn, might be the subject of commentary</p> <p style="text-align: right;">Page 59</p>	<p>1 The "Dominion-izing the Vote" piece was -- was a 2 piece that was prerecorded, edited, and then packaged and 3 broadcast; true? 4 A. True. 5 Q. And that occurred over about how many days? 6 A. I don't recall. But I would say it would be 7 measured in a few weeks, maybe -- one, two, three weeks. 8 Q. Well, we know it was aired originally, do we 9 not, on November 21st? 10 A. It aired, I believe, on Saturday, just off the 11 top of my head. Because that's when One America News 12 Investigates generally airs. That's the basis for the -- 13 the statement. And I think she had been working on it for 14 at least a couple weeks. 15 Q. Okay. Well, the Michelle Malkin piece was on 16 November the 13th, which you reference. So you think 17 Ms. Rion was working on this story prior to that? 18 A. Yes, I do. 19 Q. Later on in this chain, now Monday: "Thank you 20 for your time this morning. Very helpful." That's Chanel 21 to Mr. Oltmann. 22 "You said you guys found the record showing Eric 23 as a shareholder of Dominion. Can you share that with 24 us?" 25 Now, in the piece itself, you do recall</p> <p style="text-align: right;">Page 61</p>

<p>1 Mr. Coomer -- Dr. Coomer, excuse me -- being identified as 2 a shareholder of Dominion Voting Systems; right? 3 A. I believe that's correct. 4 Q. And what records did OAN receive, if any, to 5 confirm that? 6 A. I don't know. I know we had the statement from 7 Oltmann. He made it in his -- either his video or the one 8 with Michelle Malkin. But I don't believe I've ever seen 9 or I know about the definitive proof of that statement. 10 Q. All right. The statement that either 11 Dr. Coomer's a shareholder, or major shareholder in some 12 instances, comes solely from Mr. Oltmann's 13 representations; correct? 14 A. I know it comes from his representations, yes. 15 Q. And as you sit here -- I've looked through what 16 has been produced -- you're not aware of anything in OAN's 17 files relating to the investigation of Dr. Coomer that 18 contains additional evidence of his alleged status as a 19 shareholder; true? 20 A. Yes, that's true. 21 Q. How did OAN come to -- let me see if I can ask 22 this in plain language. 23 How did Ron Watkins get on this piece? 24 A. I -- I don't know how he was brought in for 25 "Dominion-izing the Vote" and commenting on the hacking of Page 62</p>	<p>1 Q. (By Mr. Cain) Have you seen this Twitter 2 exchange before? 3 A. I don't recall seeing this. 4 Q. Okay. Do you have any reason, as you sit here 5 today, to -- to doubt its authenticity? 6 A. No, I don't. I just -- I just have no knowledge 7 of it. I don't recall any, at least. 8 Q. Do you know or have you heard of this particular 9 handle, @CodeMonkeyZ? 10 A. No. 11 Q. It appeared from your prior testimony and 12 your -- you can certainly correct me -- that you had a 13 significant amount of information in your mind concerning 14 Joe Oltmann as a credible source for this piece; is that 15 fair? 16 A. Yes. 17 Q. It appears now from your testimony that you did 18 not have -- OAN did not have that level of information 19 concerning Mr. Watkins before it was -- he was interviewed 20 for this piece. Is that a fair statement? 21 A. Just to clarify -- maybe I misunderstood you. 22 But I did not have that information. I don't know what 23 OAN had. 24 Q. Well, I'm going to quibble, then, a little bit. 25 Because you're here as a representative of OAN to talk Page 64</p>
<p>1 the voting machines after reviewing that. 2 Q. Well, he was one of the people that was 3 interviewed for this program; correct? 4 A. Yes. 5 Q. What did OAN know about Ron Watkins' 6 biographical information that it considered relevant to 7 bringing him on as a commentator on this topic? 8 A. I don't know. I know he was presented as a 9 computer guy and a hacker, is my general recollection. 10 Q. What vetting did OAN do concerning Ron Watkins 11 qualifications to comment on these topics prior to putting 12 him on this piece? 13 A. I don't know. 14 Q. Who does? 15 A. Chanel Rion would know. 16 Q. In your company's file -- investigation file, 17 however it's maintained, is there any information that 18 you've seen to support the idea that Mr. Watkins should be 19 commenting on computer issues, I think as you called it, 20 with respect to this -- this particular program? 21 A. I haven't seen anything along those lines. 22 Q. Let me show you what I have previously marked -- 23 well, to be accurate, Rebecca marked -- as Plaintiff's 24 Exhibit 33. 25 (Plaintiff's Exhibit Number 33 was introduced.) Page 63</p>	<p>1 about the investigation that was performed on this piece. 2 We've talked about Mr. Oltmann, and we may swing 3 back to him. But what did you do prior to your deposition 4 to learn about Mr. Watkins and why he ended up on this 5 piece? 6 MR. RHODES: Just a minute. Before you answer 7 that, Mr. Herring, Mr. Cain, can you tell me what 8 deposition topic relates to an investigation of 9 Mr. Watkins? 10 MR. CAIN: Investigation of the individuals on 11 this piece is the exact subject of this deposition. And 12 Mr. Oltmann is part of it, and Mr. Watkins is part of it. 13 I don't think there's any doubt to that. 14 MR. RHODES: I don't think that Mr. Watkins said 15 anything about Mr. Coomer -- Dr. Coomer. Excuse me. 16 MR. CAIN: Yeah. I -- I object to you 17 testifying about this. 18 MR. RHODES: I'm not -- you're the one who -- 19 who -- who said my -- my witness was not prepared. And I 20 was asking you merely to identify the topic for which you 21 claim he was not prepared. 22 MR. CAIN: The investigation -- 23 MR. RHODES: I don't believe Mr. Watkins said 24 anything about Dr. Coomer, which is what this lawsuit is 25 about. Page 65</p>

1 MR. CAIN: No. No. You'd like to confine it to
2 that. But the context of this reporting matters, and it
3 relates directly to Dr. Coomer and the implications that
4 OAN made with this report.
5 So we can debate that and disagree on it. You
6 can object to my characterization that he's not prepared
7 to talk about it. But I'm going to ask him about it,
8 because it doesn't sound like he knows.
9 Q. (By Mr. Cain) So let's just do this, since we
10 don't need to spend time with lawyer arguing: Who would
11 be more knowledgeable about how Mr. Watkins was -- ended
12 up being interviewed as part of this piece on
13 "Dominion-izing the Vote?"
14 A. Chanel Rion.
15 Q. As you sit here today, are you familiar with
16 Mr. Watkins' association with the -- the QANON group or
17 movement?
18 MR. RHODES: Object to form. Assumes facts not
19 in evidence.
20 A. No.
21 MR. RHODES: You can go ahead and answer, I'm
22 sorry.
23 MR. CAIN: He did.
24 THE WITNESS: Yeah. The response is, "No," sir.
25 MR. RHODES: Oh. I didn't -- I didn't hear

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1 that. I'm sorry.
2 Q. (By Mr. Cain) Okay. Well, it appears, at least
3 by looking at a fair reading of Exhibit 33, that there's
4 been some exchange between Mr. Watkins on November 16th,
5 on the one hand, and Ms. Rion concerning this particular
6 topic with the hashtag #EricCoomer. And then there's some
7 paragraphs that appear to be quoted here.
8 Do you know whether or not any of this
9 information that was being provided by Ron @CodeMonkeyZ
10 formed the basis of the "Dominion-izing the Vote" piece?
11 A. I know we had other evidence of the ability to
12 hack into the voting machine from other reports. So I
13 don't know if this was just additional to or she relied on
14 those other reports, plus what Ron provided. I just don't
15 have that information.
16 Q. And you didn't speak to Mr. Watkins prior to the
17 publication of this report?
18 A. I don't believe I've ever spoken to Mr. Watkins.
19 Q. At the time that the "Dominion-izing the Vote"
20 report was aired, did OAN have access to other experts it
21 thought were credible as it relates to election security
22 issues?
23 A. We were talking to a lot of experts. So, yes,
24 we had access to a number of people that were looking into
25 issues.

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1 Q. Can you give me an example of any of those
2 people that you considered, at least, authoritative on
3 election security issues?
4 A. Not by name. I know we were talking to people
5 that had oversight at this time, whether they were
6 representatives or legislators with the states and were
7 engaged with a number of people.
8 I do recall in Antrim County dealing with
9 Matt DePerno. He's an attorney. And somewhere around
10 this time -- I don't know the exact date. It might be
11 before or after -- we were engaged with some of his
12 technical experts.
13 And we actually filmed the experts explaining
14 how the machines might have thrown out the results that
15 they did in Antrim County.
16 Q. Okay. So Matt DePerno is a -- an attorney.
17 He's not an elections security expert, is he?
18 A. I don't believe he is. But I think we filmed
19 one of his experts and did a pretty thorough review of how
20 there could have been irregularities in the election.
21 Q. And the expert you're referring to, is that
22 Mr. Ramsland?
23 A. I don't recall the gentleman's name.
24 Q. And in fact, part of the
25 "Dominion-izing the Vote" segment referred to this

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1 Antrim County voting irregularities, as you've referenced;
2 correct?
3 A. Yes.
4 Q. As to that piece itself, "Dominion-izing the
5 Vote," is that -- who came up with that title at OAN?
6 A. I -- I don't recall.
7 Q. Is the term "Dominion" -- I presume that's a
8 reference to Dominion Voting Systems?
9 A. I think that's a fair statement.
10 Q. And I -- I did my drop -- "drop the G" thing
11 from my upbringing. Dominion Voting Systems -- that's a
12 reference to that entity; correct?
13 A. Yes, sir.
14 Q. And we know, of course, that
15 Dominion Voting Systems provided election service --
16 services to various states during the 2020 election; fair?
17 A. Yes.
18 Q. And "the Vote," of course, is a reference to the
19 votes that were cast during the 2020 election; true?
20 A. I -- I didn't draw that reference, and I'm not
21 sure I would.
22 I think we were trying to highlight
23 vulnerabilities in the voting machines that were shown by
24 other credible news organizations, including with an
25 emphasis on left-leaning organizations, through time. So

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<p>1 I don't think it was focused on just 2020.</p> <p>2 Q. Okay. So it's broader than that?</p> <p>3 A. That's -- that's my understanding of what the</p> <p>4 mission was on "Dominion-izing the Vote." Yes, sir.</p> <p>5 Q. Okay. And then I'm confused, though, by the --</p> <p>6 the usage of a verb "Dominion-izing." What did OAN mean</p> <p>7 by that?</p> <p>8 A. I think that the title -- which is always</p> <p>9 challenging with titles. You try to keep it to two or</p> <p>10 three words. We were trying to show the vulnerabilities</p> <p>11 that were known on voting machines, in general, through a</p> <p>12 period of time.</p> <p>13 Dominion-izing -- Dominion Voting Systems had</p> <p>14 some significant irregularities in the summer of 2020, and</p> <p>15 that was highlighted. Those issues were well known at the</p> <p>16 time, and it was, you know, a critical time going into the</p> <p>17 presidential election.</p> <p>18 So I think, for that reason, we included that</p> <p>19 segment. And there was more of a focus on Dominion than</p> <p>20 some of the other voting equipment that also showed voting</p> <p>21 irregularities.</p> <p>22 Q. And the person associated with the voting</p> <p>23 irregularities at Dominion that was featured in this piece</p> <p>24 is Dr. Coomer; fair?</p> <p>25 A. No. I don't think that's a fair assessment. I</p> <p style="text-align: right;">Page 70</p>	<p>1 So it tied in -- it's tied in to the arc of the</p> <p>2 story and was included in the story. So I think the</p> <p>3 program was much broader in concept than you may have</p> <p>4 described.</p> <p>5 Q. Okay. And you said "allegedly" by Dr. Coomer.</p> <p>6 You didn't -- OAN didn't use that term during the course</p> <p>7 of this particular broadcast, did it?</p> <p>8 A. I'd have to go back and look. I know we used</p> <p>9 the term "allegedly," and we indicated that it would need</p> <p>10 to be more investigation on if he actually impacted the</p> <p>11 election. And we were pretty clear about that.</p> <p>12 Q. Okay. So, basically, as I understand the</p> <p>13 concept for the piece, OAN was looking at and exposing</p> <p>14 vulnerabilities in election machines, specifically</p> <p>15 Dominion machines, and then, as it relates to Dr. Coomer,</p> <p>16 saying that a malicious actor such as him could</p> <p>17 potentially cause or be a threat to the actual</p> <p>18 vote-casting process; fair?</p> <p>19 A. Yes, based on the statement that we had.</p> <p>20 Q. Now, if -- if -- go back into your -- well, let</p> <p>21 me ask you, before I ask you this question: Ownership, it</p> <p>22 appears to me, has a direct role in the development of</p> <p>23 programming on -- at OAN; true?</p> <p>24 A. In some circumstances, that is true.</p> <p>25 Q. And in this instance, that is true; right?</p> <p style="text-align: right;">Page 72</p>
<p>1 don't believe that was the intent.</p> <p>2 Q. And I'm sorry. The -- I want to make sure I</p> <p>3 understand.</p> <p>4 The substance or the topic that, in your mind,</p> <p>5 OAN was focusing on were the irregularities that occurred</p> <p>6 in the summer during the -- during the lead-up to the</p> <p>7 election, not the actual general election, but the</p> <p>8 primaries?</p> <p>9 A. No.</p> <p>10 Q. I'm sorry. I misheard you. What did you mean,</p> <p>11 then?</p> <p>12 A. My understanding of the concept of</p> <p>13 "Dominion-izing the Vote" that we were trying to execute</p> <p>14 upon was to show the irregularities in voting machines in</p> <p>15 general over a period of time and the vulnerabilities of</p> <p>16 those voting machines.</p> <p>17 I think as the piece was coming together in</p> <p>18 concept, interviews and such, that when we learned and</p> <p>19 reviewed, researched the statement by Dr. Coomer, that</p> <p>20 that was added to the program.</p> <p>21 I think we were trying to show that there could</p> <p>22 be and there was vulnerabilities in the machines that</p> <p>23 somebody could act upon. And then we had a statement from</p> <p>24 Dr. Coomer -- allegedly from Dr. Coomer -- that made --</p> <p>25 that said that he was going to do something.</p> <p style="text-align: right;">Page 71</p>	<p>1 A. This program is primarily driven and produced by</p> <p>2 Chanel Rion. I was aware of it. I approved it moving</p> <p>3 forward. I don't know where the original concept came</p> <p>4 from. And I signed off on it going to air.</p> <p>5 Q. Does OAN have any policy in place with respect</p> <p>6 to separating the ownership group and their interest with</p> <p>7 the news division and, presumably, the idea that they</p> <p>8 would independently produce news?</p> <p>9 A. We're active in the business. So generally, no,</p> <p>10 we're not separate. We play daily roles. And I have</p> <p>11 oversight of the D.C. news bureau, the D.C. operations.</p> <p>12 So I'm not a passive owner, is my point.</p> <p>13 Q. Yeah. I know. I think that came through in</p> <p>14 your testimony.</p> <p>15 So you have a daily role in the protection of</p> <p>16 the news that is broadcast at OAN; fair?</p> <p>17 A. I have a daily oversight role, correct.</p> <p>18 There's a D.C. bureau chief in Washington, D.C.</p> <p>19 that has daily overview, and there's a structure in place.</p> <p>20 Q. And was that structure in place during the</p> <p>21 period of time that this was broadcast?</p> <p>22 A. Yes.</p> <p>23 Q. Who was the bureau chief then?</p> <p>24 A. Bureau chief is John Hines.</p> <p>25 Q. Does Ms. Rion report to -- well, who does she</p> <p style="text-align: right;">Page 73</p>

<p>1 report to? Your bureau chief or you or some other 2 structure?</p> <p>3 A. The organization -- or the staff in D.C., which 4 Chanel Rion's part of, reports up to John Hines. 5 I will get involved with the staff on occasion. 6 But generally, we work through John Hines. And there's a 7 morning call led by John Hines that I monitor and 8 occasionally speak on.</p> <p>9 Q. I see.</p> <p>10 So earlier when I asked who was involved with 11 this piece, you did not mention his name. Is it fair that 12 the D.C. bureau chief was not involved in the production 13 of the "Dominion-izing the Vote" piece?</p> <p>14 A. My -- my best understanding is that Chanel was 15 producing it herself. To what level there was oversight 16 by John, I don't know.</p> <p>17 But Chanel's very capable and, with support 18 staff, I think that she basically take a look the role as 19 the producer and oversaw the work until it was submitted 20 to San Diego.</p> <p>21 Q. Prior to becoming -- well, when did you -- I 22 apologize. You said it earlier. I think you said 2003, 23 you -- that's when you became president of 24 Herring Networks. Was that correct?</p> <p>25 A. I think it was more around 2005, somewhere</p> <p style="text-align: right;">Page 74</p>	<p>1 believe, was in 2017. You can correct me if I'm wrong. 2 When did the OAN newscast or news division 3 actually go online?</p> <p>4 A. The brand OAN launched on July 4, 2013. Prior 5 that, we were running news on AWE.</p> <p>6 Q. I see. Okay.</p> <p>7 A. And we still do that today.</p> <p>8 Q. Do you have any particular training as a 9 journalist, either educational experience or training?</p> <p>10 A. No. Just about 17 years of producing news, 11 playing a role, to some extent, in oversight. So just job 12 experience, no educational expertise.</p> <p>13 Q. All right.</p> <p>14 So let's look a little bit at the -- the piece. 15 We don't have a whole lot of time, so we'll just watch a 16 few segments that I have some questions about. 17 (Plaintiff's Exhibit Number 32 was introduced.)</p> <p>18 Q. (By Mr. Cain) This is Exhibit 32, Mr. Herring, 19 which cannot be loaded, either because the server or 20 network failed, or because the form is not supported. 21 Hold on.</p> <p>22 I think the issue might be that it's a very 23 large file. Let's see. Got it now.</p> <p>24 Okay. So this is the opening titles to the 25 piece. I'm going to play just a little bit of it.</p> <p style="text-align: right;">Page 76</p>
<p>1 around there. I think I said that I had been president 2 for, roughly, 15 years.</p> <p>3 Q. Okay. But in '05, that period of time, that was 4 when Herring Networks -- actually, I think it had a 5 different corporate structure. It was a different 6 company, wasn't it?</p> <p>7 A. No, sir.</p> <p>8 Q. But at that point, I think -- well, you can tell 9 me. But I understand that it had a leisure -- some form 10 of wealth leisure channel during that period of time?</p> <p>11 A. Yes. And it does today.</p> <p>12 The first product for One America -- excuse 13 me -- for Herring Networks, Inc., was a channel which we 14 now call AWE today. And we had been producing news since 15 2004.</p> <p>16 Q. And your brother Bobby is -- is more responsible 17 for that -- that particular channel; correct?</p> <p>18 A. AWE?</p> <p>19 Q. Yes, sir.</p> <p>20 A. I'm not sure I'd agree with that statement.</p> <p>21 Q. Okay. I just -- I gleaned that from the fact 22 that he had an AWE email domain in some of the emails that 23 I saw. So that was a poor assumption, obviously.</p> <p>24 So when did the -- the news -- I guess, the 25 interview you gave before CPAC to The Daily Beast, I</p> <p style="text-align: right;">Page 75</p>	<p>1 (The video segment was played.)</p> <p>2 Q. (By Mr. Cain) Let me just stop there.</p> <p>3 The reference to Dominion glitching these votes, 4 giving Biden a fraudulent win -- do you know what Ms. Rion 5 is referring to there?</p> <p>6 A. I think she's referring to -- and I'm not 7 positive of this, but a court case that came out of 8 Antrim County and voter irregularities that were exhibited 9 in Antrim County.</p> <p>10 Q. Okay. Well, the statement was Dominion had 11 glitched those votes.</p> <p>12 A. Yes.</p> <p>13 Q. And you stand by that statement?</p> <p>14 A. Yes.</p> <p>15 (The video segment was played.)</p> <p>16 Q. (By Mr. Cain) So like we discussed earlier, 17 Mr. Herring, this is an investigative report. And so the 18 title that's going to be run through here, whether it's 19 probe, investigate, credible news, et cetera, that all is 20 meant to inform your audience that this is a fact-based 21 investigation; true?</p> <p>22 A. Yes.</p> <p>23 (The video segment was played.)</p> <p>24 THE WITNESS: My screen is frozen.</p> <p>25 MR. CAIN: I'm going to stop there.</p> <p style="text-align: right;">Page 77</p>

<p>1 Did you say something, Mr. Herring? I was about 2 to stop.</p> <p>3 THE WITNESS: Yes, sir. My screen went black 4 and froze on the video. I don't know if anybody else 5 experienced that.</p> <p>6 MR. CAIN: Okay. Do you know where -- where 7 that occurred in the video, what Ms. Rion was saying?</p> <p>8 THE WITNESS: Probably about 45 seconds before 9 where it's at now on the time.</p> <p>10 MR. RHODES: This is Bernie. My screen went 11 black also.</p> <p>12 MR. CAIN: All right. I'm going to back up to 13 the 1:20 mark, which is about 60 seconds back.</p> <p>14 MR. RHODES: Thank you. 15 (The video segment was played.)</p> <p>16 Q. (By Mr. Cain) Okay. I think that goes on to 17 what you were referring to, some of the investigative 18 reporting that had been done previously.</p> <p>19 As it relates to the -- the first topic that 20 Ms. Rion was covering, the -- the Antrim County issues 21 have been the subject of much reporting since November of 21 22 '21 when this report was issued; correct?</p> <p>23 A. This report came out, I believe, in November of 24 2020. And a lot of issues have been highlighted in 25 Antrim, including a lawsuit and a lot of technical reports Page 78</p>	<p>1 voting irregularities? Have you seen that --</p> <p>2 A. I don't -- I don't know if I've seen that 3 report.</p> <p>4 Q. Let me see if I can refresh your recollection. 5 I'm not going to mark it, because I don't have it in my 6 marked file.</p> <p>7 It's this report by the Michigan Senate 8 Oversight Committee on the election in Michigan. The 9 committee members include the republican chair, 10 Senator McBroom. And it's roughly 50 pages.</p> <p>11 A. Yeah. I don't recall seeing this report.</p> <p>12 Q. And to be clear, in terms of the 13 "Dominion-izing the Vote" piece, OAN has not either 14 clarified its reporting or retracted any of the reporting 15 that it made on November 21; fair?</p> <p>16 A. Correct. Yes.</p> <p>17 Q. All right. I'm going to go back to the piece 18 itself. And I don't think you were the only one, 19 Mr. Herring, that got booted off. I guess it was the 20 bandwidth associated with the piece.</p> <p>21 Others that have gotten knocked off --</p> <p>22 MR. CAIN: Can you tell, either Sara or anyone 23 else, whether there are folks that have been knocked off 24 the Zoom?</p> <p>25 Hello?</p> <p>Page 80</p>
<p>1 on what was found in Antrim County.</p> <p>2 Q. Did OAN support the ASOG report that was filed 3 in litigation relating to these issues in Antrim?</p> <p>4 A. Not that I'm aware of.</p> <p>5 Q. You recognize that the glitch that Ms. Rion 6 referred to has been both explained as an error by the 7 particular county clerk and not as a software issue 8 relating to Dominion Voting Systems; you know that to be 9 true now?</p> <p>10 A. I believe it's disputed.</p> <p>11 Q. So as you sit here July 30, 2021, you believe 12 that issue is still a live issue that hasn't been put to 13 bed?</p> <p>14 A. That's the last information that I had on it. 15 It was still being disputed. I believe the lawsuit was 16 dismissed. And I don't recall if it was for standing or 17 another reason.</p> <p>18 Q. Have you reviewed the Antrim County report that 19 was issued by, among others, Dr. Halderman?</p> <p>20 A. I've reviewed some reports on Antrim County. 21 I've reviewed some expert reports. But I don't believe -- 22 and I don't recognize his name.</p> <p>23 Q. Okay. Surely, though, you've seen the report by 24 the republican senate relating to these Antrim County 25 issues that debunked both this issue and the other alleged Page 79</p>	<p>1 THE REPORTER: I don't have any way to tell that 2 on the spot. I would need to do an examination.</p> <p>3 MR. CAIN: All right. Well, I won't put you on 4 the spot, then.</p> <p>5 Let's just power through, if you're okay with 6 that, Mr. Herring.</p> <p>7 THE WITNESS: Yes, sir.</p> <p>8 Q. (By Mr. Cain) All right. I'm going to forward 9 to -- this is at 29-minute and 56 -- basically, a 10 30-minute piece. I'll fast-forward to about the 18:25 11 mark. We're in commercial right now.</p> <p>12 Just to set the scene here, Mr. Herring, there 13 was reporting, as you saw earlier, on the Antrim County 14 issues. There were some pieces run in between, including 15 a partial interview with Mr. Watkins, an interview with 16 Mr. Giuliani, a reference to Sidney Powell.</p> <p>17 And then we're getting back from commercial at 18 about 18:30. And we're going to pick up with Mr. Watkins 19 and Mr. Oltmann.</p> <p>20 (The video segment was played.)</p> <p>21 Q. (By Mr. Cain) Go back just a second.</p> <p>22 So I think I know the answer based on your prior 23 testimony, but do you know how Ron Watkins got to be 24 labeled by OAN as a "large-systems technical analyst"?</p> <p>25 A. I also heard "infiltration hacker." But I do Page 81</p>

<p>1 not.</p> <p>2 Q. Okay. Do you know how he got that moniker,</p> <p>3 since you mentioned it as well?</p> <p>4 A. I do not.</p> <p>5 Q. And let me do this. Are you not seeing my</p> <p>6 screen?</p> <p>7 A. No, sir.</p> <p>8 MR. RHODES: We did not -- we did not see the</p> <p>9 last screen, either. It was just you talking.</p> <p>10 MR. CAIN: That's much less entertaining.</p> <p>11 Q. (By Mr. Cain) All right. So this is at the</p> <p>12 19:04 mark. We were talking -- we came back from</p> <p>13 commercial, as I indicated. And then Mr. Watkins is</p> <p>14 identified by OAN as a "large-systems technical analyst."</p> <p>15 Do you see that there?</p> <p>16 A. I do.</p> <p>17 Q. And you're going to defer to Ms. Rion in terms</p> <p>18 of, you know, any background or investigation into his</p> <p>19 credentials?</p> <p>20 A. I don't have any knowledge.</p> <p>21 (The video segment was played.)</p> <p>22 Q. (By Mr. Cain) He said "adjudication." I cut it</p> <p>23 off.</p> <p>24 In follow-up -- again, I think I understand the</p> <p>25 answer, but did you go just to his Wikipedia page when you</p> <p style="text-align: right;">Page 82</p>	<p>1 A. Yes, that's fair.</p> <p>2 Q. Okay. And do you know whether or not that</p> <p>3 process is handled by people like Dr. Coomer or</p> <p>4 Dominion Voting Systems, or whether it's handled by county</p> <p>5 officials or, in some instances, state officials?</p> <p>6 A. I think the -- the process was established by</p> <p>7 the voting equipment company, probably working in</p> <p>8 conjunction with the municipality or the state.</p> <p>9 I don't know who actually does the review of the</p> <p>10 adjudication, if that's contractors through arrangements</p> <p>11 with Dominion in the municipality or the state, or if</p> <p>12 that's done by trained individuals that are brought on by</p> <p>13 the municipality or the state.</p> <p>14 Q. Okay. Well, you recognize Mr. Watkins is</p> <p>15 indicating that these two to six individuals, as he's</p> <p>16 saying on your network, have the possibility to affect the</p> <p>17 outcome based on, essentially, rigging the adjudication</p> <p>18 system. You recognize that's the part of this piece?</p> <p>19 A. Yes. I believe that's what he's stating. It's</p> <p>20 a vulnerability.</p> <p>21 Q. And so, you know, the issue of adjudicating</p> <p>22 votes in this instance, are you -- are you saying that OAN</p> <p>23 believes that process was generated from the voting</p> <p>24 software companies, such as Dominion? That's -- I need</p> <p>25 you to clarify that for me.</p> <p style="text-align: right;">Page 84</p>
<p>1 were reviewing this prior to approving it for publication?</p> <p>2 A. I did not.</p> <p>3 (The video segment was played.)</p> <p>4 Q. (By Mr. Cain) Can you explain to me what OAN's</p> <p>5 knowledge of the adjudication process, in general, is?</p> <p>6 A. I think a number of staff members have the</p> <p>7 general understanding that adjudication is the process</p> <p>8 where a vote is rejected for a possible -- possibly a</p> <p>9 multitude of reasons.</p> <p>10 Those votes are then -- or the images of those</p> <p>11 votes or those actual votes, depending on the process</p> <p>12 that's used, are looked at to determine what the intent of</p> <p>13 the voter was and corrected.</p> <p>14 And that correction could come in a number of</p> <p>15 forms, whether the original document, whether paper or</p> <p>16 image, is modified, or an amendment is attached to the</p> <p>17 image, or a note or an actual piece of paper is attached</p> <p>18 to the image or to the -- to the original paperwork --</p> <p>19 ballot, in this case.</p> <p>20 Q. Okay. So in -- in this -- in the instances</p> <p>21 where there is some ambiguity concerning the ballot -- a</p> <p>22 stray mark, for example -- it's your understanding that</p> <p>23 that would -- that potential ambiguity would be looked</p> <p>24 at -- flagged and then looked at through this adjudication</p> <p>25 process; is that fair?</p> <p style="text-align: right;">Page 83</p>	<p>1 A. Yes. I believe the process for adjudication,</p> <p>2 the equipment for adjudication, is established by the</p> <p>3 voting machine manufacturer and provided/presented to the</p> <p>4 municipality as part of their equipment and their</p> <p>5 procedures/processes when the equipment is sold to the</p> <p>6 municipality or the state.</p> <p>7 Q. Okay. But -- but the process itself of</p> <p>8 adjudication has existed well -- well beyond or before</p> <p>9 these voting system companies, such as Dominion, were</p> <p>10 around to invent that process for their machines. You</p> <p>11 understand that; right?</p> <p>12 A. I understand the general concept of having an</p> <p>13 issue with a vote, even if it's just paper, and having</p> <p>14 somebody review the vote to determine the intent of the --</p> <p>15 the voter is something that's probably been going on for</p> <p>16 hundreds of years.</p> <p>17 Q. Okay. So just the idea behind adjudication and</p> <p>18 determining voter intent is not a new concept; true?</p> <p>19 A. Agreed.</p> <p>20 Q. Do you know whether members of both political</p> <p>21 parties are selected by the various jurisdictions to</p> <p>22 participate in the adjudication process in the 2020</p> <p>23 election?</p> <p>24 A. I don't know what the process is on the</p> <p>25 adjudication. I know that, generally, they try to have</p> <p style="text-align: right;">Page 85</p>

<p>1 oversight by a member of the Republican Party and the 2 Democrat Party.</p> <p>3 Q. And that's the extent of your knowledge?</p> <p>4 A. That's correct. (The video segment was played.)</p> <p>6 Q. (By Mr. Cain) Is OAN aware of any evidence that 7 gamma settings were tampered with by Dr. Coomer or anybody 8 at Dominion Voting Systems in order to increase the 9 anomalies during the election?</p> <p>10 A. No.</p> <p>11 Q. Are you familiar with the 130,000-vote example 12 that he just gave?</p> <p>13 A. I have vague memory of a number around that. 14 I believe, at one point, in one of the states, 15 the vote count jumps dramatically at one point, and people 16 were trying to understand how that could be possible. 17 It's possible that votes were adjudicated en 18 masse, which is part of the process. If there's a repeat 19 type of defect, I understand that they can be a reviewed 20 and adjudicated en masse.</p> <p>21 So that's my -- my general recollection of what 22 he might have been referring to.</p> <p>23 Q. Well, with respect to what OAN was publishing 24 here, it's a fair inference that Mr. Watkins was tying a 25 change in the gamma settings to the Dominion software to</p> <p style="text-align: right;">Page 86</p>	<p>1 Q. Okay. Well, if it -- if it turns out that this 2 is -- it shows that it's updated on November 13th. I'll 3 represent to you we pulled it from that time period. But 4 it is what it is, I guess, at this point.</p> <p>5 In the piece -- we didn't listen to it --</p> <p>6 Dominion is referred to as a Canadian company. That's not 7 correct, is it?</p> <p>8 A. I don't know. I thought it had Canadian 9 operations. I also know it had Denver operations. I 10 don't know where its proper incorporation is.</p> <p>11 Q. Okay. But if you read this, at least you could 12 have determined that Dominion says it's a U.S. company; is 13 that fair?</p> <p>14 A. Yes. I -- I -- I see that. And I -- I agree 15 with you. It says it's a nonpartisan U.S. company. 16 Whether it's a -- whether they're referring to 17 their U.S. operations or whether they're a Canadian 18 company, I -- I just don't know.</p> <p>19 Q. Okay. Well, the -- and I think you mentioned 20 this earlier, but I had understood your source on this 21 information regarding Dominion, at least, to be 22 Joe Oltmann. And maybe I -- maybe I'm making that up.</p> <p>23 So can you tell me what the source was for 24 referring to Dominion as a Canadian company for this 25 piece?</p> <p style="text-align: right;">Page 88</p>
<p>1 allow for hand-checking or changing of votes. And then 2 he -- and then he goes on to say, It would explain 130,000 3 votes going for President Biden.</p> <p>4 Isn't that a fair inference from his statements?</p> <p>5 A. I think he's speculating on what could have 6 happened, yes. (The video segment was played.)</p> <p>8 Q. (By Mr. Cain) This is another issue about 9 Sharpies that he's putting out.</p> <p>10 I want to refer you back to a document we looked 11 at early on. I believe it was 16 in Ms. Malkin's 12 deposition.</p> <p>13 This is that FAQ dated November 13th. So this 14 would have been, roughly, a week before this aired 15 temporally. Are you with me on that?</p> <p>16 A. Yes.</p> <p>17 Q. And you're not doubting, as you sit here today, 18 that OAN would have been able to, in preparing to 19 fact-check this particular piece, review, at least, 20 Dominion's public position on some of these topics; fair?</p> <p>21 A. If it was available on their website, we could 22 have easily accessed it.</p> <p>23 I noticed that the Wayback Machine was used. So 24 I'd question that a little bit, if it was available. But 25 I just don't know.</p> <p style="text-align: right;">Page 87</p>	<p>1 A. I don't know.</p> <p>2 Q. Mr. Watkins -- we just heard him talk about 3 Sharpie pens as being properly -- potentially problematic. 4 And Dominion, in Number 5 here, had already addressed that 5 issue about a week prior. Do you see that?</p> <p>6 A. I see the statement, yes.</p> <p>7 Q. It says, "The Maricopa County Board of 8 Supervisors assured voters that Sharpies do not invalidate 9 ballots. Dominion has stated that Sharpie pens are safe 10 and reliable to use on ballots and recommended due to 11 their quick-drying ink."</p> <p>12 So in terms of Mr. Watkins' statements, do 13 you -- can you explain for me what you understand by OA -- 14 by "you," I mean OAN -- to be the factual basis for the 15 suggestion that the use of Sharpie pens could have caused 16 voter irregularities?</p> <p>17 A. I am aware that, in some states, there was high 18 adjudication rates that were above what people thought 19 were the norm.</p> <p>20 Antrim County comes to mind, where there were 21 reports that the adjudication rates were in the double 22 digits. And I've heard and read that they should be in 23 the sub-single digits. And with the high adjudication 24 rates, people were trying to figure out why there was high 25 adjudication rates.</p> <p style="text-align: right;">Page 89</p>

<p>1 I know there that some of the paper can be</p> <p>2 thinner, and bleed-through is an issue. This was reported</p> <p>3 in the Arizona audit -- the preliminary findings that</p> <p>4 there's potential concerns with those types of issues.</p> <p>5 And they're trying -- trying to figure that out still</p> <p>6 today.</p> <p>7 Q. The Arizona audit you just referred to as an</p> <p>8 ongoing audit?</p> <p>9 A. Yes. Ongoing audit.</p> <p>10 Q. And that's being live-streamed, is it not?</p> <p>11 A. I don't believe it's being live-streamed. I</p> <p>12 think that portion of the count is over.</p> <p>13 Q. I see. It was -- it was live-streamed at some</p> <p>14 point; right?</p> <p>15 Did I cut out?</p> <p>16 A. I'm sorry, sir. I didn't recognize the</p> <p>17 question.</p> <p>18 Q. I said, it was live-streamed at some point, was</p> <p>19 it not?</p> <p>20 A. Yes. The cameras were live stream.</p> <p>21 Q. By an affiliate of OAN, if I'm not mistaken?</p> <p>22 A. The feeds of the live stream were exhibited by</p> <p>23 OAN. There's a third-party vendor that installed the</p> <p>24 cameras and had control of the cameras.</p> <p>25 And at events such as -- numerous events, we</p> <p style="text-align: right;">Page 90</p>	<p>1 not a setting that would be controlled by</p> <p>2 Dominion Voting Systems or Dr. Coomer; right?</p> <p>3 A. I don't have any evidence of that.</p> <p>4 Q. All right.</p> <p>5 Let's -- let's go back to -- I'll share my</p> <p>6 screen again. We're going to go back to Exhibit 32,</p> <p>7 "Dominion-izing the Vote." I'm at the -- now at the 21:06</p> <p>8 mark on it.</p> <p>9 It will be a little bit more, I believe, of</p> <p>10 Mr. Watkins, and then we'll turn to Mr. Oltmann.</p> <p>11 (The video segment was played.)</p> <p>12 Q. (By Mr. Cain) Do you know the source of</p> <p>13 Ms. Rion's statements that the workers that are part of</p> <p>14 the adjudication process are, quote, "unmonitored", closed</p> <p>15 quote?</p> <p>16 A. I don't.</p> <p>17 (The video segment was played.)</p> <p>18 Q. (By Mr. Cain) We'll stop.</p> <p>19 If you hear -- we talked about whether these</p> <p>20 were characterized as allegations, or if Ms. Malkin said</p> <p>21 "allegedly." If you hear that in this piece regarding</p> <p>22 Dr. Coomer, the fact of him being on this call, please</p> <p>23 interject and let me know. Okay?</p> <p>24 A. Can you repeat that, please?</p> <p>25 Q. Yes.</p> <p style="text-align: right;">Page 92</p>
<p>1 usually try to get access to the live feeds, and we were</p> <p>2 able to do that. They were made available by the auditing</p> <p>3 fund, as I understood it, to anybody and everybody, and we</p> <p>4 took them up on that.</p> <p>5 Q. I see.</p> <p>6 All right. Let's go back to --</p> <p>7 MR. CAIN: Tell you what. We've been going a</p> <p>8 little while. Are you okay, Mr. Herring, if we take a</p> <p>9 quick break? Let's figure out how much time we have left,</p> <p>10 and then I think we'll just have one more segment.</p> <p>11 MR. RHODES: Thank you.</p> <p>12 MR. CAIN: Ten minutes.</p> <p>13 THE VIDEOGRAPHER: Going off the record. The</p> <p>14 time is 11:38.</p> <p>15 (Recess from 11:38 p.m. until 11:52 p.m.)</p> <p>16 THE VIDEOGRAPHER: Back on the record. This</p> <p>17 marks the beginning of Media Unit Number 2. Time is</p> <p>18 11:52.</p> <p>19 Q. (By Mr. Cain) All right, Mr. Herring. Let's --</p> <p>20 let's finish up with the "Dominion-izing the Vote"</p> <p>21 segment.</p> <p>22 When we -- when we broke, we were talking about</p> <p>23 adjudication rates in Maricopa County. And in terms of</p> <p>24 flagging suspect votes -- excuse me -- ballots to be</p> <p>25 reviewed, you know and understand, of course, that that's</p> <p style="text-align: right;">Page 91</p>	<p>1 Earlier we talked about whether the term was</p> <p>2 used, "allegedly," as it relates to Dr. Coomer being on</p> <p>3 this Antifa call.</p> <p>4 If you hear that in this piece by Malkin or</p> <p>5 Mr. Oltmann, let me know, and I'll stop it so we can note</p> <p>6 that for the record. Okay?</p> <p>7 A. Understood.</p> <p>8 (The video segment was played.)</p> <p>9 Q. (By Mr. Cain) So fair to say that Ms. Rion is</p> <p>10 tying Mr. Watkins' statements that we looked at previously</p> <p>11 to -- to Dr. Coomer directly there? True?</p> <p>12 A. I don't have that as a takeaway. I don't think</p> <p>13 that's the takeaway.</p> <p>14 (The video segment was played.)</p> <p>15 Q. (By Mr. Cain) Do you recall if Ms. Malkin ever</p> <p>16 challenged Mr. Oltmann during this interview at any point</p> <p>17 about Mr. Coomer -- Dr. Coomer being responsible for</p> <p>18 putting his finger on the elections?</p> <p>19 MR. RHODES: I -- I'm not -- I don't know that</p> <p>20 I'm objecting. You said "Ms. Malkin." Did you mean that?</p> <p>21 MR. CAIN: Oh. I'm sorry.</p> <p>22 MR. RHODES: Yeah. I don't care. That might be</p> <p>23 a perfectly legitimate question. I just didn't know what</p> <p>24 you meant.</p> <p>25 MR. CAIN: No. I'm sorry. Thank you, Barry,</p> <p style="text-align: right;">Page 93</p>

<p>1 for pointing that out. I mean Ms. Rion.</p> <p>2 THE WITNESS: I'm sorry. Can you just restate</p> <p>3 the question?</p> <p>4 Q. (By Mr. Cain) Yes, I will, with the appropriate</p> <p>5 journalist.</p> <p>6 It's -- it's fair to say that when that part of</p> <p>7 the piece ran where Mr. Oltmann was saying that Dr. Coomer</p> <p>8 put his finger on the scale of the election, that Ms. Rion</p> <p>9 did not challenge him on that -- on that statement; right?</p> <p>10 A. Yeah. I believe she let his comment stand.</p> <p>11 Q. And that's a -- that's a factual statement by</p> <p>12 Mr. Oltmann in this context, that -- that Dr. Coomer</p> <p>13 actually -- actually acted on the motive to rig the</p> <p>14 election. Is that fair?</p> <p>15 A. I'd probably want to hear it again just to make</p> <p>16 sure that that's my interpretation.</p> <p>17 Q. Do you need me to play it again?</p> <p>18 A. Please.</p> <p>19 (The video segment was played.)</p> <p>20 Q. (By Mr. Cain) Does that change your answer?</p> <p>21 A. It looks like Mr. Oltmann has reached that</p> <p>22 conclusion.</p> <p>23 Q. And, likewise, that was published -- or</p> <p>24 republished by OAN in this particular piece -- portion of</p> <p>25 the segment; right?</p> <p style="text-align: right;">Page 94</p>	<p>1 states; true?</p> <p>2 A. I think he was trying to get in battleground</p> <p>3 states and other states. I think that was part of his job</p> <p>4 at the time.</p> <p>5 Q. Right. To -- it's a private business selling</p> <p>6 election equipment and services; right?</p> <p>7 A. Yeah. That's my understanding.</p> <p>8 Q. So that, in and of itself, is not unique to</p> <p>9 Dr. Coomer; correct?</p> <p>10 A. I would agree.</p> <p>11 Q. But in terms of the statement that Dr. Coomer</p> <p>12 was directing this process and getting Dominion into those</p> <p>13 battleground states, you don't have any -- OAN doesn't</p> <p>14 have any independent knowledge that this was part of some</p> <p>15 scheme by Dr. Coomer to install Dominion in critical</p> <p>16 battleground states or any factual basis for that; right?</p> <p>17 A. Not for any inappropriate activity.</p> <p>18 I think Dr. Coomer -- and we have some evidence</p> <p>19 of it -- was trying to help sell Dominion systems into a</p> <p>20 number of states, including battleground states. But I</p> <p>21 don't think there's any nefarious intent, that we're aware</p> <p>22 of.</p> <p>23 Q. But that's the implication that we're supposed</p> <p>24 to draw from these statements by -- that OAN decided to</p> <p>25 air, isn't it?</p> <p style="text-align: right;">Page 96</p>
<p>1 A. That video aired, yes.</p> <p>2 (The video segment was played.)</p> <p>3 Q. (By Mr. Cain) Do you know the basis of that;</p> <p>4 that Dr. Coomer had the ability to make sure that Dominion</p> <p>5 was in all of the battleground states?</p> <p>6 A. I -- I would phrase it differently than</p> <p>7 Mr. Oltmann did. But I believe that Mr. Coomer was in a</p> <p>8 key position, basically, as a technical salesperson</p> <p>9 advocating the use of the Dominion machines to be used in</p> <p>10 the various states.</p> <p>11 MR. CAIN: Objection. Nonresponsive.</p> <p>12 Q. (By Mr. Cain) My -- my question was a little</p> <p>13 bit different, and that is, do you know the basis, the</p> <p>14 factual basis, for -- for Mr. Oltmann's statement that</p> <p>15 Dr. Coomer made sure that Dominion was in all of the</p> <p>16 battleground states -- either how he had the ability to do</p> <p>17 so or how, in fact (audio distortion).</p> <p>18 A. Well, I can't speak to what Mr. Oltmann's --</p> <p>19 what facts he's relying upon.</p> <p>20 But I'm aware, and I believe he is also, that</p> <p>21 Mr. Coomer was part of a team that was going state by</p> <p>22 state and trying to convince the states to utilize</p> <p>23 Dominion machines.</p> <p>24 Q. Okay. But that's different, you would agree,</p> <p>25 than purposefully directing the company to battleground</p> <p style="text-align: right;">Page 95</p>	<p>1 A. We aired the statements of Mr. Oltmann. I think</p> <p>2 it could be interpreted differently.</p> <p>3 Q. Well, it can be interpreted the way I'm</p> <p>4 suggesting as well; fair?</p> <p>5 A. I think that's fair.</p> <p>6 (The video segment was played.)</p> <p>7 Q. (By Mr. Cain) I want to know what OAN was aware</p> <p>8 of with respect to airing the Facebook pages on this</p> <p>9 segment.</p> <p>10 Was OAN aware that these Facebook posts were</p> <p>11 part of a private group, as opposed to a public group?</p> <p>12 A. That was our understanding.</p> <p>13 Q. Was OAN told by Mr. Oltmann how he was able to</p> <p>14 gain access to private Facebook posts?</p> <p>15 A. I know he made the statements -- I think he</p> <p>16 indicated this in an email. I would want to go back and</p> <p>17 check to be sure -- but that he was able to access them</p> <p>18 through legitimate means.</p> <p>19 Other than that, I -- I don't know how he was</p> <p>20 able to access the Facebook private posts.</p> <p>21 (The video segment was played.)</p> <p>22 Q. (By Mr. Cain) They go on to talk about, well,</p> <p>23 related topics. But I'm going to stop it there.</p> <p>24 As it relates to this notion that Dr. Coomer has</p> <p>25 an anti-Trump bias, is it fair to say that OAN has a</p> <p style="text-align: right;">Page 97</p>

<p>1 pro-Trump bias?</p> <p>2 A. I think that's a fair statement.</p> <p>3 Q. And the implication, though, it seems from this</p> <p>4 is that because of that potential bias, that that would</p> <p>5 affect Dr. Coomer's ability to be a professional and to,</p> <p>6 you know, do his job because he held these views.</p> <p>7 Is there any evidence that OAN is aware of that</p> <p>8 just having a political opinion or belief could lead</p> <p>9 someone to do the things that Dr. Coomer is suggested to</p> <p>10 have done?</p> <p>11 A. Yeah. I think when your political belief gets</p> <p>12 radicalized to the point that is exhibited by Dr. Coomer's</p> <p>13 Facebook posts, that that becomes highly problematic,</p> <p>14 especially when you're working at a company such as</p> <p>15 Dominion Voting Systems, and at a such senior level.</p> <p>16 And I think the one piece of evidence that you</p> <p>17 just showed was this open-call email in 2016, where he is</p> <p>18 asking his family and friends to pledge their allegiance</p> <p>19 to voting against Trump. To me, that is a radical point</p> <p>20 of view.</p> <p>21 And the other piece of information that we have</p> <p>22 is Dr. Coomer is talking about dead presidents. He's</p> <p>23 using videos, images, to basically express his point of</p> <p>24 view.</p> <p>25 He indicates that -- there's a Facebook posting</p> <p style="text-align: right;">Page 98</p>	<p>1 A. The -- the post, the open call, June 2016, in my</p> <p>2 opinion, is him acting upon rage that he had. And when</p> <p>3 somebody acts upon rage, I think you're at an extreme</p> <p>4 level where you may do things and take action that is</p> <p>5 outside of the bounds of what is considered normal.</p> <p>6 And when he is advocating anarchist views,</p> <p>7 saying F the United States, dead presidents, all cops are</p> <p>8 bad, he's indicating to me that he's an anarchist. And an</p> <p>9 anarchist goes against our government.</p> <p>10 Q. I'm not going to get into your knowledge of</p> <p>11 hip hop. The Dead Presidents -- that reference is</p> <p>12 actually a hip hop group. Were you aware of that?</p> <p>13 A. I am. I think he's using those images to</p> <p>14 express a point of view.</p> <p>15 I don't think he put up "F the United States" or</p> <p>16 "All cops are bad" because he was talking about hip hop or</p> <p>17 trying to say that he loves the artist. I think he was</p> <p>18 expressing a point of view that is typical of anarchists</p> <p>19 and Antifa individuals.</p> <p>20 Q. And OAN, through this piece, was able to expose</p> <p>21 Dr. Coomer's private political views, was it not?</p> <p>22 A. We showed the email -- or, excuse me -- the</p> <p>23 Facebook posts. I think we showed four of them that had</p> <p>24 been exhibited previously by others.</p> <p>25 Q. Let me ask you this: When -- when -- when</p> <p style="text-align: right;">Page 100</p>
<p>1 that says "ACAB," an acronym for "All cops are bastards."</p> <p>2 To put a group of people, police officers, and say that</p> <p>3 they're all bastards or bad people seems extreme to me.</p> <p>4 And so there's a difference, in my opinion, of a</p> <p>5 bias -- which, as I mentioned earlier, everyone has a</p> <p>6 bias, in my opinion -- and getting to a point where you're</p> <p>7 acting upon your bias to the point where you're literally</p> <p>8 telling friends that you will not associate with them.</p> <p>9 And I think he used the term "idiots" or</p> <p>10 "morons" to indicate anybody who was going to vote for</p> <p>11 Trump, and he wanted to disassociate with them.</p> <p>12 So I think he's at a different extreme level</p> <p>13 than just a bias.</p> <p>14 Q. And -- and is he more fervent in his hatred of</p> <p>15 Trump as you are in your love of him?</p> <p>16 A. I think he's at a totally different level -- at</p> <p>17 a different quantitative state than we are at. And I</p> <p>18 think, as you can see, his friends are even telling him</p> <p>19 that and being alienated by him.</p> <p>20 Q. To be fair, the post said "Unfriend me." That</p> <p>21 was Dr. Coomer in this post -- note to people that are on</p> <p>22 his Facebook; that if they don't believe, you know, or buy</p> <p>23 into his viewpoint, he'd rather them not be on the private</p> <p>24 Facebook page.</p> <p>25 Is that so controversial to you?</p> <p style="text-align: right;">Page 99</p>	<p>1 Ms. Rion said that Eric Coomer was in a position to -- of</p> <p>2 power to act on his rage, as you've just been</p> <p>3 discussing -- and I asked the same question to Malkin --</p> <p>4 what is OAN's working theory, as it sits here today, as to</p> <p>5 how he actually could have, in theory, rigged the 2020</p> <p>6 election?</p> <p>7 A. Well, "could have" means speculation. I'm glad</p> <p>8 to speculate all day long on how he could have done it.</p> <p>9 But I'll give you one theory.</p> <p>10 The machines could have been set up. "Could</p> <p>11 have." I'm not saying this was done. And we have no</p> <p>12 evidence that Mr. Coomer or Dominion did anything that</p> <p>13 impacted the 2020 election.</p> <p>14 But he could have increased the percentage of</p> <p>15 the votes that were sent to adjudication.</p> <p>16 He could have, as has been done in many crimes,</p> <p>17 used people on the inside, whether he paid them off,</p> <p>18 whether he put people in positions that he knew were going</p> <p>19 to go ahead and -- and follow through with that --</p> <p>20 whatever he wished to do and set up the adjudication</p> <p>21 process such that the adjudication process favored</p> <p>22 inappropriately one candidate over the other and no -- or</p> <p>23 did not reflect the will of the voter.</p> <p>24 You know, we could speculate all day. And</p> <p>25 there's a -- there's a number of areas where we</p> <p style="text-align: right;">Page 101</p>

<p>1 highlighted vulnerabilities that, arguably, need to be 2 addressed and could have been a way of rigging an 3 election.</p> <p>4 One of those vulnerabilities, also, as I 5 understand it, is the election tables could have been 6 switched. So you could take a vote for whoever is in 7 Column D and put them in the same column -- or in a 8 different column, move them up or move them down.</p> <p>9 This was highlighted in Antrim County. And it's 10 believed by some that the voting was manipulated by moving 11 the columns around.</p> <p>12 We do know, in Georgia, in the summer of 2020, 13 certain candidates did not show up on the -- the voting 14 ballots themselves that were shown on (audio distortion).</p> <p>15 Q. And that was changed; right? That was 16 corrected; right?</p> <p>17 I said, And that was corrected; right? The 18 issue in 2020 with the -- with the individuals not showing 19 up on the ballot, that was corrected, was it not?</p> <p>20 A. I think people showed up to vote, and it was not 21 corrected for them. I think, after the fact, corrections 22 were made.</p> <p>23 Q. All right. Well, let's talk about the 24 speculation issue that you've been raising.</p> <p>25 Are you telling us that the -- that OAN was</p> <p style="text-align: right;">Page 102</p>	<p>1 statement becomes difficult, because he made that 2 statement before the election.</p> <p>3 Q. Right. But I'm -- I'm talking about the report 4 itself that issued or reported as fact that Eric Coomer 5 was the person on the call making those statements; true?</p> <p>6 A. I think we're -- I think we're trying to 7 highlight that somebody could have done it, and here's an 8 example of somebody who could have done it.</p> <p>9 Q. No. But my question was different.</p> <p>10 You're reporting here indicated that Eric Coomer 11 was actually on this call making these -- these 12 statements; true?</p> <p>13 A. True.</p> <p>14 Q. Is there -- in your opinion -- well, no. Let me 15 go back to a different question.</p> <p>16 We talked about speculation. You speculated 17 about what Eric Coomer, Dr. Coomer, could have done. And 18 I understand your testimony there.</p> <p>19 But then the question is, how -- how probable or 20 likely is it for that to occur? Are you with me in terms 21 of that distinction?</p> <p>22 A. I am.</p> <p>23 Q. Okay. And that piece of the puzzle is 24 determined, at least in part, by the system -- the voting 25 security systems that are set up at the federal, state,</p> <p style="text-align: right;">Page 104</p>
<p>1 not -- the implication, I guess, of this reporting was 2 that Eric Coomer had the ability to rig the election. 3 That's the clear implication from this report; fair?</p> <p>4 A. If somebody was going to rig the election, it 5 would be somebody who has extensive knowledge, is 6 outrageously intelligent, is in a position to do it, and 7 has what I would call the burning belly to act upon his 8 ideology.</p> <p>9 And so somebody like a Dr. Coomer fits those 10 characterizations. That doesn't mean he did this. But 11 with his statement that he made during the Antifa call, 12 that's concerning.</p> <p>13 Q. In addition to your answer that you just gave 14 us, it's fair from this -- this piece that was done by OAN 15 that the implication or inference to be drawn is that 16 Mr. Coomer -- Dr. Coomer had the motive to rig the 17 election based on, as you described it, the rage that he 18 held?</p> <p>19 A. The -- I think the Facebook posts show that he, 20 potentially, had the motive.</p> <p>21 Q. And not the implication but the fact of the 22 reporting here was that Eric Coomer actually bragged that 23 he did these things as part of the Antifa conference call; 24 true?</p> <p>25 A. He made a statement. How to interpret that</p> <p style="text-align: right;">Page 103</p>	<p>1 and county levels; right?</p> <p>2 A. That's a deterrent -- could be a deterrent, or 3 one of them, yes.</p> <p>4 Q. Yes. So speculating about the ability to do 5 something only has -- tell me if -- if you disagree with 6 this statement. But speculating about the ability to do 7 something only has news value if it is potentially likely 8 that that speculation could actually occur as a practical 9 matter. Do you agree with that statement?</p> <p>10 A. I think so, yes.</p> <p>11 Q. I mean, he could -- he could build a rocket ship 12 and fly to the moon, but that doesn't seem very likely, at 13 least at this stage in Dr. Coomer's life.</p> <p>14 In this instance, I want you to tell me how, 15 from a -- from a technical standpoint, Dr. Coomer could 16 have done the things that you speculated about without 17 detection by either federal, state, or county authorities?</p> <p>18 A. Again, on the adjudication process.</p> <p>19 We can get into speculation, but the problem is 20 I don't have his expertise. Obviously, he's a very 21 brilliant man, based on having a Ph.D. in nuclear physics.</p> <p>22 He holds a number of patents, or he's listed on 23 the patents for Dominion over multiple years, including 24 the adjudication process.</p> <p>25 You would be looking for somebody like him, who</p> <p style="text-align: right;">Page 105</p>

<p>1 has his level of expertise, is in a position which he is 2 in working for Dominion voting machines, and has the 3 motivation. 4 And what's clear to me is that, after looking at 5 his Facebook posts and understanding a number of things, 6 that it's clear to me that he has anarchist, Antifa-like 7 sympathies and views. 8 And so that's somebody that would have the 9 ability to manipulate an election. 10 Q. Well, again, the ability is different than, 11 perhaps, the actual facts. 12 It would be inherently improbable for Dr. Coomer 13 to be have done any of these things, either inject himself 14 into the adjudication process or otherwise, without 15 detection; true? 16 A. I wish that was the case, but I can't agree with 17 that. 18 If somebody was going to get away with something 19 like this, it's going to be somebody that has expertise. 20 And again, forgetting about Dr. Coomer for a minute, but 21 it's going to be somebody who has the expertise and 22 understands the process and how the voting equipment has 23 been designed. 24 They'll need to know it inside and out. Very 25 similar to a bank robber; you're going to be looking for</p> <p style="text-align: right;">Page 106</p>	<p>1 We have seen in Maricopa County in Arizona one 2 heck of a fight, where the county doesn't want to give the 3 state legislator, who has a responsibility 4 constitutionally to confirm results of the -- the 5 election -- did not want to give them access. 6 So we'll see how some of these audits play out 7 in the various states. 8 Q. Let's -- let's talk, you know, actuality and 9 what's occurred. 10 And you know Dr. Coomer was involved through 11 Dominion in the Georgia election. You know that; right? 12 Or maybe you don't. 13 A. I do know that, yes. And I do know that he 14 provided testimony when it came to the Donna Curling 15 lawsuit that was filed and trying to explain what happened 16 in the summer of 2020. 17 Q. And you know, since you're familiar with both 18 Curling and that jurisdiction, that Georgia has had three 19 hand recounts and has certified its results; fair? 20 A. I know that there's a judge that has allowed an 21 additional recount, a hand recount, of approximately 22 147,000 ballots that has not been done yet. So I know 23 there's still uncertainty in that Georgia election. 24 Q. But you know that there's been three completed 25 hand recounts, not incomplete --</p> <p style="text-align: right;">Page 108</p>
<p>1 somebody who understands the security aspects of it and 2 how the equipment -- in this case, maybe the safes -- are 3 set up. 4 You gotta to have the access, you have to have 5 the knowledge, and you have to have the motivation. And 6 those are the three boxes that get checked. 7 Whether he actually did it or not, I -- we don't 8 know. We don't have the evidence of that. 9 Q. Yeah. And at least with respect to the 10 "Dominion-izing the Vote" piece, the individual that OAN 11 put on its -- on its investigation for how this could have 12 happened, whether it was inherently improbable or not, was 13 Mr. Watkins; right? 14 A. I think he's one of the examples that we put out 15 there. 16 Q. Do you have a working theory as to how 17 Dr. Coomer could have changed the actual audited 18 paper-ballot trail in any of the swing states? 19 A. Well, the audited paper trail would need to be 20 audited, first of all. And to the extent that -- 21 (Simultaneous speakers.) 22 Q. -- Georgia had three hand recounts. 23 A. To the extent that has or has not taken place in 24 a number of states is -- is one way. The states need to 25 do audits.</p> <p style="text-align: right;">Page 107</p>	<p>1 (Simultaneous speakers.) 2 A. That -- 3 Q. -- that have served the basis for certifying the 4 election. You know that, don't you? 5 A. And excuse me for speaking over you. I don't 6 mean to be rude. 7 I do not know to the extent that 100 percent 8 hand counts were actually done in Georgia. 9 Q. Well, I asked you earlier this idea of what 10 Dr. Coomer could have done, and I -- and I said it would 11 be inherently improbable for that to have occurred without 12 detection. You disagreed with me. 13 How could Dr. Coomer -- let's just take Georgia 14 that had hand recounts -- have acted on his rage, as 15 Ms. Rion indicated in her report? 16 A. Yeah. Without -- yeah. I could speculate all 17 day long, but without the knowledge and expertise that 18 somebody in his position would possess, knowing the actual 19 mechanisms that that would be done, I don't know. 20 But it's clear to me that on the adjudication 21 equipment, on the election tables, on the turning in of 22 the USB results -- I think we have one state where there 23 were approximately a couple thousand, maybe 2,600 votes 24 that weren't tabulated that were coming off USBs. 25 There's a lot of vulnerabilities in these</p> <p style="text-align: right;">Page 109</p>

<p>1 elections, and it's a -- it's a concern. We want to make 2 sure that equipment is as rock solid as can be. 3 But there's -- there's been a lot of concerns 4 with the equipment that have been highlighted through the 5 years by a number of media outlets. 6 Q. Is your theory that you were talking about just 7 a second ago in terms of the adjudication process being a 8 weakness -- is there any precedent for 9 Dominion Voting Systems employees to have interjected 10 themselves in the adjudication process during the 11 canvassing part of an election? 12 A. I don't know how that process takes place. I 13 just don't know the answer to that question. 14 MR. CAIN: All right. 15 Jason, where are we on time? 16 THE VIDEOGRAPHER: Six minutes. 17 Q. (By Mr. Cain) Okay. Let's, briefly, take our 18 last six minutes to look as many pieces of paper as I can 19 put up on the screen. All right, Mr. Herring? 20 A. Yes, sir. 21 Q. Go back to Exhibit Share. And didn't know if I 22 would be getting to all of these. You can help me. 23 There were some communications that were 24 produced by OAN that I'd like some color on, or at least 25 authentication, so I understand the back-and-forth.</p> <p style="text-align: right;">Page 110</p>	<p>1 A. I don't recall what she's referring to. 2 Q. Do you know what the meeting is that was -- that 3 was planned for December, in this case, 22nd, that was 4 then, apparently, canceled? 5 A. I do not. 6 Q. Do you know what she means when she says 7 "Adjustments had to be made"? 8 A. I don't. 9 Q. Exhibit 42 -- it appears to be a Christina Bobb 10 email to you in February, and it relates to documents 11 provided by Phil. Who's the Phil that's providing 12 documents to OAN at this time period? 13 A. I think this is a gentleman that does forensic 14 analysis. There it is. Dr. Phil -- no. I don't think 15 he's a doctor. Phil Waldron. 16 Q. Okay. Was this in connection with a story that 17 OAN was working on, if you know? 18 A. I thought these might have had to do with 19 Antrim County, but I'm not sure. 20 Q. So you can't say -- 21 A. I just don't know. 22 Q. Okay. And Christina Bobb, was she working on 23 any of the Dominion or Dr. Coomer stories? 24 A. No. She was really looking at other things; 25 although, she was copied on a few of the emails.</p> <p style="text-align: right;">Page 112</p>
<p>1 Okay. Are you seeing my screen? 2 A. Yes, I see your screen. 3 Q. Okay. You looked at this before when I was 4 asking you if you-all ever got records that he was -- 5 Dr. Coomer was a shareholder. Then we went off to a 6 different topic at the time. 7 Also, there were some texts that were produced. 8 This is OAN 211. And it appears to be your text with 9 Chanel Rion; is that true? 10 A. I believe that's accurate. 11 Q. Okay. So this is December 15th, a Tuesday. 12 This is you saying, "Are you in the briefing room?" 13 A. Yes. 14 Q. And you -- and she says, "Yes. Call when you 15 get a minute. Call, please. On the way to studio." 16 You transmit Dominion Voting Systems Employee 17 Sues Trump Campaign Allies. 18 And this is Ms. Rion saying, "Can we countersue 19 Coomer and get him in discovery?" That's her; right? 20 A. I believe that's correct, yes. 21 Q. This is what I'm going to ask you about, though. 22 "There is, by the way, big updates from tonight. No 23 meeting, but it's for the better. Christina can fill in 24 too. Adjustments had to be made." 25 What is she referring to there?</p> <p style="text-align: right;">Page 111</p>	<p>1 Q. Was she assisting -- now, she is -- is she an 2 employee of OAN? I'm talking about Ms. Bobb. What's her 3 status? 4 A. She's a full-time staff member of OAN. 5 Q. Is that an employee, or are they independent 6 contractors? 7 A. That's an employee. She's not a contractor. 8 Q. Same with Ms. Rion? Is she an employee? 9 A. Yes. Ms. Rion is a full-time staff member -- 10 Q. Okay. 11 A. -- and employee. 12 Q. Was Ms. Bobb -- we have a picture of her with 13 Mr. Giuliani on January 5th or 6th, I think, in the 14 Willard Hotel. 15 Was Ms. Bobb part of the Trump campaign legal 16 team, if you know? 17 A. Not to my knowledge. 18 Q. Was she assisting the Trump campaign? 19 A. If she was with Giuliani, she was probably 20 trying to get interviews. 21 Q. Do you know whether or not Ms. Bobb provided 22 documents or assistance to the Trump campaign? 23 A. Not to my knowledge. 24 Q. Same question for Ms. Rion. 25 A. Not to my knowledge.</p> <p style="text-align: right;">Page 113</p>

<p>1 Q. I'm sorry. I talked over you -- spoke over you. 2 I think I heard your answer, though. 3 A. Yeah. Not -- not to my knowledge, sir. 4 Q. This is -- 5 MR. RHODES: Jason, do we have a -- I'm sorry. 6 Jason, do we have a time? 7 MR. CAIN: He's going to tell us when I'm done. 8 THE VIDEOGRAPHER: We are at 40 minutes. 9 MR. CAIN: Oh. So he's telling me I'm done. 10 Do you mind if I finish my question on 11 Exhibit 43, given the interruptions we've had? 12 MR. RHODES: You can go ahead with 43. 13 Q. (By Mr. Cain) Let's just finish this up. This 14 is Exhibit 43. 15 (Plaintiff's Exhibit Number 43 was introduced.) 16 Q. (By Mr. Cain) Can you tell me who's exchanging 17 these texts? I assume "RG" is Giuliani? 18 A. Yes. I believe that's a text with me -- 19 Rudy Giuliani and me. 20 Q. And there are no other texts between you and -- 21 and Rudy Giuliani relating to Dr. Coomer or 22 Dominion Voting Systems? 23 A. Not that I recall. But we did turn over 24 everything we could find to our attorney. 25 Q. And I asked you about Ms. Bobb and Ms. Rion. Is</p> <p style="text-align: right;">Page 114</p>	<p>1 plaintiff was granted that ability, because it would be 2 the plaintiff's burden under the statute. There is no 3 reciprocal grant to the defendants. 4 I do believe that OAN has filed a declaration 5 that we looked at earlier. But I don't want us to go 6 forward under the assumption that we agree and haven't 7 raised this objection. 8 So I do have an objection to this line of 9 questioning by defense counsel. Obviously, we'll just 10 raise that at the appropriate time. But, certainly, 11 Mr. Rhodes is going to make his record. 12 Thank you. 13 CROSS-EXAMINATION 14 BY MR. RHODES: 15 Q. Mr. Herring, I want to follow up on several 16 questions and answers that you -- that you gave during the 17 direct examination. And I want to start with Exhibit 34, 18 which I'll share on my screen. 19 Do you see Exhibit 34, sir? 20 A. I do. 21 Q. This was shown to you by Mr. Cain. And this is 22 the original contact, I believe, by Joe Oltmann to 23 One America News on November 10, 2020; is that correct? 24 A. Yes, sir. 25 Q. Okay. And you had previously testified, I</p> <p style="text-align: right;">Page 116</p>
<p>1 it your testimony that you, Mr. Herring, you did not 2 provide documents that had been gathered by OAN through 3 its investigation to the Trump legal team? 4 A. I did -- I just want to make sure I'm answering 5 this correctly. Can you say the question again? 6 Q. I said, did you provide documents or information 7 to the Trump legal team? 8 A. I don't believe so. 9 MR. CAIN: Okay. 10 Mr. Herring, I appreciate your time today. I 11 think that's all the questions that I have for you for 12 now. 13 THE WITNESS: Thank you, sir. 14 MR. RHODES: I will have a few questions. Let's 15 take a short break, and we'll be back at -- well, my time 16 would be 2:45. I have no idea what time that is in 17 California. 18 THE VIDEOGRAPHER: Going off the record. Time 19 is 12:33. 20 (Recess from 12:33 p.m. until 12:47 p.m.) 21 MR. CAIN: Thank you. 22 Before counsel questions his client, I just -- 23 he graciously allowed me to make a quick record. 24 We finished three hours of questioning by the 25 plaintiff of Mr. Herring. Under the Court's order, the</p> <p style="text-align: right;">Page 115</p>	<p>1 believe, that Dominion-izing the News -- excuse me -- 2 "Dominion-izing the Vote" -- excuse me -- aired on 3 One America News on -- I believe it's Saturday, 4 November 21st; correct? 5 A. Yes. 6 Q. So was there -- was OAN in a hurry to get this 7 on the air if it took 11 days to -- from when you first 8 heard from Mr. Oltmann to getting this on the air? 9 A. No. I believe it was already in process, the 10 concept of producing "Dominion-izing the Vote." 11 We didn't have the information on Eric Coomer, 12 but I believe that, at this time, we were already 13 beginning to produce it. 14 Q. All right. Thank you. That was another area I 15 wanted to -- to clarify. 16 You had stated that Ms. Rion had been working on 17 this for one or two or three weeks. Can you explain what 18 you mean by that, given that you didn't hear from 19 Mr. Oltmann until November 10th? 20 A. She was working on "Dominion-izing the Vote," 21 the concept of exposing voter irregularity, concerns that 22 could happen on voting machines, not Eric Coomer. 23 And that didn't come about until -- to include a 24 short segment with Eric Coomer sometime the weekend of the 25 14th, 15th. But the concept of the program was already in</p> <p style="text-align: right;">Page 117</p>

<p>1 process.</p> <p>2 Q. Okay. Did you know of Dr. Coomer prior to</p> <p>3 November 10, 2020?</p> <p>4 A. No, sir.</p> <p>5 Q. Did you know of Mr. Oltmann prior to</p> <p>6 November 10, 2020?</p> <p>7 A. No.</p> <p>8 Q. Mr. Cain then showed you Exhibit 35. Let me</p> <p>9 pull that up, please.</p> <p>10 Can you see Exhibit 35?</p> <p>11 A. Yes.</p> <p>12 Q. And I believe you previously identified this</p> <p>13 as -- if we start at the bottom -- Taylor Scott is</p> <p>14 responding on November 10th to Mr. Oltmann's, I believe</p> <p>15 you called it, viewer contact form; correct?</p> <p>16 A. Yes.</p> <p>17 Q. And Ms. Scott writes, quote, "Do you have any</p> <p>18 hard evidence to prove this?" closed quote.</p> <p>19 Do you believe that was an appropriate question</p> <p>20 to ask Mr. Oltmann?</p> <p>21 A. Probably the most appropriate.</p> <p>22 Q. And --</p> <p>23 A. We had been receiving a lot of forms, a lot</p> <p>24 of -- well, a lot of feedback on these forms. And</p> <p>25 frankly, most of them didn't have any substance. So we</p> <p style="text-align: right;">Page 118</p>	<p>1 we are going to discuss. About three weeks ago, I gave a</p> <p>2 speech at an FEC meeting. As you may or may not know, I</p> <p>3 am in the data business. I've been incredibly focused on</p> <p>4 Antifa and the threat of their infiltration of our</p> <p>5 journalism and the Democratic [sic] party."</p> <p>6 Do you see that?</p> <p>7 A. I do.</p> <p>8 Q. Did you do anything to attempt to verify</p> <p>9 Mr. Oltmann's statement that he was attempting to focus --</p> <p>10 that he was focusing on Antifa and the infiltration of</p> <p>11 local journalism?</p> <p>12 A. Yes. In his two-hour posting, his podcast that</p> <p>13 went out on Conservative Daily -- in there, he says that</p> <p>14 he spoke at a raceway and exposed 13 Antifa journalists.</p> <p>15 I went back and looked at one specific web</p> <p>16 posting that indicated that he was at an event in</p> <p>17 mid-October; that he spoke at this event. I think he</p> <p>18 actually threw the event. He was the person who hosted</p> <p>19 the event.</p> <p>20 And he made some claims at that event about</p> <p>21 tracking down and exposing Antifa, specifically as it</p> <p>22 regarded to Antifa persons being associated with the</p> <p>23 media.</p> <p>24 By the way, that one article linked to another</p> <p>25 article. And somewhere in there, there was a video that</p> <p style="text-align: right;">Page 120</p>
<p>1 were trying to make it clear that we're looking for hard</p> <p>2 evidence.</p> <p>3 Q. And then you stated that Mr. Oltmann responded</p> <p>4 to Ms. Scott with various information. And the last</p> <p>5 paragraph on the first page before he says, "Thanks,</p> <p>6 Taylor," that includes a link to the Conservative Daily</p> <p>7 podcast; is that correct?</p> <p>8 A. Yes.</p> <p>9 Q. And you've told us that you personally watched</p> <p>10 all two hours of that video podcast?</p> <p>11 A. I did.</p> <p>12 Q. And that was sometime over the weekend of</p> <p>13 November 14th and 15th?</p> <p>14 A. Yes.</p> <p>15 Q. Then you've indicated that the information in</p> <p>16 bold below is information that you understood Mr. Oltmann</p> <p>17 to have copied and pasted from some other -- one or more</p> <p>18 other documents?</p> <p>19 A. That was my interpretation. Because it doesn't</p> <p>20 really flow. So I think he was cutting and pasting and</p> <p>21 just adding it to the back end of an email trying to give</p> <p>22 us more information.</p> <p>23 Q. Okay.</p> <p>24 So there's the discussion on -- on the second</p> <p>25 page of Exhibit 35: "I want to give you context on what</p> <p style="text-align: right;">Page 119</p>	<p>1 showed him at that event. And, apparently, somebody</p> <p>2 was -- a reporter, who was believed to be Antifa, showed</p> <p>3 up at his event and was removed from the event.</p> <p>4 Q. All right. If you'll hold on one second,</p> <p>5 please. I am going to show you, sir, what I have marked</p> <p>6 as OAN Exhibit A, so that the plaintiff can continue their</p> <p>7 numbering sequence.</p> <p>8 (OAN Exhibit A was introduced.)</p> <p>9 Q. (By Mr. Rhodes) And what is OAN Exhibit A?</p> <p>10 A. This was a web posting that I looked at. I just</p> <p>11 want to make sure it's the right one.</p> <p>12 Yeah. So a web posting that I looked at</p> <p>13 indicating that he was -- that Joe Oltmann was at an event</p> <p>14 at a speedway and made statements at the event.</p> <p>15 You can see where you can click through to a</p> <p>16 Times-Recorder article, and --</p> <p>17 Q. I'm hovering over by clicking here on the first</p> <p>18 page, and it gets me a hyperlink to a</p> <p>19 coloradotimesrecorder.com article, with the slug</p> <p>20 "FEC United Founder Threatens Journalist at GOP Candidate</p> <p>21 Event." Do you see that?</p> <p>22 A. I do.</p> <p>23 Q. Okay. And -- and this article, Exhibit A, is</p> <p>24 dated October 16, 2020?</p> <p>25 A. Yes. I see that.</p> <p style="text-align: right;">Page 121</p>

<p>1 Q. And so was this -- did you review Exhibit A in 2 an effort to corroborate Mr. Oltmann's statement that he 3 was not on the Antifa call looking for Mr. Coomer, but was 4 on the Antifa call looking for information about local 5 journalists? 6 A. I just wanted to verify that he was at this 7 event and see what knowledge I could gain by researching 8 it a little bit. And it was clear that he made the 9 statement that he was trying to expose Antifa members that 10 were associated with the press. 11 He said he disclosed 13. I think, in one of the 12 articles, it says that the names of those 13 were not 13 given out publically, but he made the claim during that. 14 And I think there were some elected officials at 15 that event, also. And I believe that he hosted that event 16 through the FEC United organization. 17 Q. All right. And then you've indicated that 18 the -- one of the articles that you read that weekend also 19 linked to a video of Mr. Oltmann from -- at the speedway? 20 A. Yes. That is correct. 21 He was in a white tent. He made a short 22 statement. And I believe there were elected officials 23 there or people running for office. 24 Q. All right. I have marked that video as 25 Exhibit B.</p> <p style="text-align: right;">Page 122</p>	<p>1 that. Thank you. Let's do this again. 2 Now do you see that? 3 A. Not real well. It's blurry. But -- 4 Q. Okay. Well, here's Exhibit 37 -- Plaintiff's 5 Exhibit 35 -- excuse me -- the second page. Thank you. 6 "You all have seen the video of Kris Jacks, 7 Our Revolution leader in Northern Colorado, who called for 8 the beheading of Americans. If you check out the video 9 from Project Veritas, you will see that they stated they 10 hold a majority of the seats of the Democratic party 11 across Kansas [sic] -- Colorado." 12 Do you see that now? 13 A. Yes. 14 Q. Yeah. Probably helps when I share the screen. 15 At the time that you received and read this 16 email, what did you know about Kris Jacks? 17 A. I had seen the Project Veritas -- or, excuse 18 me -- the Project Veritas videos. And I know that 19 Kris Jacks was, basically, a radicalized individual that 20 was trying to justify violence and made some pretty strong 21 statements that if democrats were not in line with his 22 progressive views, that they could potentially be killed. 23 So I knew he was radicalized. I think he made 24 statements that he appreciated Antifa, and that Antifa was 25 prepared to use violence.</p> <p style="text-align: right;">Page 124</p>
<p>1 (Exhibit Number B was introduced.) 2 Q. (By Mr. Rhodes) And I will play that and ask 3 you if that's the video you reviewed as part of your 4 investigation the week of November 14th and 15th. 5 (The video segment was played.) 6 Q. (By Mr. Rhodes) Is that the video that you 7 reviewed, Mr. Herring? 8 A. I believe so. 9 Q. And did that confirm for you Mr. Oltmann's 10 statement that he was attempting to infiltrate to expose 11 Antifa members who were posing as journalists? 12 A. Yes. It was consistent with the statements that 13 he made in his video. 14 Q. Let's go back to Exhibit 35. 15 On the second page, in the second paragraph, 16 Mr. Oltmann says, "You all have seen the video of 17 Kris Jacks, the Our Revolution leader in Northern Colorado 18 who called for the beheading of Americans. 19 "If you check out the video from 20 Project Veritas, you will see that he stated they hold a 21 majority of the seats in the Democratic [sic] party across 22 Colorado." 23 Do you see that? 24 A. I do not see it. It's not -- 25 Q. You did not see that because I have not shared</p> <p style="text-align: right;">Page 123</p>	<p>1 (OAN Exhibit C was introduced.) 2 Q. (By Mr. Rhodes) I have marked as Exhibit C the 3 Project Veritas video I believe you are referring to. Let 4 me share that screen with you. 5 I'm going to play this video and ask you if you 6 had seen this video prior to your receipt on November 10th 7 and your review on November 14th and 15th about 8 Kris Jacks. 9 MR. CAIN: Is there a -- just to interject -- 10 (The video was played in its entirety.) 11 Q. (By Mr. Rhodes) Mr. Herring, is that the 12 Project Veritas video regarding Kris Jacks you had seen 13 before you got Mr. Oltmann's viewer comment on 14 November 10th? 15 MR. CAIN: Counsel, can you hear me? 16 MR. RHODES: Yes. 17 MR. CAIN: Can I be heard? Okay. Thank you. 18 When that started, I tried to interject an 19 objection. And I thought I was speaking, but the video 20 continued to play. So let me just assert a couple of 21 objections. 22 First reassert what I said in terms of this is 23 not in compliance with the Court's order. 24 Secondly, as it relates to this Project Veritas 25 video, I've tried to find any production of that to me as</p> <p style="text-align: right;">Page 125</p>

<p>1 being something that was part of OAN's investigation. I 2 have not seen that video.</p> <p>3 MR. Rhodes, you can correct me if I'm wrong if 4 that's been produced, but I believe it hasn't. But even 5 if it had, I don't see the line of relevance of this line 6 of inquiry, so I'd object on that basis as well.</p> <p>7 Do you have a time estimate of how long you're 8 going to be questioning Mr. Herring?</p> <p>9 MR. RHODES: No, I do not.</p> <p>10 And the answer to your question, as I stated at 11 the beginning of the deposition, Mr. Cain, the information 12 regarding the verification of Mr. Oltmann's statements 13 unrelated to Mr. Coomer is not a topic of the four 14 document requests you made. Therefore, the 15 Project Veritas video was not produced, because it's not 16 responsive to any request.</p> <p>17 However, during your examination of Mr. Herring, 18 you specifically asked him what, if anything, he did to 19 verify the voracity, to determine the voracity, of 20 Mr. Oltmann. These documents and videos go directly to 21 that issue; therefore, they are directly relevant on 22 cross-examination to your direct examination of that 23 topic.</p> <p>24 MR. CAIN: And where under the Court's order are 25 you deriving your authority to continue to question the Page 126</p>	<p>1 Q. (By Mr. Rhodes) Mr. Herring, Mr. Cain says he 2 doesn't understand the relevance of the Project Veritas 3 video of Kris Jacks.</p> <p>4 I'm showing you again Mr. Cain's exhibit -- not 5 mine -- Mr. Cain's exhibit of Plaintiff's Exhibit 35, in 6 which Mr. Oltmann describes to you about him having 7 knowledge, supposedly, of a video of Kris Jacks talking 8 about beheading of Americans and a video from 9 Project Veritas, which we now know is the same.</p> <p>10 Because of your prior knowledge of the 11 Project Veritas video of Mr. Jacks, were you able to 12 corroborate, determine the voracity of Mr. Oltmann's 13 statement in his email that Mr. Cain has marked as 14 Plaintiff's Exhibit 35 regarding Mr. Jacks calling for the 15 beheading of Americans?</p> <p>16 A. Yes.</p> <p>17 MR. CAIN: Leading.</p> <p>18 A. It further solidifies why Mr. Oltmann was 19 pursuing and trying to call out Antifa. Some of the 20 radical views that are being called out by people that 21 either are Antifa or sympathetic to their point of view, 22 literally asking for, calling for, and trying to justify 23 violence against people that have different points of view 24 is very, very extreme and, I think, of concern to 25 Mr. Oltmann, and probably why FEC United came about in the Page 128</p>
<p>1 witness?</p> <p>2 You've already filed your motion. You can't 3 file additional evidence in -- in a reply. So I don't 4 understand what we're doing here, and certainly don't 5 understand what Mr. Jacks has to do with Dr. Coomer.</p> <p>6 MR. RHODES: Well, if you'll let me -- if you'll 7 let me continue, I was about to ask the question of the 8 relevance of Mr. Jacks.</p> <p>9 MR. CAIN: All right. I'll just -- you know, 10 I'll make my objections. I just don't see -- I don't see 11 the appropriateness of this. But continue on.</p> <p>12 MR. ARRINGTON: This is Barry Arrington. I 13 will -- I do think I need to interject here, lest my 14 silence be mistaken for assent to something that Mr. Cain 15 said.</p> <p>16 He said we can't file any more evidence in 17 our -- in support of our replies. I don't -- I don't -- 18 the Court -- the trial court has made no such order. I'm 19 not aware of any rule of law or procedure that would 20 support that suggestion that.</p> <p>21 Any evidence that is designed to reply to 22 assertions made in the -- in the answer is certainly 23 legitimate for filing and attaching to our reply. So I, 24 for one, fully intend to -- to submit additional evidence 25 in my reply. Page 127</p>	<p>1 first place.</p> <p>2 Q. (By Mr. Rhodes) I want to show you what I've 3 marked as Exhibit D.</p> <p>4 (OAN Exhibit D was introduced.)</p> <p>5 Q. (By Mr. Rhodes) Can you tell me what Exhibit D 6 is?</p> <p>7 A. This is an email that I received on -- looks 8 like it's October 14, 2020 -- that talks about Kris Jacks. 9 It was sent to a wide range of media.</p> <p>10 Q. I don't see your name on here. Why do you say 11 you received this?</p> <p>12 A. It's in my emails. There's an email address 13 that is TDL -- I think it is TDL@oann.com -- which is an 14 email address that I have filtered into my primary email.</p> <p>15 Q. And this regards the "Democratic Official: I 16 will lie; I will cheat; I will steal"; correct?</p> <p>17 A. Yes.</p> <p>18 Q. This is Kris Jacks, that we just talked about?</p> <p>19 A. Yes. Probably missing one other thing, which is 20 "I will include violence."</p> <p>21 Q. Okay. And there's a hyperlink here to the 22 video; is that correct?</p> <p>23 A. I believe so.</p> <p>24 Q. Actually, I believe this hyperlink -- I take 25 that back. This hyperlink, I believe, is to -- let me Page 129</p>

<p>1 mark this. We have to go the long way around here. 2 (OAN Exhibit E was introduced.) 3 Q. (By Mr. Rhodes) I'm showing you Exhibit E, 4 which, I will represent, the hyperlink in Exhibit D takes 5 you to this Breitbart article from October 13, 2020. 6 Do you see that? 7 A. I do. 8 Q. And then on the very beginning of the Breitbart 9 is the link to the 12-minute, 21-second YouTube video that 10 we just watched; is that correct? 11 A. It appears to be, yes. 12 Q. Okay. So almost a month before Mr. Oltmann 13 wrote you anything about Kris Jacks and his desire, and 14 the desire of other members of Antifa, to behead 15 Americans, you were aware of Mr. Jacks and the 16 Project Veritas video; correct? 17 MR. CAIN: Leading. 18 A. I was. 19 Q. (By Mr. Rhodes) Prior to Mr. Oltmann emailing 20 OAN on November 10th, were you aware of any other alleged 21 Antifa members in Colorado? 22 A. I was aware of Antifa going into the suburbs 23 with BLM and intimidating residents. 24 I was aware of a connection with a shooting that 25 took place where a gentleman who was a security guard for Page 130</p>	<p>1 A. I reviewed it, and OAN reported on it. 2 Q. If you'll hold on one minute, I've got to move 3 my exhibit sticker so it's not covering up anything. 4 (OAN Exhibit G was introduced.) 5 Q. (By Mr. Rhodes) I'm showing Exhibit G, 6 Mr. Herring. Is this is NOQ Report that you reviewed? 7 A. Yes. 8 Q. And this is dated October 11, 2020; correct? 9 A. Yes. 10 Q. And this discusses the Denver -- the alleged 11 Denver shooter, Matthew Robert Dolloff, and his reported 12 ties to Antifa. 13 And I'm directing your attention to page five, 14 where there purports to be -- and I don't know if these 15 are tweets or Facebook posts, from Mr. Dolloff. 16 The first one appears to be Mr. Giuliani 17 June 11, 2016: "Ran into a Trump supporter with a" -- I 18 can't -- it's cut off. "Trump -- i like their im a racist 19 button. They -- F Trump." 20 Do you see that? 21 A. I do. 22 Q. Is -- is -- is "F Trump" something that 23 Mr. Coomer used in his post? 24 A. I believe it is. 25 Q. And then I see there's one from Mr. Dolloff: Page 132</p>
<p>1 a news channel pulled a gun and shot another individual. 2 I think his name is Matthew Dolloff. 3 I am generally aware of Antifa raising heck in 4 multiple areas around the United States. We did a special 5 on Antifa prior to November 9th, 2020. 6 And we've had staff -- I don't recall the 7 time frame, but we've had staff members, or a staff 8 member, that was that harassed by Antifa. 9 (OAN Exhibit F was introduced.) 10 Q. (By Mr. Rhodes) I'm showing you Exhibit F, 11 which is an email -- a series of emails from 12 October 11, 2020. And I want to direct your attention to 13 about a third of the way down, begin forward message from 14 Dr. Reg Barrow to contact@oann. 15 I believe you previously told us that you 16 received copies of emails sent to this email address; 17 correct? 18 A. Yes, I do. 19 Q. And on the second page of Exhibit F, Dr. Barrow 20 messages: "Alleged Denver shooter Matthew Robert Dolloff 21 is a proud radial leftist," with a link to a report on -- 22 to noqreport.com; is that correct? 23 A. Yes. 24 Q. Prior to your receipt of Mr. Oltmann's email on 25 November 10th, had you reviewed that NOQ Report? Page 131</p>	<p>1 "No justice, no peace. F the police." 2 Is that a similar post that Mr. Coomer used? 3 A. "F the police" is, yes. 4 Q. So when you got Mr. Mr. Coomer's -- excuse me -- 5 Mr. Oltmann's email, you were familiar with Antifa -- 6 alleged Antifa members in Colorado threatening violence, 7 threatening beheading, using such terms as "F Trump, F the 8 police"; correct? 9 A. Yes. That's correct. 10 Q. So was there anything in what Mr. Oltmann told 11 you that caused you to not believe him? 12 A. No. After trying to dig in and understand the 13 social media, it seemed pretty consistent that Mr. Coomer 14 was associated or sympathetic towards Antifa. 15 But more importantly, it was clear that 16 Mr. Oltmann was trying to track down Antifa members, 17 especially Antifa members in the media. And I can 18 understand why he was doing that. 19 Q. So when Mr. Cain says you didn't -- you 20 didn't -- you didn't follow your owned advice of 21 confirming from multiple sources the voracity of 22 Mr. Oltmann, is that true? 23 MR. CAIN: Object to form. 24 A. I don't believe so. 25 MR. CAIN: Bernie, I may have objections. You Page 133</p>

<p>1 might want to give a beat before you answer, just so we're 2 not talking over each other.</p> <p>3 Q. (By Mr. Rhodes) So, Mr. Herring, I understand 4 you independently researched Mr. Oltmann's claim that he 5 was attempting to expose reporters as Antifa members; 6 correct?</p> <p>7 A. Yes.</p> <p>8 Q. And you already had existing knowledge of 9 Kris Jacks and his love of Antifa and his desire to behead 10 Americans in Colorado; right?</p> <p>11 MR. CAIN: Form. Leading.</p> <p>12 A. Yes, I did.</p> <p>13 Q. (By Mr. Rhodes) And you already had existing 14 knowledge about Mr. Dolloff's Facebook post; correct?</p> <p>15 MR. CAIN: Same objection.</p> <p>16 A. I did.</p> <p>17 Q. (By Mr. Rhodes) And -- and Mr. Oltmann provided 18 you with many of Dr. Coomer's Facebook posts?</p> <p>19 A. He did.</p> <p>20 Q. And what was your impression of those Facebook 21 posts?</p> <p>22 A. When I went through them the first time, I was 23 disturbed. It was clear to me that he was associated with 24 Antifa, more importantly, an anarchist. They tend to run 25 together. Matter of fact, the Antifa logo -- it has an</p> <p style="text-align: right;">Page 134</p>	<p>1 100% Auditable; No Unauthorized or Last-Minute Software 2 Updates Occurred; There Are No Issues With User Sharpie 3 Pens; Assertions of Voter Fraud Conspiracies Are 100% 4 False."</p> <p>5 Do you see that?</p> <p>6 A. I do.</p> <p>7 Q. I want to go back, now, to Exhibit 23, which is 8 the "Dominion-izing the Vote" video that Mr. Cain showed 9 you. And I want to, once it starts, fast forward here to 10 approximately 26:30.</p> <p>11 (The video segment was played.)</p> <p>12 Q. (By Mr. Rhodes) So I'm at 26:28 of 13 "Dominion-izing the Vote." Do you see what's on the 14 screen here?</p> <p>15 A. I do.</p> <p>16 Q. "Dominion Voting Systems categorically denies 17 false assertions about vote switching and software issues 18 with our voting systems."</p> <p>19 "1) Vote deletions, switching assertions are 20 completely false."</p> <p>21 So OAN, in fact, was aware and used in its 22 report Dominion Voting Systems' statement; correct?</p> <p>23 A. It appears so, yes.</p> <p>24 (The video segment was played.)</p> <p>25 Q. (By Mr. Rhodes) And then let's fast forward --</p> <p style="text-align: right;">Page 136</p>
<p>1 anarchist, many times, when you see them on the street.</p> <p>2 But it reminded me of the Unabomber. And I 3 actually went back and read just a short segment of the 4 manifesto from the Unabomber and tried to see if -- you 5 know, how closely they compared.</p> <p>6 There were some things that were close. But I 7 really thought that he was so radicalized that he may take 8 action. That action could be harming another person, 9 which is part of the reason why I was wondering if the FBI 10 was informed.</p> <p>11 Q. Now, Mr. Cain asked you whether or not you 12 attempted to contact -- "you" being OAN -- contact 13 Dominion or were even aware that Dominion had issued a 14 statement. Do you recall that?</p> <p>15 A. I do.</p> <p>16 Q. And I believe he showed you -- let's go to what 17 he marked as Exhibit 16. And I will show you Exhibit 16.</p> <p>18 You see Exhibit 16? You were previously shown 19 this, and you made your comment about the Wayback Machine. 20 Do you recall that?</p> <p>21 A. I do.</p> <p>22 Q. And you see these point headings: "Vote 23 Deletion/Switching Assertions Are Completely False; 24 Dominion s a Nonpartisan U.S. Company; Dominion Software 25 Accurately Tabulated Ballots, and Tabulated Results are</p> <p style="text-align: right;">Page 135</p>	<p>1 (The video segment was played.)</p> <p>2 Q. (By Mr. Rhodes) So here we are at 29:35, and we 3 see, once again, Dominion's statement being used in 4 "Dominion-izing the Vote"; correct?</p> <p>5 A. Yes.</p> <p>6 Q. So Mr. Cain is simply wrong in saying that you 7 ignored Dominion's statements; correct?</p> <p>8 MR. CAIN: Form. Leading.</p> <p>9 A. That's correct.</p> <p>10 Q. (By Mr. Rhodes) Now. Dominion has denied this. 11 Why -- why would you -- why would you report on something 12 that Dominion has denied?</p> <p>13 I mean, once -- once the subject of an 14 investigation denies it, don't you just shut it down?</p> <p>15 A. No. We've seen a lot of denials that aren't 16 correct.</p> <p>17 Q. I mean, would be Dominion -- would Dominion be 18 the first subject of an investigation who falsely denied 19 being involved?</p> <p>20 A. No.</p> <p>21 Q. So I've marked the first point we stopped as OAN 22 Exhibit H. Let me share that with you.</p> <p>23 (OAN Exhibit H was introduced.)</p> <p>24 Q. (By Mr. Rhodes) You see that?</p> <p>25 A. I do.</p> <p style="text-align: right;">Page 137</p>

<p>1 Q. And that's at the 26:29 that we talked about on 2 the -- when we were playing the video; correct? 3 A. I can't see it, but I'll take your word for it. 4 Q. Okay. Yeah. I can see it on my end. I may 5 have a bigger screen than you. 6 And while we're at it, let's mark the other one. 7 (OAN Exhibit I was introduced.) 8 Q. (By Mr. Rhodes) And can you see Exhibit I? 9 A. I can. 10 Q. Again, I'll represent to you that's the 11 screenshot from 29:36. 12 A. Okay. 13 Q. So am I correct, then, that OAN obtained a copy 14 of Dominion Voting Systems' statement, and in that 15 statement, which was -- hold still. I apologize. 16 I will represent to you that that statement was 17 issued on November 17th, based upon the screenshot, 18 Exhibit H. 19 And then we will go back to Exhibit 16, that 20 Mr. Cain introduced. Do you see Exhibit 16? 21 A. I do. 22 Q. All right. This is November 13th. The 23 Joe Oltmann podcast was November 9th; correct? 24 A. Yes, it was. 25 Q. And the Michelle Malkin interview was</p> <p style="text-align: right;">Page 138</p>	<p>1 changed your mind? 2 MR. CAIN: Form. Leading. 3 A. Yes. It would have changed my mind, because I 4 would only have been even more confident in our decision. 5 I was already confident in our decision, but that seems 6 pretty definitive. 7 Q. (By Mr. Rhodes) You were asked if there was an 8 electronic recording of the call. You remember that? 9 A. I do. 10 Q. And you said not that you were aware of? 11 A. I believe so. I wasn't aware of one. 12 Q. Does OAN only report on events that it has an 13 electronic recording of? 14 A. No. I've seen reporters through the years that 15 are some of the best in the industry, and they have a 16 legal pad or a pad in front of them and a pen, and do one 17 heck of a job reporting on events, including at the 18 White House in the Briefing Room. 19 Q. I just -- I think I know what you meant, but I'm 20 not sure the record is clear. 21 You were asked about people referring to 22 "H stories." Do you recall that? 23 A. I do. 24 Q. And you made two statements. You said the press 25 refers to H stories. You recall that?</p> <p style="text-align: right;">Page 140</p>
<p>1 November 10th; is that right? 2 A. I think it was the 13th. I think it was on 3 Friday, November 13th. But that's just my best 4 recollection. 5 Q. Okay. Is there any information in Dominion's 6 statement denying anything about Eric Coomer? 7 A. I don't see anything in there about Dr. Coomer. 8 Q. By the way, you understand that Mr. Coomer is no 9 longer with Dominion Voting Systems; correct? 10 A. That's my understanding. 11 Q. Do you know why? 12 A. I can only speculate. 13 Q. You were shown Exhibit 29. I'll show that to 14 you. 15 Can you see Exhibit 29? 16 A. I can. 17 Q. And you were asked if you had seen that any time 18 prior to today; correct? 19 A. That's correct. 20 Q. Well, now that you've seen it, I'm showing you, 21 on the second page -- and there's a statement just over 22 halfway down, "Trump not going to win. I made 23 F-ing [sic] sure of that." 24 If you had seen this note prior to approving the 25 publication of "Dominion-izing the Vote," would this have</p> <p style="text-align: right;">Page 139</p>	<p>1 A. I do. 2 Q. And then you said reporters refer to H stories. 3 I just want to clarify: When you say reporters, 4 do you mean OAN reporters or non-OAN reporters? 5 A. I mean non-OAN reporters. Namely, people that 6 have written articles about OAN have used that term. 7 I generally understand what they mean by that 8 term. And generally, what they're trying to say is, 9 occasionally, our senior management will make a decision 10 and tell the staff to do something. That's part of the 11 normal process in a business. 12 As an example, if a story has aired extensively 13 and we think the viewer has already seen it, we might tell 14 them to pull the story. Or if there's a story that we 15 think is of great relevance, we might ask them to air it 16 more frequently. 17 Q. You were asked about whether or not it was 18 potentially likely that Eric Coomer built a rocket to go 19 to the moon. Do you remember that? 20 A. I do. 21 Q. Does Dr. Coomer have a patent on rockets? 22 A. Not that I'm aware of. 23 Q. Does he post Facebook posts about "F the moon"? 24 A. I have not seen that. 25 Q. Does he have patents on election security?</p> <p style="text-align: right;">Page 141</p>

<p>1 A. I know he has patents on -- a number of patents 2 on election machines, including on adjudication -- 3 adjudication. Excuse me. 4 Q. And does Dr. Coomer work at a rocket company, 5 whether it's NASA or -- what is it -- Blue Origin or 6 Virgin? 7 A. Not to my knowledge. 8 Q. Did he work at Dominion Voting Systems? 9 A. That's my understanding. 10 Q. And was he the director of product strategy and 11 security at Dominion Voting Services [sic]? 12 A. I've seen that title used. And I've also seen 13 it used, instead of director, vice president. But, yes, 14 I've seen -- seen those titles used. 15 Q. So would you agree that it's not potentially 16 likely that Dr. Coomer built a rocket and actually went to 17 the moon? 18 A. I would agree with that. 19 Q. Okay. Do you believe it's potentially likely 20 that Dr. Coomer interfered with the 2020 presidential 21 election? 22 A. Yes. It could be. 23 Q. Are you aware of any information that he did not 24 interfere with the 2020 presidential election? 25 A. No, I am not.</p> <p style="text-align: right;">Page 142</p>	<p>1 (OAN Exhibit J was introduced.) 2 Q. (By Mr. Rhodes) This is the first of a series 3 of Facebook posts that Mr. Oltmann provided to you. 4 Just for the record, are you aware of, at any 5 point in this lawsuit, Mr. Coomer, or Dr. Coomer, or 6 Dr. Coomer's lawyers denying that these are, in fact, 7 Mr. Coomer's Facebook posts? 8 A. I am not. 9 Q. So the first page, which is Bates numbered 351: 10 "If you voted for a fascist - friend, family, or foe, 11 F-ing [sic] un-trump me. I've got no truck for racists." 12 Does that suggest to you this is someone who we 13 should be trusting election integrity to? 14 A. I wouldn't think so. 15 THE REPORTER: I'm sorry. Was there an 16 objection that I missed? 17 MR. CAIN: Yeah, Sara, if that's you. I'm not 18 looking up. But I objected to leading. 19 Q. (By Mr. Rhodes) All right. Well, since he 20 objected to leading, how did you interpret Dr. Coomer's 21 statement, "If you voted for a fascist - friend, family, 22 or foe, F-ing un-trump me. I've got no truck for 23 racists"? 24 How did you view that as concerns Dr. Coomer 25 having the position that he does -- did?</p> <p style="text-align: right;">Page 144</p>
<p>1 Q. And do you, in fact, believe it was Dr. Coomer 2 in the Antifa call who said that he could interfere with 3 the 2020 election? 4 A. Yes. 5 Q. And are you aware of any information to cause 6 you to believe that that was not Dr. Coomer on the Antifa 7 call? 8 A. No. 9 Q. Does your review of Dr. Coomer's Facebook post 10 lead you to believe that Dr. Coomer shared the view that 11 he should do whatever he could to keep Trump from winning? 12 A. Yes. 13 Q. Does it matter to you that these Facebook posts 14 were from Dr. Coomer's private Facebook page? 15 A. Yes, it does. I think there is a better 16 indication of his real views when they're behind a pay 17 wall -- excuse me, not pay wall, but a private group 18 setting. 19 I don't think he would be foolish enough to 20 express those views in the open; but he would when it's a 21 private Facebook group. 22 So knowing that it came from a private Facebook 23 group, I think he's truly expressing his point of view. 24 Q. I'm going to show you what I've marked as 25 Exhibit J.</p> <p style="text-align: right;">Page 143</p>	<p>1 A. I think it was beyond a normal bias or political 2 viewpoint. I believe it's extreme, especially when he's 3 talking friend, family, that this somebody who wouldn't -- 4 shouldn't be at such a senior position in -- in Dominion 5 or any voting equipment company. 6 Q. And in your mind, even without the statement of 7 Dr. Coomer during the Antifa call, are his Facebook posts 8 by themselves newsworthy? 9 A. I think it's, arguably, that they're more 10 newsworthy to have such a senior person that is expressing 11 anarchist and Antifa-type views. 12 And the reason I say that is there's a 13 manifesto, Antifa manifesto, that it appears that either 14 he forwarded, or maybe he even wrote; I don't know. 15 And in that, it actually says something to the 16 effect that they don't acknowledge the popular vote, 17 people voting for the president. They're not 18 acknowledging the election. 19 And his numerous views that make him appear to 20 be sympathetic to an anarchist point of view are 21 disturbing for a person who works at 22 Dominion Voting Systems. 23 MR. CAIN: Nonresponsive. 24 Q. (By Mr. Rhodes) So I believe you're referring 25 to the statement that begins on OAN 359; is that correct?</p> <p style="text-align: right;">Page 145</p>


<p>1 A. Yes. 2 (Simultaneous speakers.) 3 A. Generally referred to as the "Antifa Manifesto." 4 Q. And this goes on for -- well, here's 359 and 5 360. 6 Unfortunately, because of the pagination -- I'm 7 going to write this down. 359, 360. We've got to go to 8 the next group of documents. 9 (OAN Exhibit K was introduced.) 10 Q. (By Mr. Rhodes) I'm now showing you Exhibit K. 11 Do you see that? 12 A. I do. 13 Q. Which starts with OAN 361 and goes through 362. 14 So he -- he posts a four-page Antifa Manifesto; correct? 15 A. Yes. 16 Q. And then I want to start with OAN 367: "Pigs 17 for slaughter. They shot an innocent five-year-old kid." 18 Who do you understand "they" to be, and who do 19 you understand "pigs" to be? 20 MR. CAIN: Object to form. 21 A. "Pigs," I believe, is referring to the police. 22 The symbol, I believe, is an anarchist symbol. 23 Q. (By Mr. Rhodes) I see on 368, there's a post by 24 Penelope Chester. You were asked about her during -- or 25 you were played video about her during the</p> <p style="text-align: right;">Page 146</p>	<p>1 What is your response to that statement? 2 A. Well, it's -- it's clear that we got somebody 3 with an anarchist point of view working at a senior 4 position at Dominion. And that is just the type of 5 individual that might take action. 6 And there's other signs of that in this email -- 7 or, excuse me -- in the Facebook postings. 8 Q. F the USA. F the rules; huh? 9 And here's 372: F the police again; right? 10 A. Yes. Typical language that's used by Antifa, 11 along with the acronym ACAB, "All cops are bastards." 12 Q. And this is exactly the same F the police that 13 was in Mr. Dolloff's Facebook or Twitter post; right? 14 MR. CAIN: Leading. 15 A. That's correct. 16 Q. (By Mr. Rhodes) That you were familiar with 17 prior to receiving these Facebook posts from Mr. Oltmann? 18 A. Yes. I've been familiar with some of the 19 terminology used by Antifa online that included ACAB and 20 F the police. There you go. There it is: ACAB. 21 Q. Yeah. Here. OAN 373 is ACAB, which you've told 22 us already about. 23 And then OAN 374, "Body Count - Cop Killer"; 24 right? 25 A. Yes. Again, pretty extreme.</p> <p style="text-align: right;">Page 148</p>
<p>1 "Dominion-izing the Vote" segment. 2 A. Yes. 3 Q. And then Ms. Chester posts on 369 an article, 4 "Don't focus on looting. Be outraged that police keep 5 killing." 6 A. I see that. 7 Q. And then she posts, "To focus on the damage and 8 looting misses the point. Were it not for the killing of 9 Floyd and the history of police behavior, there would have 10 been no protests." 11 Do you see that? 12 A. I do. 13 Q. And then on 370, you were asked about 14 "Dead Prez - Cop Shot." 15 You were aware of that when you made your 16 decision to approve "Dominion-izing the Vote"; correct? 17 A. That's correct. 18 Q. On 371, you were aware of Mr. Coomer's post, 19 "F [sic] the USA"? 20 A. Yeah. This one's somewhat shocking for a 21 gentleman working at an election company to use what 22 appears to be an album cover and indicate "F the USA." 23 Q. Well, but Mr. Cain said to you it's not possible 24 that Dr. Coomer could interfere with the election, because 25 there -- there are federal and state rules against that.</p> <p style="text-align: right;">Page 147</p>	<p>1 Q. Here's OAN 375: "Dead Cops"; correct? 2 A. Yes. Again, anti-cop rhetoric, antiauthority 3 rhetoric, typical of Antifa and anarchists. 4 Q. And someone -- Scott Wimberley posts, "You're on 5 a rip today." And Mr. -- Dr. Coomer responds, "I'm 6 F-ing [sic] over it." 7 A. Possibly an indication that, you know, 8 he's -- it's about time to do something; again, why I 9 found his postings so disturbing. 10 Q. Was it significant to you that it appears that 11 every other word out of Dr. Coomer's mouth is the F word? 12 A. Well, it's interesting -- 13 Q. What he's alleged to have said in the Antifa 14 call was using the F word? 15 A. His -- his tone with -- on Facebook is 16 consistent with his tone that was expressed by Mr. Oltmann 17 on the Antifa call. And I think that they actually line 18 up. 19 And I think it's more than just his tone and 20 using the F word. But on the Antifa call, there's 21 indication that the Eric is a leader and giving advice on 22 what needs to be done: We need to fortify. We need to 23 recruit. 24 And you see on these Facebook postings a number 25 of things along those lines. People -- Eric will put up a</p> <p style="text-align: right;">Page 149</p>

<p>1 posting, and people are commenting on it and how they want</p> <p>2 him to continue with this rants. He appears to be a</p> <p>3 leader on the Facebook posting. And so we see</p> <p>4 similarities between the two.</p> <p>5 Q. Here's OAN 376. F the police again.</p> <p>6 A. Yeah. Again, the frequency that he's using</p> <p>7 F the police and these antiauthority statements -- not</p> <p>8 only the police, but, you know, dead prez and F the USA,</p> <p>9 is an indication to me he's an anarchist, which is</p> <p>10 consistent with somebody who is part of Antifa.</p> <p>11 Q. On OAN 379. This is Dr. Coomer: "Just because</p> <p>12 cheeto Jesus won't sign a bill." Who did you understand</p> <p>13 Mr. Coomer to be referring to as "cheeto Jesus?"</p> <p>14 A. When he uses the term "cheeto Jesus," he's</p> <p>15 referring to the President of the United States at the</p> <p>16 time, which was Donald Trump.</p> <p>17 In that case, it actually may have been before.</p> <p>18 I can't see the date clearly.</p> <p>19 Q. This was 2019.</p> <p>20 A. Thank you. Yes.</p> <p>21 Q. All right. We're up to 380.</p> <p>22 I'm now going to show you Exhibit L, which</p> <p>23 starts with OAN 381.</p> <p>24 (OAN Exhibit L was introduced.)</p> <p>25 Q. (By Mr. Rhodes) Can you see Exhibit L?</p> <p style="text-align: right;">Page 150</p>	<p>1 this assumption is, is that a guy from Dominion would have</p> <p>2 the ability to impact the election.</p> <p>3 And so I think that's another tie-in. And when</p> <p>4 you look at all the variables, it seems almost impossible</p> <p>5 that the Eric on the phone call -- it seems impossible</p> <p>6 that it couldn't be -- Eric on the phone call could not be</p> <p>7 Dr. Eric Coomer with Dominion Video Systems -- or Voting</p> <p>8 Systems. Excuse me.</p> <p>9 MR. CAIN: Sorry. I didn't mean to talk over</p> <p>10 you. Nonresponsive.</p> <p>11 Q. (By Mr. Rhodes) So I'm showing you OAN 385:</p> <p>12 "This is how elected autocrats subvert democracy, packing</p> <p>13 and weaponizing the courts and other neutral agencies,</p> <p>14 buying off the media and the private sector."</p> <p>15 And then he has the hashtag #resist,</p> <p>16 #deathofthemericanream; correct?</p> <p>17 A. Yes. I think the important word there, if</p> <p>18 there's one word that really stands out, is an "autocrat."</p> <p>19 He is considering the elected President of the</p> <p>20 United States an autocrat, or autocrat. And with his</p> <p>21 anarchist Antifa views, you know, that's justification to</p> <p>22 have him removed or oppose him. It's an interesting</p> <p>23 thought process.</p> <p>24 Q. And Antifa is, in fact, short for anti-fascist?</p> <p>25 A. That's correct.</p> <p style="text-align: right;">Page 152</p>
<p>1 A. I do.</p> <p>2 Q. So I want you to look at OAN 383: "Matt Crane</p> <p>3 is with Eric Coomer. Had a fantastic time at the Colorado</p> <p>4 County Clerk's Association Summer Conference."</p> <p>5 There's nothing wrong with that, of course.</p> <p>6 But, I mean, you first had to satisfy yourself that this</p> <p>7 Eric Coomer is, in fact, the Eric Coomer with Dominion;</p> <p>8 right?</p> <p>9 A. Yes.</p> <p>10 MR. CAIN: Leading.</p> <p>11 Q. (By Mr. Rhodes) Okay. And were you able to do</p> <p>12 that?</p> <p>13 A. I believe so.</p> <p>14 Q. Through things such as OAN 383?</p> <p>15 A. Yes. And also that the Antifa point of view was</p> <p>16 consistent with the Eric on the call, which was on an</p> <p>17 Antifa call.</p> <p>18 Q. And he was identified as Eric from Dominion?</p> <p>19 A. That's correct. And the -- the importance, at</p> <p>20 least in my opinion, is you never question -- or you don't</p> <p>21 hear who's Dominion or, you know -- not who's Dominion,</p> <p>22 but why does Dominion have relevance? And why can a guy</p> <p>23 named Eric from Dominion make sure that Trump is not</p> <p>24 re-elected?</p> <p>25 And because that discussion never takes place,</p> <p style="text-align: right;">Page 151</p>	<p>1 Q. And an autocrat is a fascist?</p> <p>2 A. Yes. A fascist is one who's either a dictator</p> <p>3 or autocrat, is the general definition, as I understand</p> <p>4 it.</p> <p>5 Q. And then OAN 387: "And in other news, there be</p> <p>6 some serious F-ery [sic] going on right here fueled by our</p> <p>7 Cheeto-in-chief."</p> <p>8 Who did you understand Dr. Coomer was referring</p> <p>9 to as the "Cheeto-in-chief?"</p> <p>10 A. I believe he's referring to the then-president</p> <p>11 of the United States.</p> <p>12 Q. And I'm now showing you OAN 388. How would you</p> <p>13 describe 388?</p> <p>14 A. Well, it's interesting. He's putting all people</p> <p>15 with a southern drawl into a box and mocking them.</p> <p>16 He also had problems down in Texas, because the</p> <p>17 Dominion machines couldn't get certified. Texas objected,</p> <p>18 saying that there were a number of fundamental problems</p> <p>19 with the software and the hardware.</p> <p>20 I think it was Attorney General Kim Paxton that</p> <p>21 made some pretty strong statements about Dominion in the</p> <p>22 state of Texas.</p> <p>23 So it's a little bit showing that people from</p> <p>24 another area that have a certain southern drawl, he's</p> <p>25 mocking.</p> <p style="text-align: right;">Page 153</p>

<p>1 Q. Showing you OAN 392: "F [sic] you, Britain. We 2 beat your ass again. We rule. We'll see your silly 3 Brexit and raise you an insane orange narcissist racist 4 xenophobic clown." 5 Who did you understand Dr. Coomer was referring 6 to as an "insane orange narcissist racist xenophobic 7 clown"? 8 A. The president of the United States. 9 Q. And then on the next page, in one of the 10 comments, he writes, "I have words and yet I don't have 11 words. F me. F us. How did a billionaire daddy's boy 12 somehow become the" -- he writes "beckon." I believe he 13 means beacon -- "of the common man? How the F do I have 14 actual relatives/family, that gladly donned the brown 15 shirt?" 16 Who do you believe Dr. Coomer was referring to 17 as the "billionaire daddy's boy"? 18 MR. CAIN: Form. 19 A. It's clear he's referring to the President of 20 United States, Mr. Trump at the time. 21 Q. (By Mr. Rhodes) All right. We're up to 401. I 22 think we have one more group. 23 Okay. Let me know when you can see Exhibit M, 24 as in Mary. 25 (OAN Exhibit M was introduced.)</p> <p style="text-align: right;">Page 154</p>	<p>1 excuse me -- Facebook postings. 2 Q. So now I want to show you OAN 422, which is 3 entitled "rant/ Facebook friend land - open call." 4 Do you see this? 5 A. I do. 6 Q. What was the significance, if any, to you of 7 this post in making your decision to approve the airing of 8 "Dominion-izing the Vote"? 9 A. Well, there were a couple of things that stood 10 out. The one is -- I understand that people have bias; 11 that they're allowed to have their political view. But 12 this seems extreme to me. It's beyond just having a 13 political view. 14 He's literally calling out his friends. And we 15 know that on Facebook postings, he has coworkers; he has 16 family; he has friends. And, arguably, there's even 17 people on the posting that work for municipalities that 18 are involved in the election process. 19 And here he is, basically, escalating and 20 saying, you know, you need to swear your allegiance, or 21 he's going to de-friend you. And he used some pretty 22 strong language about what he thinks about people that 23 aren't going to vote for -- or people that may vote for 24 Trump: Only an absolute F-ing idiot could vote for, 25 basically, Trump.</p> <p style="text-align: right;">Page 156</p>
<p>1 Q. (By Mr. Rhodes) Can you see Exhibit M? 2 Mr. Herring? 3 A. Excuse me. I apologize. Yes, I can see -- 4 Q. That's okay. I can only see the screen. I 5 can't see you. So I thought maybe I lost you. 6 A. I can -- I can see Exhibit M. 7 Q. So I want to direct your attention to the middle 8 of this page where there's a lengthy comment by Eric 9 Coomer. Begins, "Procedurally, he can do a few things 10 that can have immediate impacts." 11 Again, this appears to be posted by someone who 12 has intimate knowledge of the voting systems; correct? 13 A. And election process, yes. 14 Q. The election process, yes. 15 Again, did this assist you in making a 16 determination whether this particular Eric Coomer is -- 17 was the Eric Coomer from Dominion Voting? 18 MR. CAIN: Form. 19 A. Yes. I believe it is the Eric Coomer from 20 Dominion Voting. These Facebook posts, I do believe, 21 belong to Eric Coomer of Dominion Voting Systems. 22 Q. (By Mr. Rhodes) Not some other random 23 Eric Coomer? 24 A. No. The knowledge that is being expressed here 25 is a good indication that they are Dr. Coomer's emails --</p> <p style="text-align: right;">Page 155</p>	<p>1 So it seems very extreme to me. And it got 2 responses that were -- it got pushback from the Facebook 3 group, his family and friends. And he seems to double 4 down. 5 I think there's another interesting section in 6 it where he talks about -- I have a little difficulty 7 reading it -- near the bottom where he says, "My personal 8 opinions" -- 9 Q. If you have trouble reading it, let me read it. 10 The second exit -- edit -- excuse me: "These 11 opinions are rational and completely my own. They are 12 based in reason and highly credible. Though they are not 13 necessarily the thoughts of my employer, though if not, I 14 should probably find another job." 15 Is that what you referring to? 16 A. Yeah. That indicates to me, at the time of 17 writing this, which is summer 2016, that he's basically 18 saying if his employer doesn't agree with these pretty 19 extreme views, then he should leave. 20 And we know that there's people in this group 21 that are Dominion Voting Systems employees. There's a 22 gentleman -- a fairly senior gentleman -- I don't know if 23 he was still at Dominion, whose name is Benjamin Rice, who 24 is a patent holder. We have Penelope Chester Star. There 25 may be others.</p> <p style="text-align: right;">Page 157</p>

<p>1 But this seems to indicate, considering he was 2 still at Dominion five years later, that his employer 3 seems to either have the same points of view or knew about 4 his views, since there were other Dominion employees in 5 this Facebook group. 6 Q. And, in fact, he writes right after that, "Who 7 wants to work for complete morons?" question mark. 8 A. Yeah. A pretty strong showing that he doesn't 9 tolerate anyone with a different viewpoint. 10 Q. Now, then he adds, "None of my personal opinions 11 affect my professional conduct or attitudes. I am 12 nonpartisan." Did -- did you believe that? 13 MR. CAIN: Form. 14 A. Absolutely not. 15 When he's asking people to swear their 16 allegiance that they won't vote for Trump, I don't know 17 what could be more partisan. 18 Q. (By Mr. Rhodes) And then he adds, "I am not, 19 however, willing to stand and watch this great country be 20 taken over by fascists without saying something, 21 anything"; correct? 22 A. Yes. I see that. 23 Q. And you'd read this when you made the decision 24 to approve the airing of "Dominion-izing the Vote?" 25 A. Yeah. I not only read it, but I tried to study Page 158</p>	<p>1 air. 2 Q. Okay. So -- so once this form is signed, 3 whatever it is can be ingested into the server that can 4 then be disturbed on the network. Is that -- is that what 5 you mean? 6 A. Yes, sir. 7 Q. Okay. And the show series is One America News 8 Investigates; correct? 9 A. Yes. 10 Q. And the show title is "Dominion-izing the Vote"; 11 correct? 12 A. Yes. 13 Q. And then there's a line here for management 14 approval. Do you see that? 15 A. I do. 16 Q. And there's a signature after that. Whose 17 signature is that? 18 A. That's my signature. 19 Q. You -- did you physically sign this form? 20 A. I did. 21 Q. And it's dated November 20, 2020; correct? 22 A. It is. 23 Q. What is the purpose of this form? 24 A. It has a couple different purposes. The most 25 important one is to ensure that nothing goes on air Page 160</p>
<p>1 it a little more in than just a quick reading. 2 Q. And as you said, it drew many comments that go 3 on for pages and pages. And 430, that's the end of the 4 Facebook post. 5 Now, Mr. Cain asked you if you had -- what your 6 involvement was in the preparation of "Dominion-izing the 7 Vote"; correct? 8 A. Yes. 9 Q. If you'll just hold on one minute, I gotta find 10 what I'm looking for. 11 I'm showing you, Mr. Herring, what I've marked 12 as Exhibit N, as in Nancy. 13 (OAN Exhibit N was introduced.) 14 Q. (By Mr. Rhodes) Let me know once you can see 15 that. 16 A. I can see it. 17 Q. Okay. It's a two-page-- I believe it's a two -- 18 it's a two-page document. What is Exhibit N? 19 A. I call it the sign-off sheet to allow content 20 that has been reviewed and approved to go to air. 21 Q. And it's -- it's entitled "One America News 22 Network Ingest Form." What does "Ingest" mean? 23 A. Ingest is the process where content is placed on 24 a server, ingested, so it can go to air. It's the on-air 25 sever. So it basically means t has been greenlit to go on Page 159</p>	<p>1 without the necessary approvals to ensure that the product 2 is ready to go on air from a number of standpoints. 3 This is our management approval form. And so I 4 reviewed the content for a number of things and went ahead 5 and signed off on the -- the form so it could go to air. 6 Q. Now, you told Mr. Cain that you approved the 7 final draft. I want you to clarify: Does that mean you 8 approved the final written script, or you actually 9 approved the video package itself? 10 A. I approved the final video package, with all the 11 appropriate spaces for commercials, that was going to go 12 on air. 13 Q. And, in fact, when you look at the second page, 14 this lists the actual time on the video of each of the 15 four segments of the piece; correct? 16 A. Yes. That's correct. 17 Q. Okay. Did you create this form just for 18 "Dominion-izing the Vote?" 19 A. No. It's a standard form that's used for 20 signing off on the contents before going air. 21 Q. So -- so are there similar forms for other 22 One America News Investigates? 23 A. Every One America News Investigates should have 24 a similar form. 25 Q. So did you treat "Dominion-izing the Vote" any Page 161</p>

<p>1 different than any of the other One America News 2 Investigates OAN has aired? 3 A. We did not. 4 Q. And did you -- did someone bribe you to sign 5 this form? 6 A. No. 7 Q. Did someone coerce you to sign this form? 8 A. No. 9 Q. Did someone threaten you to sign this form? 10 A. No. 11 Q. Did your father tell you you had to sign this 12 form? 13 A. No. 14 Q. Did anyone tell you you had to sign this form? 15 A. The form needed to be signed before it went on 16 air. That didn't take place until after I reviewed the 17 content and signed off on the form. 18 Q. And why did you sign off on the form? 19 A. I was comfortable with the content going on air. 20 MR. RHODES: I have no further questions, sir. 21 Thank you. 22 MR. CAIN: Before we go off the record, just to 23 reiterate, the last section with Mr. Rhodes questioning 24 his client, in our view, violates the limited order for 25 discovery granted in this case.</p> <p style="text-align: right;">Page 162</p>	<p>1 MR. CAIN: Okay. Neither you nor I decide the 2 answer to that question. 3 Can we go off the air? 4 THE VIDEOGRAPHER: Yes. This concludes the 5 deposition of Charles Herring. Going off the record. 6 Time is 2:27. 7 (Whereupon, the video record was concluded.) 8 MR. RHODES: Mr. Herring, you're finished. 9 Thank you. 10 THE REPORTER: I have Mr. Cain's standing order, 11 but I do need to get transcript orders, including any 12 rough draft and expedited requests, on the record. 13 MR. RHODES: This is Mr. Rhodes. The same order 14 as I had previously. 15 MR. ZAKHEM: This is John Zakhem from the Trump 16 Campaign. We'll take a digital copy with exhibits. 17 MS. BOEHMER: Margaret Boehmer for Eric Metaxas. 18 We will take our same order: E-tran, please. 19 MR. ARRINGTON: Barry Arrington for 20 Sidney Powell. We will also take an electronic copy. 21 MS. CHRISTOPHER: This is Lexi Christopher on 22 behalf of Randy Corporon. I do have a question. How soon 23 can we get the transcript from this deposition? 24 THE REPORTER: Several attorneys have requested 25 three-day expedites. That's three business days, not</p> <p style="text-align: right;">Page 164</p>
<p>1 I'd also point out that our obligation is to 2 make a prima facie showing to the Court. And the Court, 3 under this context, doesn't weigh conflicting factual 4 claims and accepts the plaintiff's evidence as true in the 5 evaluation. Therefore, this line of questioning both 6 violates the Court order and is irrelevant. 7 And that's the basis of my objection. We'll 8 deal with it subsequent, as necessary. 9 THE REPORTER: Anything further? 10 MR. RHODES: I disagree. This was appropriate 11 cross-examination to your direct examination, which you 12 were entitled to conduct pursuant to court order. 13 I think it would be inherently unfair for you to 14 be allowed to take a deposition, ask misleading questions, 15 obtain incomplete answers, and submit them to the Court, 16 without the opportunity for the Court to have the full 17 context of the deposition. 18 So as long as you want to take advantage of your 19 opportunity pursuant to the Court order to ask questions 20 of this witness, I believe, unquestionably, I have the 21 ability to ask questions related solely to the topics you 22 have discussed, which I have done, and to obtain 23 clarification of the witness's answers in response to your 24 half-questions and misleading questions; so, therefore, I 25 believe it's completely proper.</p> <p style="text-align: right;">Page 163</p>	<p>1 three consecutive days. Will that work for you? 2 MS. CHRISTOPHER: We will go with the expedited 3 one. 4 * * * * * 5 WHEREUPON, the foregoing deposition was 6 concluded at 2:29 p.m., Pacific Time. Total time on the 7 record was 4 hours and 43 minutes. 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: right;">Page 165</p>

<p>1 I, CHARLES PETER HERRING, the deponent in the above</p> <p>2 deposition, do hereby acknowledge that I have read the</p> <p>3 foregoing transcript of my testimony, and state under oath</p> <p>4 that it, together with any attached Amendment to</p> <p>5 Deposition pages, constitutes my sworn testimony.</p> <p>6</p> <p>7 _____ I have made changes to my deposition</p> <p>8 _____ I have NOT made any changes to my deposition</p> <p>9</p> <p>10 _____</p> <p>11 CHARLES PETER HERRING</p> <p>12</p> <p>13 Subscribed and sworn to before me this _____ day of</p> <p>14 _____, 20____.</p> <p>15 My commission expires: _____.</p> <p>16</p> <p>17 _____</p> <p>18 NOTARY PUBLIC</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 166</p>	<p>1 Mr Stephen Dexter, Esq and Mr Bernard Rhodes, Esq</p> <p>2 stephen.dexter@lathropgpm.com and bernie.rhodes@lathropgpm.com</p> <p>3 August 4, 2021</p> <p>4 RE: Coomer, Eric, Ph.D. v. Donald J. Trump For President, Inc</p> <p>5 7/30/2021, Charles Peter Herring (#4708721)</p> <p>6 The above-referenced transcript is available for</p> <p>7 review</p> <p>8 Within the applicable timeframe, the witness should</p> <p>9 read the testimony to verify its accuracy. If there are</p> <p>10 any changes, the witness should note those with the</p> <p>11 reason, on the attached Errata Sheet</p> <p>12 The witness should sign the Acknowledgment of</p> <p>13 Deponent and Errata and return to the deposing attorney</p> <p>14 Copies should be sent to all counsel, and to Veritext at</p> <p>15 errata-tx@veritext.com</p> <p>16</p> <p>17 Return completed errata within 30 days from</p> <p>18 receipt of testimony</p> <p>19 If the witness fails to do so within the time</p> <p>20 allotted, the transcript may be used as if signed</p> <p>21</p> <p>22 Yours,</p> <p>23 Veritext Legal Solutions</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 168</p>
<p>1 REPORTER'S CERTIFICATE</p> <p>2 STATE OF COLORADO)</p> <p>3 CITY AND COUNTY OF DENVER)</p> <p>4 I, Sara A. Stueve, a Registered Professional Reporter</p> <p>5 and Notary Public within and for the State of Colorado,</p> <p>6 commissioned to administer oaths, do hereby certify that</p> <p>7 previous to the commencement of the examination, the</p> <p>8 witness was duly sworn by me to testify the truth in</p> <p>9 relation to matters in controversy between the said</p> <p>10 parties; that the said deposition was taken in stenotype</p> <p>11 by me at the time and place aforesaid and was thereafter</p> <p>12 reduced to typewritten form by me; and that the foregoing</p> <p>13 is a true and correct transcript of my stenotype notes</p> <p>14 thereof; that I am not an attorney nor counsel nor in any</p> <p>15 way connected with any attorney or counsel for any of the</p> <p>16 parties to said action nor otherwise interested in the</p> <p>17 outcome of this action.</p> <p>18 My commission expires: August 26, 2024.</p> <p>19 </p> <p>20 SARA A. STUEVE</p> <p>21 Registered Professional Reporter</p> <p>22 Notary Public, State of Colorado</p> <p>23 Dated: August 4, 2021</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 167</p>	<p>1 Coomer, Eric, Ph.D. v. Donald J. Trump For President, Inc.</p> <p>2 Charles Peter Herring (#4708721)</p> <p>3 E R R A T A S H E E T</p> <p>4 PAGE _____ LINE _____ CHANGE _____</p> <p>5 _____</p> <p>6 REASON _____</p> <p>7 PAGE _____ LINE _____ CHANGE _____</p> <p>8 _____</p> <p>9 REASON _____</p> <p>10 PAGE _____ LINE _____ CHANGE _____</p> <p>11 _____</p> <p>12 REASON _____</p> <p>13 PAGE _____ LINE _____ CHANGE _____</p> <p>14 _____</p> <p>15 REASON _____</p> <p>16 PAGE _____ LINE _____ CHANGE _____</p> <p>17 _____</p> <p>18 REASON _____</p> <p>19 PAGE _____ LINE _____ CHANGE _____</p> <p>20 _____</p> <p>21 REASON _____</p> <p>22 _____</p> <p>23 _____</p> <p>24 Charles Peter Herring Date _____</p> <p>25</p> <p style="text-align: right;">Page 169</p>

1 Coomer, Eric, Ph.D. v. Donald J. Trump For President, Inc.
2 Charles Peter Herring (#4708721)
3 ACKNOWLEDGEMENT OF DEPONENT
4 I, Charles Peter Herring, do hereby declare that I
5 have read the foregoing transcript, I have made any
6 corrections, additions, or changes I deemed necessary as
7 noted above to be appended hereto, and that the same is
8 a true, correct and complete transcript of the testimony
9 given by me.
10
11 _____
12 Charles Peter Herring Date
13 *If notary is required
14 SUBSCRIBED AND SWORN TO BEFORE ME THIS
15 _____ DAY OF _____, 20____.
16
17
18 _____
19 NOTARY PUBLIC
20
21
22
23
24
25

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.

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE STATE RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
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, DENVER COUNTY,
COLORADO
1437 Bannock Street
Denver, CO 80202
Tel: (720) 865-8301

ERIC COOMER, Ph.D.,
Plaintiff

vs.

DONALD J. TRUMP FOR PRESIDENT, INC.,
et al.,
Defendants

▲ COURT USE ONLY ▲

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Attorneys for Defendants Herring Networks, Inc.
dba One America News Network and Chanel
Rion

Case Number: 2020cv034319

Division Courtroom: 409

**DECLARATION OF CHARLES HERRING IN SUPPORT OF MOTION TO DISMISS
PURSUANT TO COLORADO'S ANTI-SLAPP STATUTE, COLO. REV. STAT. § 13-
20-110**

I, Charles Herring, declare and state as follows:

1. I am over the age of 18 and am a defendant in the above captioned action. I am the President of Defendant Herring Networks, Inc. dba One America News Network (“OAN”). I make this declaration in support of OAN’s and Chanel Rion’s Motion to Dismiss Pursuant to Colorado’s Anti-SLAPP Statute, Colo. Rev. Stat. § 13-20-110 filed concurrently herewith (the “Anti-SLAPP Motion”). I have personal knowledge of the facts set forth herein and, if called as a witness, could testify competently thereto.

2. OAN is a national news organization that focuses on national political affairs and produces original video and written news content. OAN is broadcast in all 50 states and is carried by numerous major cable providers and additional other television programming distributors across the United States. OAN also distributes its programming on video streaming platforms in the United States and globally.

3. Chanel Rion is OAN’s Chief Whitehouse Correspondent and is an employee of OAN. Ms. Rion works collaboratively with key staff on her segments and conducts her own research on her reporting, as well as relying upon review of segments offered by staff prior to airing.

4. During and after the 2020 United States presidential election, there were widespread allegations of voter fraud, election results tampering, procedural improprieties and statistical voting pattern anomalies. The allegations were made by numerous credible sources, including without limitation President Trump and his legal advisors and members of Congress and other state and local officials. As a major political news story, OAN covered this story heavily and in depth.

5. I have reviewed the report by Ms. Rion that Plaintiff Eric Coomer contends is defamatory. I have discussed this report with Ms. Rion as well as other persons at OAN involved with its content, including the research done prior to the broadcast and the manner in which the segment was originated and produced. Based on my staff discussions and review, our staff as well as OAN as an organization had no knowledge of the alleged falsity of any statements made in this report, including without limitation those statements that are at issue in this action, and OAN as an organization stands by the reporting and believed at the time of the reporting that the statements were true.

6. Additionally, OAN did not have information that raised serious doubts about the truth of the statements at issue in this litigation. OAN did not air these statements in an attempt to defame Mr. Coomer. Instead, they were reported on in OAN's journalistic capacity to present these important issues to the American public.

Pursuant to C.R.S. § 13-27-101, *et seq.*, I declare under penalty of perjury under the laws of the State of Colorado that the foregoing is true and correct. Executed on the 30th day of April, 2021, at San Diego, California.



CHARLES HERRING

REPORTER'S NOTE:

EXHIBIT 32

Video - Dominion-izing the Vote

PRESERVED IN NATIVE FORMAT



Chanel Rion OAN

@ChanelRion

ooo

Dominion Director of Strategy and Security, #EricCoomer:

"Trump won't win. I made F***ing sure of that."



This claim about election fraud is disputed



Ron @CodeMonkeyZ · Nov 16

Did you know that Dominion's voting software "Allows staff to adjust tally based on review of scanned ballot images"?

Their words, not mine:

sccgov.org/sites/rov/Docu...

scanners capable of imprinting a reference number on the original ballot to facilitate the original ballot to the corresponding digital image.

- 2.25. Allows for electronic review of scanned ballot images for comparison to cast vote order to verify that the system has correctly tallied ballots.
- 2.26. Allows staff to adjust tally based on review of scanned ballot images.
- 2.27. Logs all tally adjustments identifying the user making the adjustment, the adjusted vote record, original cast vote record, digital ballot image, and original paper ballot.
- 2.28. Facilitates quick and easy write-in vote allocation and tabulation without interfering with the tabulation of the remaining contests on the ballot and supports allocation of write-in official write-in candidates on visual review.
- 2.29. Generates test decks and simulation scripts to facilitate pre-election logic and testing according to the current California Use Procedures approved by the California Secretary of State.

8:35 AM · Nov 17, 2020 · Twitter Web App

26.9K Retweets 2.8K Quote Tweets 42.1K Likes

Exhibit
PX 0033

Herring

From: Joe <donotreply@oann.com>
Sent: Tuesday, November 10, 2020 11:27 AM
To: Contact
Subject: One America News Network Contact Form

To:
One America News Network

Name:
Joe

Email:
joe@fecunited.com

City:
Denver

State/Province/Region:
Colorado

Zip/Postal Code:
80108

Age:
35-49

Sex:
Male

Service Provider:
CenturyLink PRISM TV

Income:
Prefer not to disclose.

Message:

I have massive amounts of information on Eric Coomer, VP and head of Security for Dominion Voting Systems. Ran the story on Conservative Daily... heard him say he would make sure Trump does not win. 303-667-5105. no bigger piece to the story than this.

Akismet Spam Check: passed
Sent from (ip address): 172.31.34.218
(ip-172-31-34-218.us-west-1.compute.internal)
Date/Time: November 10, 2020 9:27 am
Coming from (referrer): <https://www.oann.com/contact/> Using (user agent): Mozilla/5.0 (Macintosh; Intel Mac OS X 10_15_7)
AppleWebKit/537.36 (KHTML, like Gecko) Chrome/86.0.4240.183
Safari/537.36

**Exhibit
PX 0034**
Herring

Scott, Taylor

**Exhibit
PX 0035**
Herring

From: Joe Oltmann <joe@fecunited.com>
Sent: Tuesday, November 10, 2020 3:28 PM
To: Taylor Scott
Subject: Re: Voter Fraud Follow Up

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Taylor,

Yes I do. What I have we did in the podcast at Conservative Daily yesterday. We have 80 screenshots of Eric Coomer's FB page that is private. I was also on an Antifa call where Eric Coomer stated that Trump cannot win, he made sure of it. (paraphrased).

If this is not a smoking gun that connects a ANTI-Trump, erratic leader of Dominion, I don't know what does. I am the CEO of a data company. I know for a fact that you cannot secure an online voting system. I also know what pattern algorithms can change the votes. The further you go down the line the more scary it gets. Eric Coomer was the spokesperson in EVERY state that an RFP was written. He was the spokesperson for news articles. If you check the patent office and do research on the others that hold patents, it will scare you what you will uncover. Arizona, Georgia, Pennsylvania, all on boarded in the last 3 years with their system.

We have begun talking to the Trump Attorneys and the interest in the story is growing dramatically nationally. There is no way to explain away the anomalies, fraud and code glitches. I am in the software and AI business. As an aside, when you add in the clear bias and essentric behavior of Dr. Eric Coomer and his finger prints as being responsible for the security and strategy of Dominion, there is no way he is or would remain unbiased.

My name is Joe Oltmann, I am a two time EY Entrepreneur of the Year, and a 2020 finalist. I am a father of two, married for 18 years, I give a ton to lots of organizations. My Dad is black, my Mom is white and I grew up in the DC area. I in no way an eccentric or far right conservative. Quite the opposite actually. I am also Joe Otto on Conservative Daily. I started conservative Daily 11 years ago. We have 860,000 members. I also own 13 companies and employ 194 people across different industries. Coming out from behind the vail and showing my face has had consequences, but this is too important a time in my opinion not to speak up. This is just a bit of background. IT in no way makes my data less or more valid. The data speaks for itself.

Here is the beginning notes for the podcast. It could be the biggest tie to the validity of the voting system and turn the tide of things, IMHO. But obviously I relent and give you the opportunity to decide if it is important. Here is the link to the CD podcast as well. <https://www.facebook.com/ConservativeDaily/videos/367415277670909>

Thanks Taylor.

Warm regards,

Joe

The election was fixed. First, who is Dominion. Who runs the Company and why is that important. This conversation will be about Eric Coomer. The Director of Strategy and Security for Dominion Voting Systems.

I want to give you context on what we are going to discuss. About 3 weeks ago, I gave a speech at an FEC meeting. As you may or may not know, I am in the data business. I have been incredibly focused on Antifa and the threat of their infiltration of our journalism, and the Democrat party.

You all have seen the video of Kris Jacks, the Our revolution leader in Northern Colorado, who called for the beheading of Americans. If you check out the video from project veritas, you will see that he stated they hold a majority of the seats in the Democrat party across colorado. In a subsequent video, I observed a journalist who has been known for being a rhetoric Junkie and Antifa member. She is a journalist and she is also a Our Revolution leader in southern Colorado. She uses the systems in the Business Journal and Colorado Springs Independent to gather and dox people in the community. In this use of gathering intel, infiltrating calls, groups and collecting information on individuals we uncovered 13 antifa journalists across colorado.

So let me back up after this short bit and tell you about a call I was able to listen in on. And why this is important. Ok, So I was on a call discussing the “fascists” it was fascinating honestly how they thought and spoke. It was downright scary. As the call carried on a person who called themselves Eric was on the call. Now I want to start that I cannot verify on this call that it is the same Eric but let me tell you as I jotted down notes what I discovered. This is from my notes:

I have a bunch to add. We have to be prepared for the new future where we put down these fascist fucks.

Someone interrupts. Who is Eric?

Someone answers, Eric is the Dominion guy.

Go head Eric.

Someone interrupts, What are we going to do if fucking Trump wins.

Eric responds, (paraphrased) Don’t worry about the election. Trump is not going to win. I made fucking sure of that.. hahaha”

Someone responds fucking right

Eric continues with fortifying the groups and recruiting. He was eccentric and boisterous. I compared what I remembered hearing with his videos I was able to find... and I think it is a match but not sure.

I laughed at the time but did my intel research on him. I discovered an Eric Coomer who worked at Dominion Voting Systems. I did not find anything out of the ordinary on Eric honestly. But noted that someone in dominion leadership appears to be Antifa. I researched him, but did not realize that dominion was used by many of the states in swing areas for elections till later.

Fast forward to Friday. I get a text from a friend. He sends me over a story about Dominion Voting Systems being tied to the Clinton Foundation, Dianne Feinsteins husband and long time campaign manager. The information started to pour in. I then got another set of texts that had a story that talked about Dominion Voting Systems and the name Eric Coomer popped up. I recalled that name and went into my notes... I was astonished. here was seemingly the same guy I heard being bragedocious about making sure trump does not win and so I started digging into everything Eric Coomer. What I found out about this guy will scare you. This is the guy responsible for system security.

I then started using intel to get FB posts, and collecting information. He reposted Antifa manifesto. He posted kill cops , fuck the USA. You cannot make this stuff up ladies and gentlemen...

From: Taylor Scott <Taylor.Scott@HerringNetwork.com>

Date: Tuesday, November 10, 2020 at 1:48 PM

To: "joe@fecunited.com" <joe@fecunited.com>

Subject: Voter Fraud Follow Up

Good Afternoon,

We are following up regarding your email of Voter Fraud. Can you explain your story for us?

Do you have any hard evidence to prove this?

Best Regards,

Taylor Scott



*4757 Morena Blvd
San Diego, CA 92117
Office- 858-270-6900 x116
Fax – 858-270-6901*

[Taylor.Scott@HerringNetwork.com;](mailto:Taylor.Scott@HerringNetwork.com)
www.oann.com
www.awetv.com

Herring, Charles

**Exhibit
PX 0036**

Herring

From: Charles Herring
Sent: Sunday, November 15, 2020 6:06 PM
To: Chanel Rion; Christina Bobb
Cc: Robert Herring
Subject: RE: Eric Coomer

Is the FBI investigating?

From: Chanel Rion <Chanel.Rion@oann.com>
Sent: Sunday, November 15, 2020 4:05 PM
To: Charles Herring <Charles@oann.com>; Christina Bobb <Christina.Bobb@oann.com>
Cc: Robert Herring <robert@awetv.com>
Subject: Re: Eric Coomer

He's included in my special!

Chanel Rion

Chief White House Correspondent

One America News Network

101 Constitution Ave. NW

Washington, D.C. 20001

Office: 202-849-3391

Cell: 254-413-0035

Twitter: @ChanelRion

Chanel's Broadcasts: <https://www.youtube.com/playlist?list=PLaJp7NK1-soc9bSnbkyDLJIOckvbKc4e7>

STREAM OAN | <http://shorturl.at/jsJW5>
OAN FACEBOOK | <http://shorturl.at/yEIN6>
OAN TWITTER | <https://twitter.com/OANN>
OAN YOUTUBE | <http://shorturl.at/dhV29>

From: Charles Herring
Sent: Sunday, November 15, 2020 7:04:42 PM
To: Chanel Rion; Christina Bobb
Cc: Robert Herring
Subject: Eric Coomer

FBI needs to investigate Eric Coomer ASAP!

<https://cloverchronicle.com/2020/11/15/dominion-vp-security-chief-allegedly-caught-participating-in-antifa-calls-dont-worry-about-the-election-trumps-not-gonna-win-i-made-fcking-sure-of-that/>

Charles Herring
Herring Networks, Inc.
Dba One America News Network & AWE
4757 Morena Blvd
San Diego, CA 92117
Office: (858) 270-6900 x 106
Cell: 858-945-8750



Rion, Chanel

From: Joe Oltmann <joe@fecunited.com>
Sent: Sunday, November 15, 2020 8:09 PM
To: Chanel Rion
Subject: Re: Responding to your LinkedIn message

If it is less than a half hour, I can do 11 am EST. 😊 That is 9 am my time. I'm in Colorado, so two hours behind you. I will send the files. Thank you Chanel.

Warm regards,

Joe

From: Chanel Rion <Chanel.Rion@oann.com>
Date: Sunday, November 15, 2020 at 7:07 PM
To: Joe Oltmann <joe@fecunited.com>
Subject: Re: Responding to your LinkedIn message

Excellent. That's 11am EST - I only need 15 minutes. Time constraints certainly understandable - I think we're all in the same boat!

I look forward to any materials you deem useful.

Chanel Rion

Chief White House Correspondent

One America News Network

101 Constitution Ave. NW

Washington, D.C. 20001

Office: 202-849-3391

Cell: 254-413-0035

**Exhibit
PX 0037**
Herring

Twitter: @ChanelRion

Chanel's Broadcasts: <https://www.youtube.com/playlist?list=PLaJp7NK1-soc9bSnbkyDLJIOckvbkC4e7>

STREAM OAN | <http://shorturl.at/jsJW5>
OAN FACEBOOK | <http://shorturl.at/yEIN6>
OAN TWITTER | <https://twitter.com/OANN>
OAN YOUTUBE | <http://shorturl.at/dhV29>

From: Joe Oltmann <joe@fecunited.com>
Sent: Sunday, November 15, 2020 9:04:13 PM
To: Chanel Rion
Subject: Re: Responding to your LinkedIn message

Yeah depending on the time. I have meetings in the morning. I open up at 1 MST for an hour and done for the day at 430 pm MST. Apologies for the restraints. I have a company to run in the middle of all this. Appreciate the attention to this. I already sent the package to Sidney Powell's team Don, Lauren and Lynda as well as to Jenna Ellis. I certainly can resend it as well.

Warm regards,

Joe

From: Chanel Rion <Chanel.Rion@oann.com>
Date: Sunday, November 15, 2020 at 6:51 PM
To: Joe Oltmann <joe@fecunited.com>
Subject: Re: Responding to your LinkedIn message

Hi! Please do. I'm working on an investigation special - working with Rudy and Sidney, would like to include you in the special.

Would you be available to Skype tomorrow?

Best,
Chanel

Sent from my iPhone

On Nov 15, 2020, at 8:42 PM, Joe Oltmann <joe@fecunited.com> wrote:

Hi Chanel,

Thought I would send you an email with my contact information. I had already sent OANN a package of screenshots and docs. I can also resend those.

Thanks.

Warm regards,

Joe Oltmann
303-667-5105

Rion, Chanel

From: Joe Oltmann <joe@fecunited.com>
Sent: Sunday, November 15, 2020 8:10 PM
To: Chanel Rion
Subject: FW: Voter Fraud Follow Up
Attachments: Capture11.PNG; Capture12.PNG; Capture13.PNG; Capture14.PNG; Capture15.PNG; Capture16.PNG; Capture17.PNG; Capture18.PNG; Capture19.PNG; Capture20.PNG; Capture21.PNG; Capture22.PNG; Capture23.PNG; Capture24.PNG; Capture25.PNG; Capture26.PNG; Capture27.PNG; Capture28.PNG; Capture29.PNG; Capture30.PNG

From: Joe Oltmann <joe@fecunited.com>
Date: Sunday, November 15, 2020 at 1:43 PM
To: Lauren McLaughlin <lauren.mclaughlin117@gmail.com>, Lynda McLaughlin <lynda@hannity.com>, Don Brown - Don Brown Books <donbrownbooks@gmail.com>
Subject: Fwd: FW: Voter Fraud Follow Up

Email 2 Capture 11-30 please confirm receipt

----- Forwarded message -----

From: Joe Oltmann <joe@fecunited.com>
Date: Wed, Nov 11, 2020 at 10:06 AM
Subject: FW: Voter Fraud Follow Up
To: jenna.ellis.esq@gmail.com <jenna.ellis.esq@gmail.com>

Email 2

**Exhibit
PX 0038**
Herring

dawn of the civil rights era, and we the people are saying 'no more.'

And that, "President" Trump, is your solution. No more. Get the dirt out of your law enforcement and your military. Get the dirt out of your government and administration. Ideally, resign now and take your VP and cabinet with you; Nancy Pelosi isn't a great deal of improvement, but she'll only be president for a few months.

You can't arrest 100 million of us, sir, and you would be well-advised not to try. If you think that targeting and "making an example of" the author of this document will get you anywhere, you may rest assured that this author is more than prepared to allow his real name to be used as a rallying cry for justice and civil disobedience from coast to coast.

It is time for you and everyone who thinks like you to understand that whether black, red, brown, white, or any other color, Americans are done living in a nation of empty platitudes and broken promises.

Traditionally, this type of document is accompanied by a list of "demands." Here are our demands:

- Universal single payer health care, without regard for citizenship status.
- Universal basic income WITH a federal job guarantee, under which the federal government becomes the "employer of last resort." Involuntary unemployment is a function of profiteering by fascist capitalist oligarchs who are willing to sacrifice the lives of others for their own enrichment. It must end.
- The abolition of "right to work laws" which do exactly the opposite of ensuring anyone's right to work.
- Publicly funded higher education.
- Robust and effective social welfare programs to include child care, education, employment training and counseling, parenting skills training, and life skills training including fiscal education.
- A requirement that functional proficiency in media, political, and economic literacy be demonstrated to graduate high school.
- The creation of a publicly funded non-partisan media source to serve as the primary source of government information, to be overseen and managed day to day by a coalition of well-known communicators, political scientists, and other experts in propaganda to strip ALL bias from official information before it is broadcast.
- Federal charges of treason filed against anyone willfully and knowingly attempting to minimize public perception of the impact and risks of the coronavirus.
- Reform of whistleblower laws to ensure they have teeth, and particularly to ensure that a whistleblower, acting in good faith, is not identified to the public, ever.

identified to the public, ever.

In the end, Mr. "President," the simple reality is that "AntiFa" isn't a thing. You can't end it, you can't arrest it, and you can't silence it. Nor, in any decent nation, would the attempt even be made.

"Antifa" means "Anti-Fascism." The only position that opposes that is fascism. In the end, there is no "organization" that you can "declare terrorists."

You, sir, and yours, are the terrorists, and your victims are done putting up with it.

America is not, in spite of having an openly admitted fascist as "president," a fascist nation. We've had wars about this. The fascists are 0-2.

Please, Mr. "President" - let's not try to make it 0-3? Because it will never, ever be 1-2, and none of us wants to see the death toll from your attempt to make it so.

Currently, media and other actors wishing to contact this author may do so through the page. Should Mr. Zuckerberg, who has displayed plenty of authoritarian and fascist tendencies himself, decide not to host that page any longer, this document will be updated.

Best Regards,
"AntiFa."



2 Comments

 Like

 Comment



Mike Berg
a bit long...



Like · Reply · 22w



Jessica Slater
Yes Trump certainly won't get beyond "neologism"





Eric Coomer

June 2 · 2

From the rector of St. John's Episcopal Church



Gini Gerbasi is with Julia Joyce Domenick.

June 1 · 3

Friends, I am ok, but I am, frankly shaken. I was at St. John's, Lafayette Square most of the afternoon, with fellow clergy and laypeople - and clergy from some other denominations too. We were passing out water and snacks, and helping the patio area at St. John's, Lafayette square to be a place of respite and peace. All was well - with a few little tense moments - until about 6:15 or so. By then, I had connected with the Black Lives Matter medic team, which was headed by an EMT. Those people were AMAZING. They had been on the patio all day, and thankfully had not had to use much of the eyewash they had made. Around 6:15 or 6:30, the police started really pushing protestors off of H Street (the street between the church and Lafayette Park, and ultimately, the White House. They started using tear gas and folks were running at us for eyewashes or water or wet paper towels. At this point, Julia, one of our seminarians for next year (who is a trauma nurse) and I looked at each other in disbelief. I was coughing, her eyes were watering, and we were trying to help people as the police - in full riot gear - drove people toward us. Julia and her classmates left and I stayed with the BLM folks trying to help people. Suddenly, around 6:30, there was more tear gas, more concussion grenades, and I think I saw someone hit by a rubber bullet - he was grasping his stomach and there was a mark on his shirt. The police in their riot gear were literally walking onto the St. John's, Lafayette Square patio with these metal shields, pushing people off the patio and driving them back. People were running at us as the police advanced toward us from the other side of the patio. We had to try to pick up what we could. The BLM medic folks were obviously well practiced. They picked up boxes and ran. I was so stunned I only got a few water bottles and my spray bottle of eyewash. We were literally DRIVEN OFF of the St. John's, Lafayette Square patio with tear gas and concussion grenades and police in full riot gear. We were pushed back 20 feet, and then eventually - with SO MANY concussion grenades - back to K street. By the time I got back to my car, around 7, I was getting texts from people saying that Trump was outside of St. John's, Lafayette Square. I literally COULD NOT believe it. WE WERE DRIVEN OFF OF THE PATIO AT

and I think I saw someone hit by a rubber bullet - he was grasping his stomach and there was a mark on his shirt. The police in their riot gear were literally walking onto the St. John's, Lafayette Square patio with these metal shields, pushing people off the patio and driving them back. People were running at us as the police advanced toward us from the other side of the patio. We had to try to pick up what we could. The BLM medic folks were obviously well practiced. They picked up boxes and ran. I was so stunned I only got a few water bottles and my spray bottle of eyewash. We were literally DRIVEN OFF of the St. John's, Lafayette Square patio with tear gas and concussion grenades and police in full riot gear. We were pushed back 20 feet, and then eventually - with SO MANY concussion grenades - back to K street. By the time I got back to my car, around 7, I was getting texts from people saying that Trump was outside of St. John's, Lafayette Square. I literally COULD NOT believe it. WE WERE DRIVEN OFF OF THE PATIO AT ST. JOHN'S - a place of peace and respite and medical care throughout the day - SO THAT MAN COULD HAVE A PHOTO OPPORTUNITY IN FRONT OF THE CHURCH!!!! PEOPLE WERE HURT SO THAT HE COULD POSE IN FRONT OF THE CHURCH WITH A BIBLE! HE WOULD HAVE HAD TO STEP OVER THE MEDICAL SUPPLIES WE LEFT BEHIND BECAUSE WE WERE BEING TEAR GASED!!!!

I am deeply shaken. I did not see any protestors throw anything until the tear gas and concussion grenades started, and then it was mostly water bottles. I am shaken, not so much by the taste of tear gas and the bit of a cough I still have, but by the fact that that show of force was for a PHOTO OPPORTUNITY. The patio of St. John's, Lafayette square had been HOLY GROUND today. A place of respite and laughter and water and granola bars and fruit snacks. But that man turned it into a BATTLE GROUND first, and a cheap political stunt second. I am DEEPLY OFFENDED on behalf of every protestor, every Christian, the people of St. John's, Lafayette square, every decent person there, and the BLM medics who stayed with just a single box of supplies and a backpack, even when I got too scared and had to leave. I am ok. But I am now a force to be reckoned with.

   4



Eric Coomer

June 2 · 🧑🏿

...

8 minutes 46 seconds



NYTIMES.COM

8 Minutes and 46 Seconds: How George Floyd Was Killed in Police Custody

👍🥲 2

3 Comments

👍 Like

💬 Comment

➦ Share



Lynn Crouse
#fuckthepolice

...

Like · Reply · 22w



Carol O'Connor Coomer

There is no excuse for any of this to have happened! Now, or in the past, or future! Let this be the end of police brutality on ALL, especially on Blacks! Disgusting! My heart breaks! ❤️🥲

...

Like · Reply · 22w



Carl Gable

Outrageous for sure. Criminal in my mind.

...

Like · Reply · 21w



Eric Coomer

May 31 · 🧑🏻‍🤝‍🧑🏻

...

Once again, the onion nails it



THEONION.COM

**Cop Explains How It Feels To Live Every Day In Fear
Someone Might Record You Brutalizing A Civilian**



4



Eric Coomer

May 31 · 🧑🏻



<https://youtu.be/f0Po30MZ2xo>



YOUTUBE.COM

Oi Polloi - Pigs For Slaughter (+ Lyrics)

They shot innocent 5 year old kid murdered him in his bed They be...

👍 Like

💬 Comment

➦ Share



Eric Coomer

May 31 · 🌐

...

All you Karen's and Kyle's posting memes about "riots not being protests" please list the number of times you posted anything when an innocent African American was slaughtered by a racist cop. There are FAR more opportunities for the latter than the former.

Oh, and go fuck your self-righteous pearl clutching.

👍❤️😂 24

6 Comment

👍 Like

💬 Comment



Marjo Curgus
Hear hear!

...

Like · Reply · 22w



Penelope Chester

<https://www.latimes.com/.../george-floyd-minneapolis...?>

...



LATIMES.COM

Editorial: Don't focus on looting. Be outraged that police keep killing...

Like · Reply · 22w



Penelope Chester

"To focus on the damage and looting misses the point. Were it not for the killing of Floyd, and the history of police behavior, there would have been no protests."

..

Like · Reply · 22w

👍 1



Luke Harrison

It's like surfing. If there's a wave they'll ride it. If there's a protest the looters will take advantage of it to be evil people. Don't give society a reason to protest and there won't be any looting!... See More

..

Like · Reply · 22w



Josh Torres

You came back to Facebook in the middle of this shit storm! 🌪️. Stir it up!!

..

FAR more opportunities for the latter than the former.

Oh, and go fuck your self-righteous pearl clutching.

👍❤️😂 24

6 Comments

👍 Like

💬 Comment



Marjo Curgus
Hear hear!

Like · Reply · 22w



Penelope Chester
<https://www.latimes.com/.../george-floyd-minneapolis...?>



LATIMES.COM

Editorial: Don't focus on looting. Be outraged that police keep killing...



Like · Reply · 22w



Penelope Chester
"To focus on the damage and looting misses the point. Were it not for the killing of Floyd, and the history of police behavior, there would have been no protests."

Like · Reply · 22w

👍 1



Luke Harrison
It's like surfing. If there's a wave they'll ride it.
If there's a protest the looters will take advantage of it to be evil people.
Don't give society a reason to protest and there won't be any looting!... [See More](#)

Like · Reply · 22w



Josh Torres
You came back to Facebook in the middle of this shit storm! 🌪️. Stir it up!!

Like · Reply · 22w



Eric Coomer
I came to throw metaphorical bombs...

Like · Reply · 22w

👍 2



Eric Coomer

May 31 · 🧑🏿🧑🏿



<https://youtu.be/IWsUzt1YHno>



YOUTUBE.COM

Dead Prez - Cop Shot (HQ)

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



Eric Coomer

May 31 · 🧑🏻



<https://youtu.be/HPfeTBwrGaw>



HxCWw



YOUTUBE.COM

THE EXPLOITED - FUCK THE USA - HARDCORE
WORLDWIDE (OFFICIAL VERSION HCWW)



1



Eric Coomer

May 31 · 🧑🏿🧑🏿🧑🏿

...

https://youtu.be/qu6r7Yd_iG8

The muthafuckin villian that's
mad
would make my day
With potential to get bad as fuck
But a nigger like Ren
So I'm a turn it around
don't give a fuck to say
Put in my clip, yo, and this is
the sound Ya, somethin
like that, but it all depends
on the size of the cat



YOUTUBE.COM

N.W.A. fuck the police with lyrics

esta es la letra de la cancion espero que les sirva.



Eric Coomer

May 31 · 🌐



<https://youtu.be/i1TAzImaM-Y>



YOUTUBE.COM

The 4 Skins - A.C.A.B. (Lyrics)

Lyrics: Hangin around with my mates one night We got in a little fi...



1

👍 Like

💬 Comment

🔗 Share



Eric Coomer

May 31 · 🧑



<https://youtu.be/LH8gUhDd6WE>



YOUTUBE.COM

Body Count - Cop Killer

Artist/Band: Body Count Album: Body Count (1992) Genre: Crossov...



3



Like



Comment



Share



Eric Coomer

May 31 · 🧑

...

<https://youtu.be/5LWp4pbq-7w>



YOUTUBE.COM

MDC "Dead Cops / Americas So Straight" with lyrics in the description



2

5 Comments



Like



Comment



Share



Scott Wimberley

You're on a rip today 😊

...

Like · Reply · 22w



Eric Coomer

I'm fucking over it!

...

Like · Reply · 22w



Scott Wimberley

that was obvious when you brought in ice-t 😊

jokes aside I totally agree

...

Like · Reply · 22w



1



Eric Coomer

Scott Wimberley cop killer is a great song, regardless of the way ice-t has turned out.

...

Like · Reply · 22w



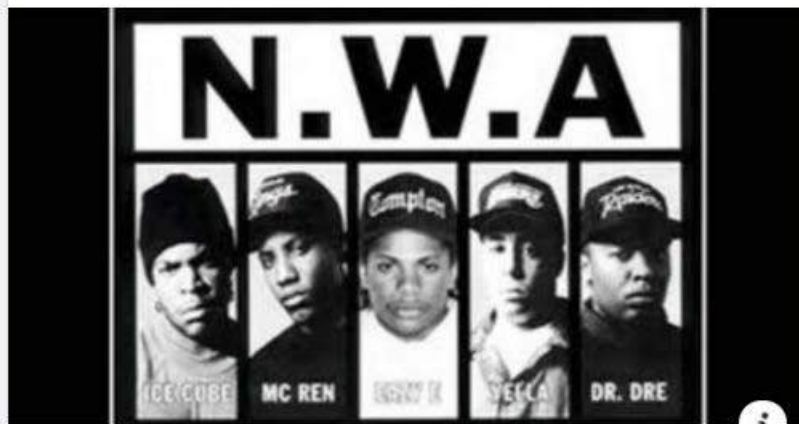
Eric Coomer

May 30 · 🌐

...

<https://youtu.be/c5fts7bj-so>

Why can't you just protest peacefully? 400 years...



YOUTUBE.COM

nwa fuck the police hq
I OWN NOTHING



3

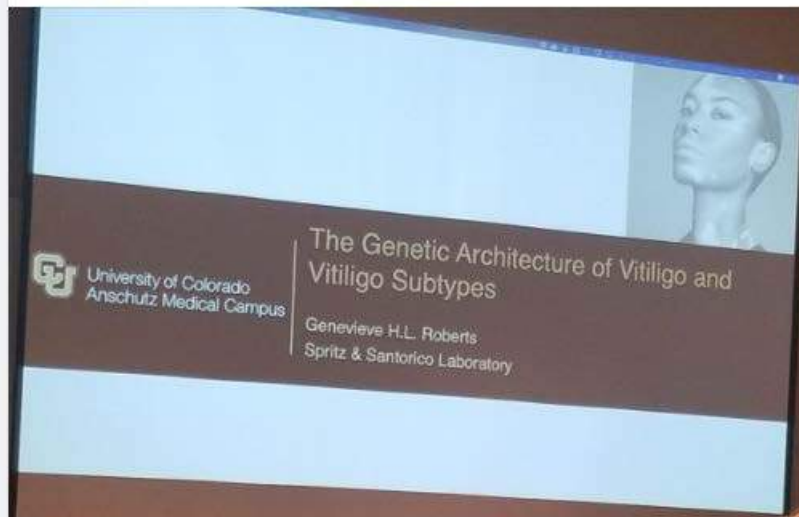


Eric Coomer

June 28, 2019 · 1



Been awhile since I attended a thesis defense. Way to go
GenevieveRoberts! #science #doctorsclub



1 Comment 1 Share



Like



Comment



Linda Axelrod
Bravo Genevieve!!





Eric Coomer updated his cover photo.

June 28, 2019 · 🌐



Somewhere, sometime on El Cap...



Eric Coomer,
El Capitan

👍❤️😮 48

4 Comments



Eric Coomer

January 10, 2019 · 🌐

...

I guess McConnell wasn't a fan of Schoolhouse rock... just because cheeto jesus won't sign a bill to reopen the government, doesn't mean we can't reopen the government. For those with short attention spans, or still have this entire episode's song stuck in their head, 2:30...



YOUTUBE.COM

I'm Just a Bill (Schoolhouse Rock!)

I used to love these... 😊 Enjoy. I'm just a bill... hahaha



👍👎 12

3 Comments 1 Share



Like



Comment



Share



Marjo Curgus

I loved this one. Still sing it. We need to bring civics back.

...

Like · Reply · 1y



Mike Berg

McConnell doesn't give a shit about America, he is no better than Cheeto Shit Stain, they are two peas in a pod. It is fun and joy for them to weld the power to take the pursuits of life, liberty, and justice away from people that are not part of their... **See More**

...

Like · Reply · 1y



Eric Coomer

Mike Berg I'd actually say McConnell is worse than cheeto-jesus

...

Like · Reply · 1y



2



Paul Cooper is 🥳 feeling happy:-) with Eric Coomer and 94 others.

September 21, 2018 · 🌐

Hi peeps... Can you take a look and comment or send any feedback... its 8 from 110 designs.. really would appreciate your thoughts...



99DESIGNS.CO.UK

Help me choose my new design!

I'm running a logo and social media pack contest on 99designs. De...



19

50 Comments 3 Shares

Herring, Charles

From: Charles Herring
Sent: Monday, November 16, 2020 8:54 AM
To: Kara McKinney; Alexander Salvi; Dan Ball; Stephanie Hamill
Cc: Chanel Rion; Robert Herring; Bobby Herring
Subject: Who is Eric Coomer? Potentially the "smoking gun" at Dominion for 2020 Voter Rigging

Who is Dr. Eric Coomer? Potentially the "smoking gun" at Dominion for 2020 Voter Rigging

<https://www.thegatewaypundit.com/2020/11/dominion-voting-systems-officer-strategy-security-eric-coomer-admitted-2016-vendors-election-officials-access-manipulate-vote/>

<https://herbertwarmstrong.com/2020/11/15/who-is-eric-coomer/>

Note that Dr. Eric Coomer reposted on Facebook and Tweeted the Antifa manifesto. (See Gateway Pundit article.) Dr. Eric Coomer was exposed by Joe Ottman, who infiltrated Antifa in Colorado.

So who is this man and why you should care? Coomer is the Security Chief of the Dominion voting system many states use in elections. 30 states, including every critical swing state in the November election, used the Dominion voting systems.

Chanel Rion will be interviewing Joe Ottman today. She can provide footage of the interview and will be available to discuss with talk shows if you wish. Bottom line, something stinks with Dominion and Eric Coomer and needs investigation.

Coomer participated in Antifa calls, posted a Antifa manifesto letter to Trump online.

In a interview conducted by Michelle Malkin, Joe Oltman, FEC (Faith Education Commerce) United founder, reveals how he infiltrated Antifa and how during a conversation with Antifa members, he discovered "Eric from Dominion" was allegedly part of the chat during the week of September 27, 2020.

Oltman explained that “Eric” was telling the Antifa members they needed to “keep up the pressure.” When Oltman asked, “Who’s Eric?” someone answered, “Eric, he’s the Dominion guy.” Oltman said that as the conversation continued, someone asked, “What are we gonna do if Fucking Trump wins?” Oltman paraphrased how Eric (the Dominion guy) responded, “Don’t worry about the election, Trump’s not gonna win. I made fucking sure of that!”

Charles Herring
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San Diego, CA 92117
Office: (858) 270-6900 x 106
Cell: 858-945-8750



Rion, Chanel

From: Chanel Rion <Chanel.Rion@oann.com>
Sent: Monday, November 16, 2020 12:12 PM
To: Joe Oltmann
Subject: Re: email 5 capture 1-10 please confirm receipt

Joe, thank you for your time this morning. Very helpful.

You said you guys found the records showing Eric a shareholder of Dominion, can you share that with us?

And by the way, are you talking at all with Sidney Powell, Lin Wood, Giuliani team? I would like to connect you with them asap if you aren't already. Especially Sidney.

Best,

Chanel Rion

Chief White House Correspondent
One America News Network

101 Constitution Ave. NW
Washington, D.C. 20001

Office: 202-849-3391
Cell: 254-413-0035

Twitter: @ChanelRion

Chanel's Broadcasts: <https://www.youtube.com/playlist?list=PLaJp7NK1-soc9bSnbkyDLJIOckvbKc4e7>

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OAN FACEBOOK | <http://shorturl.at/yEIN6>
OAN TWITTER | <https://twitter.com/OANN>
OAN YOUTUBE | <http://shorturl.at/dhV29>

From: Joe Oltmann <joe@pinbn.com>
Sent: Monday, November 16, 2020 10:45:57 AM
To: Chanel Rion
Subject: Re: email 5 capture 1-10 please confirm receipt

Sounds good.
I will send over an outline before 11:15.

Look forward to the conversation. Thank you Chanel.

Warm regards,

Joe

Joe Oltmann

CEO

e: joe@pinbn.com

p: (720) 356-0999

w: pinbusinessnetwork.com

a: 6200 S Syracuse Way Suite 125,
Greenwood Village, CO 80111

<https://www.linkedin.com/profile>

From: Chanel Rion <Chanel.Rion@oann.com>

Date: Monday, November 16, 2020 at 7:42 AM

To: Joe Oltmann <joe@fecunited.com>

Subject: Re: email 5 capture 1-10 please confirm receipt

Excellent! Thank you. I very much look forward to this.

My Skype address is my email: chanel.rion@oann.com

We'll keep it to 15-20 min.

This is recorded, not live - I am aiming for 4 soundbites:

1. How This Story Found You
2. Top 3 most shocking things you found when looking into Coomer... (I know we have an abundance to choose from but perhaps pick three Facebook posts and read/explain them so I can show them as b-roll in the special)
3. Coomer is not just an Antifa nerd in the basement... (title, rank, patents, education, scope/weight in company)
4. Coomer's anti-Trumpism is not an anomaly at Dominion

See you soon!

Best,

Chanel Rion

Chief White House Correspondent

One America News Network

101 Constitution Ave. NW

Washington, D.C. 20001

Office: 202-849-3391

Cell: 254-413-0035

Twitter: @ChanelRion

Chanel's Broadcasts: <https://www.youtube.com/playlist?list=PLaJp7NK1-soc9bSnbkyDLJIOckvbkC4e7>

STREAM OAN | <http://shorturl.at/jsJW5>

OAN FACEBOOK | <http://shorturl.at/yEIN6>

OAN TWITTER | <https://twitter.com/OANN>

OAN YOUTUBE | <http://shorturl.at/dhV29>

From: Joe Oltmann <joe@fecunited.com>

Sent: Sunday, November 15, 2020 10:46:01 PM

To: Chanel Rion

Subject: Re: email 5 capture 1-10 please confirm receipt

Yes.

From: Chanel Rion <Chanel.Rion@oann.com>

Date: Sunday, November 15, 2020 at 7:20 PM

To: Joe Oltmann <joe@fecunited.com>

Subject: Re: email 5 capture 1-10 please confirm receipt

Confirmed receipt. Thank you!

Can we talk 11:15am EST tomorrow?

Best,

Chanel Rion

Chief White House Correspondent

One America News Network

101 Constitution Ave. NW

Washington, D.C. 20001

Office: 202-849-3391

Cell: 254-413-0035

Twitter: @ChanelRion

Chanel's Broadcasts: <https://www.youtube.com/playlist?list=PLaJp7NK1-soc9bSnbkyDLJIOckvbkC4e7>

STREAM OAN | <http://shorturl.at/jsJW5>

OAN FACEBOOK | <http://shorturl.at/yEIN6>

OAN TWITTER | <https://twitter.com/OANN>

OAN YOUTUBE | <http://shorturl.at/dhV29>

From: Joe Oltmann <joe@fecunited.com>

Sent: Sunday, November 15, 2020 9:11:17 PM

To: Chanel Rion

Subject: FW: email 5 capture 1-10 please confirm receipt

From: Joe Oltmann <joe@fecunited.com>

Date: Sunday, November 15, 2020 at 1:56 PM

To: Lauren McLaughlin <lauren.mclaughlin117@gmail.com>, Lynda McLaughlin <lynda@hannity.com>, Don Brown - Don Brown Books <donbrownbooks@gmail.com>

Subject: email 5 capture 1-10 please confirm receipt



Eric Coomer
September 16 · 🌐

👤

Well, and truly fucked [#votetheassholesout](#)



MARKETWATCH.COM

William Barr advocates hitting more protesters with federal charges — including sedition



2 Comments



Like



Comment



Share



Linda Axelrod
Sedition????!!

👤

Like · Reply · 7w



Carl Gable


👤



Like · Reply · 7w



1




Eric Coomer


shared a memory.


August 14 · 🧑🏻‍🦱

Wheeler pass whiskey hand-ups #breckepic



6 Years Ago
See Your Memories >








Eric Coomer


August 14, 2014 · 🧑🏻‍🦱


Whiskey on my mind #breckepic




 11

5 Comments

 Like

 Comment


View 2 more comments



Eric Francis

Ahhh shit. I remember that. Didn't you have an epic crash soon there after? Or before.

Like · Reply · 11w



Eric Coomer

I wasn't riding in this epic, just doing hand-ups. The following year I raced and shattered the collar bone

6

OAN 000160

 Eric Coomer
July 6 · 🌐

<https://www.nbcnews.com/.../jonathan-sackler-co-owner...>

●kay, okay it was technically June, but I found out recently, and I SOOOO love a good xmas in July... xmas in June? I dunno. fuckit. Good riddance you shitbag- I'm GLAD you're dead. I hope it was painful, but you were probably dosed to high-heaven with your own supply...



NBCNEWS.COM
Jonathan Sackler, co-owner of OxyContin maker Purdue Pharma, dies at 65

3 Comments

👍 Like 💬 Comment ➦ Share

 Jeremy Woolf
Good riddance
Like · Reply · 17w

 Tyler McMahon
I wonder if he was addicted to his own opioids to manage the pain..
Like · Reply · 17w

 Jeremy Woolf
Tyler McMahon one could only hope that's true. It would've been better if that addiction was what killed him instead of cancer though.
Like · Reply · 17w · Edited



Eric Coomer

June 18 · 🧑🏿



<https://youtu.be/3tR6mKcBbT4>

required viewing



YOUTUBE.COM

8:46 - Dave Chappelle

From Dave: Normally I wouldn't show you something so unrefined,...



1



Like



Comment



Share



Eric Coomer

June 8 · 🌐



<https://www.facebook.com/65639912452/posts/10158375075202453/?d=null&vh=e>



Trevor Noah ✓

June 6 · 🌐

This! 🗣️ 🗣️: Kimberly Jones / David Jones MEDIA





Eric Coomer

June 5 · 🌐

...

<https://www.msn.com/.../new-trump.../ar-BB154W4q...>

#bunkerboy #bunkerbitch #fucktrump



MSN.COM

New Trump Appointee to Foreign Aid Agency Has Denounced Liberal Democracy and "Our Homo-Empire"

2 Comments



Like



Comment



Share



Lynn Crouse

homo the brave

...

Like · Reply · 22w



Linda Axelrod

Well she's another Christian Right Conservative
appointee...USAID has its flaws, but she will be a disaster
to the organization. Such a shame....

...

Like · Reply · 22w



Eric Coomer

June 3 · 🧑🏻‍🤝‍🧑🏻



Getting tougher for the law and order apologists every day... This is pretty much unprecedented and clear General Mattis knows the real threat to our democracy.



THEATLANTIC.COM

James Mattis Denounces President Trump, Describes Him as a Threat to the Constitution

👍👎 10

👍 Like

💬 Comment

➦ Share



Eric Coomer

June 2 · 🌐

...

In case you didn't know:

"Antifa" has made a statement:

TO: ALL MEDIA

PUBLIC STATEMENT FROM "ANTIFA" IN RESPONSE TO THE THREATS
ISSUED BY UNITED STATES PRESIDENT DONALD J. TRUMP

Dear Mr. Trump:

Let us be perfectly clear:

"Antifa" isn't an organization. There's no membership, no meetings, no dues, no rules, no leaders, no structure. It is, literally, an idea and nothing more. Even the claim of this author to represent "Antifa" is one made unilaterally for the purposes of this communication and nothing more; there is no governing body nor trademark owner to dispute the author's right to represent "AntiFa."

"Antifa" is a neologism constructed from a contraction of the phrase "anti-fascist." The truth is, there's no such thing as being "anti-Fascist." Either you are a decent human being with a conscience, or you are a fascist.

The ostensible president of the United States has, today, openly declared that he is a fascist, and that he intends to turn the military power of the United States into a fascist tool.

Now there is no question, and we can stop pretending that this man represents anything but the worst in humanity, which his supporters embody.

And that is the only effect his words will have.

It will likely be no problem for LEO to identify the author of this document, who also has maintained the "AntiFa" page on Facebook since founding it in 2017.

The author of this document is unconcerned with that inevitability because neither that author, nor this document, has been involved in a crime of any sort in any way.

But, since both the "president" and the media insist on acting as though "AntiFa" is this big, scary organization, the author supposes it's time for "AntiFa" to make a statement.

Thus:

"AntiFa supports and defends the right of all people to live free from

Thus:

"AntiFa supports and defends the right of all people to live free from oppressive abuse of power, whether that power is unjustly derived from wealth, status as an employer, or political popularity.

Particularly, AntiFa defends and supports the right of oppressed and marginalized people to protest, march, and engage in civil disobedience in pursuit of justice. While it is never our intent to engage in violent or destructive behavior, we cannot and will not take responsibility for telling people how they are allowed to be righteously outraged. We prefer and encourage non-violent action. We also understand that some people just aren't feeling that nice anymore. Their feelings are entirely justified, and it is neither our role nor our privilege to tell them otherwise.

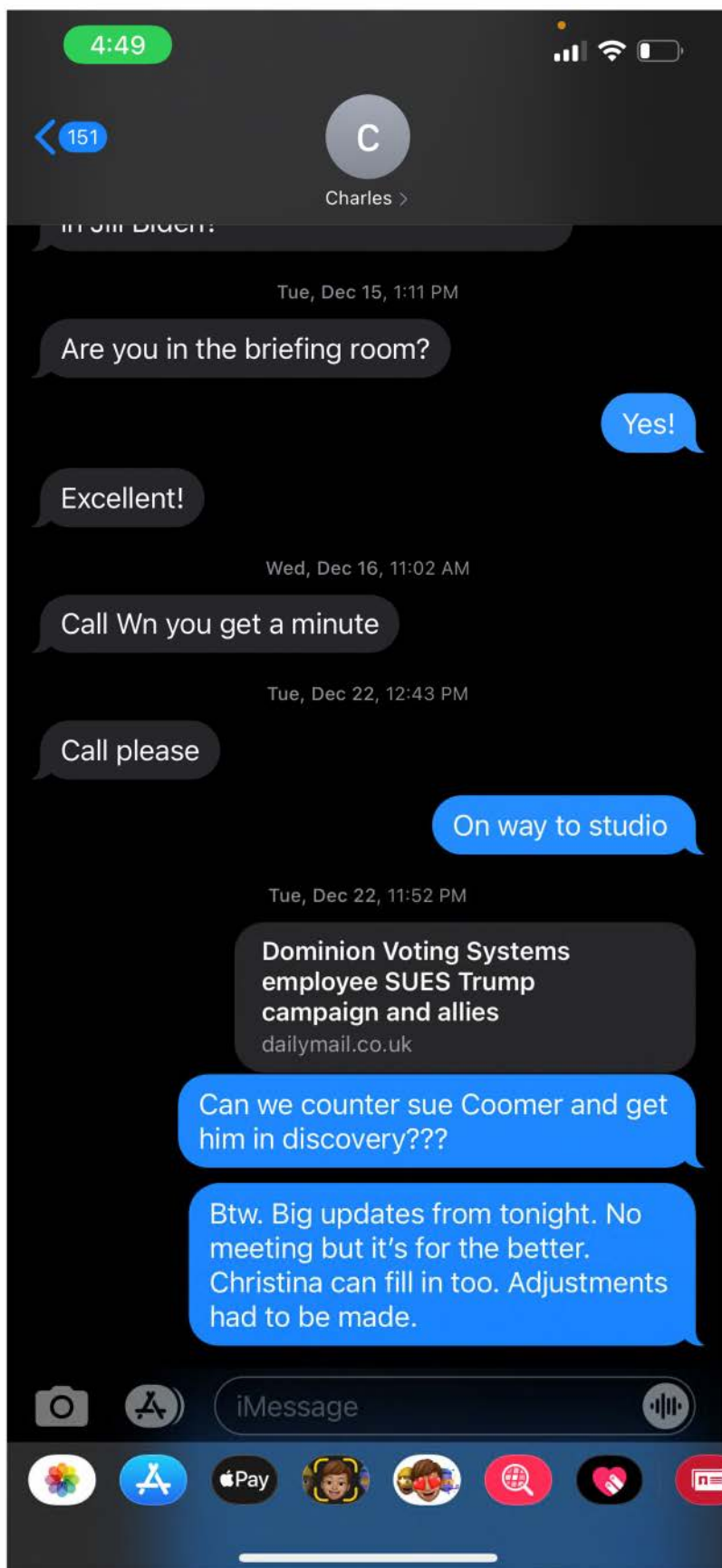
Mass civil disobedience is what happens when people say they're hurting and whoever's hurting them refuses to stop.

Stop hurting them. Fix your broken systems. Get real and meaningful psychological evaluations and background checks - police in some nations have to pass a more stringent test to carry pepper spray than any police department in the US, or the US military, have in place. As a direct and possibly deliberate consequence, our military and paramilitary personnel simply cannot be assumed to be fighting in the interests of the people of this country.

We've all seen the photos. This destruction and burning and looting is largely the behavior of outsiders; white people taking advantage of the situation both to enrich themselves by looting under cover of the protests, and to provide excuses for uncontrolled fascist elements within our military and police forces as plausible cover for killing more black, brown, and poor people without fear of sanction. The so-called "accelerationists" who have committed to ensuring that, any time a marginalized community stands up and demands justice, construct a narrative of criminality and destruction that white bigots and affluent oligarchs who benefit from our broken system to validate their bigotry and injustice retroactively. They are successful in this for two reasons: because people like you are easily manipulated in your banal, self-serving ignorance, and because people like you are more than happy to passive-aggressively reap the benefits of pretending to believe this destruction is the act of the oppressed.

This game has gone on for decades on an endless loop since the very dawn of the civil rights era, and we the people are saying 'no more.'"

And that, "President" Trump, is your solution. No more. Get the dirt out of your law enforcement and your military. Get the dirt out of your government and administration. Ideally, resign now and take your VP



Bobb, Christina

**Exhibit
PX 0042**
Herring

From: Christina Bobb
Sent: Monday, February 1, 2021 9:33 AM
To: Charles Herring
Cc: Chanel Rion
Subject: Re: Other Related Docs

I'll get more background on the docs and am going through them myself now. As for Tennessee, I spoke with him last night about it. Phil did his interview remotely from Texas. He ended up not traveling due to being tied up with work. He said his interview was about an hour and a half. He did not know who the production company was. I asked him if he knew the story, or which part of it, the documentary was covering. He said he thinks Lindell is trying to cover "all of it." When I pointed out that failing to work with Rudy or his team (the team who made most of the information public), that left a gaping hole in the story. He acknowledged that and said it would likely be a patchwork of stories from people Lindell is aware of.

619.977.8100

From: Charles Herring <Charles@oann.com>
Date: Monday, February 1, 2021 at 10:20 AM
To: Christina Bobb <Christina.Bobb@oann.com>
Cc: Chanel Rion <Chanel.Rion@oann.com>
Subject: FW: Other Related Docs

Hi Christina,

I need help with the relevance of the documents provided by Phil.

Also, please ask Phil how things went in Tennessee. Who was there? What company/individuals were doing the production. Where they in Nashville? Etc.

Best,

Charles

From: Christina Bobb <Christina.Bobb@oann.com>
Sent: Monday, February 1, 2021 4:46 AM
To: Chanel Rion <Chanel.Rion@oann.com>
Cc: Charles Herring <Charles@oann.com>
Subject: FW: Other Related Docs

Phil sent these to me. It's interesting.

619.977.8100

From: Phil Waldron <phil@onewarrior.com>
Date: Saturday, January 30, 2021 at 12:32 PM

To: Christina Bobb <christina@cgbstrategies.com>

Subject: Other Related Docs

this is the coomer doc

https://azsos.gov/sites/default/files/2019_10_29_Minutes_Final_COPY.pdf -

https://www.eac.gov/sites/default/files/voting_system/files/Dominion_Voting_Systems_D-Suite_5.5-B_Test_Report-Rev._02.pdf

https://www.eac.gov/sites/default/files/voting_system/files/Final_Decision_DVS_5.5B_09.12.19_0.pdf

https://www.eac.gov/sites/default/files/voting_system/files/DVS_5.5B_Certificate_Scope_Conformance.pdf

--

Phil Waldron

COL, USA (Ret)

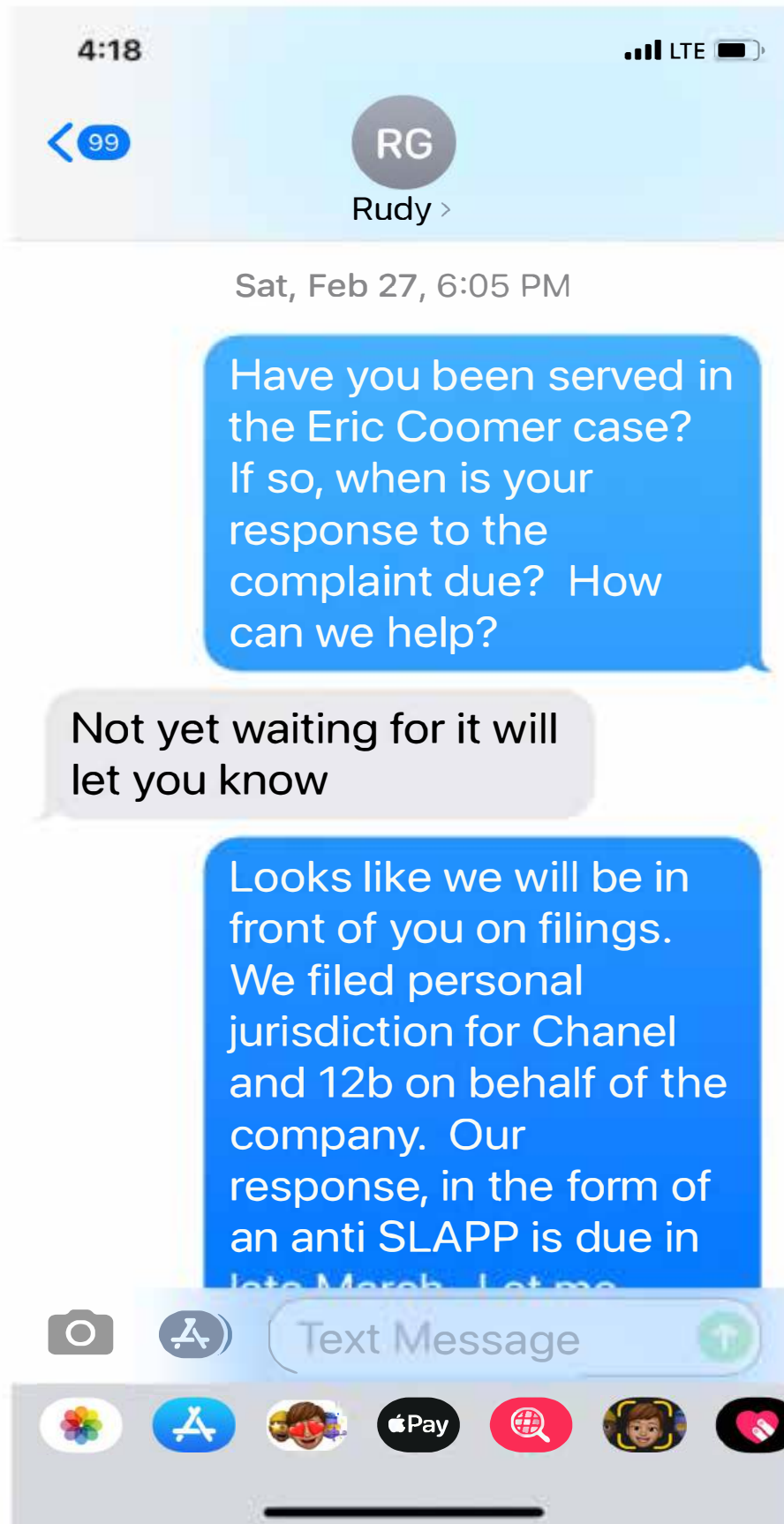
Founder and CEO

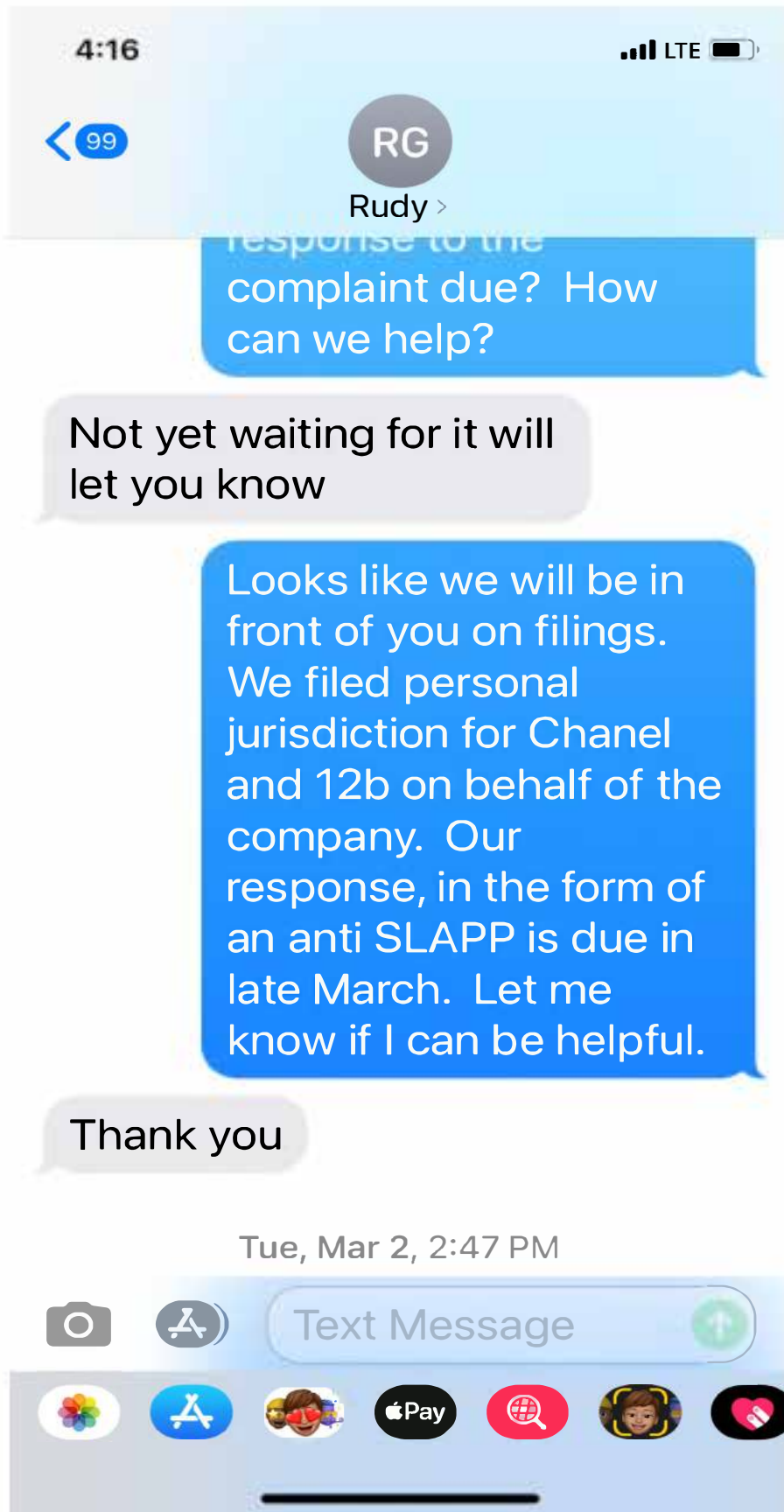
OneWarrior.com

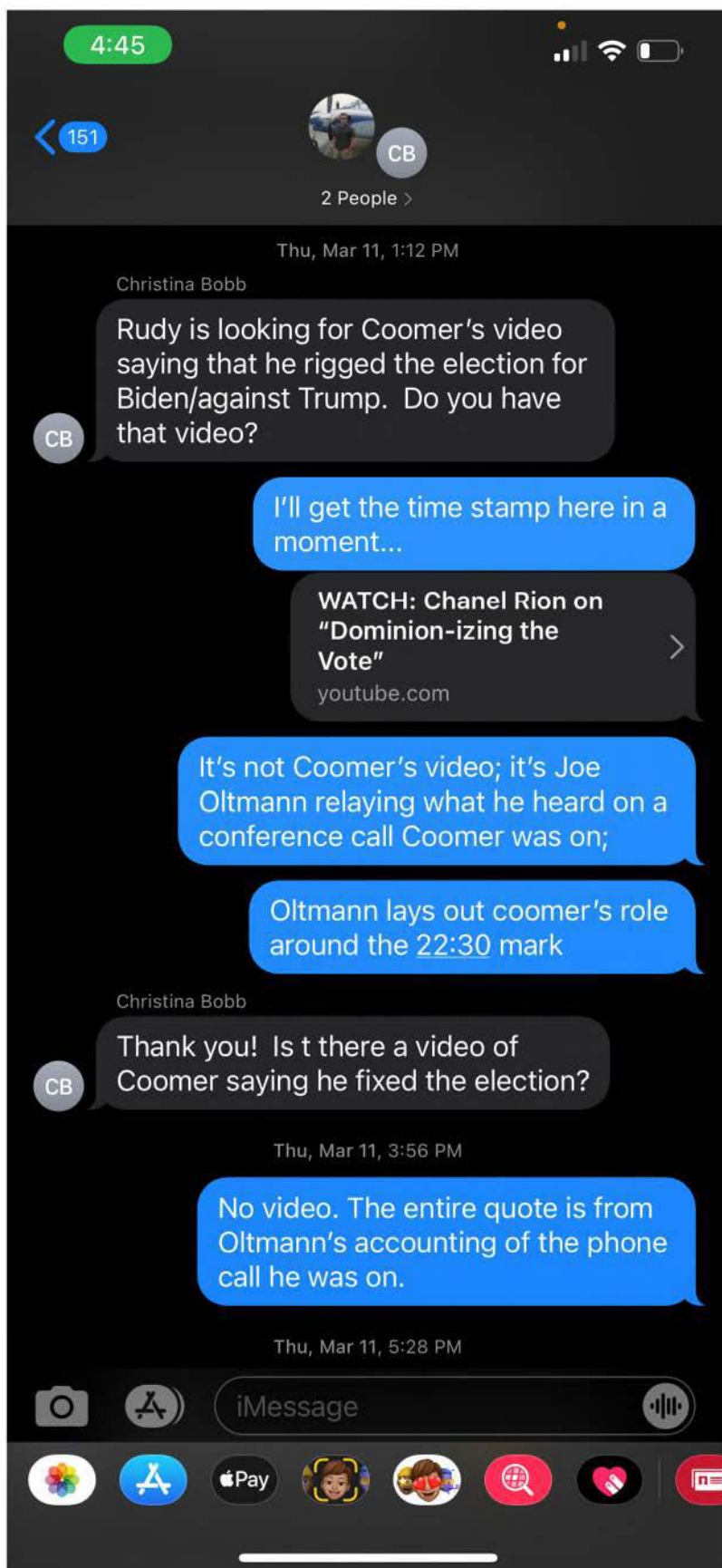
Facebook: OneWarrior

[210-240-7114](tel:210-240-7114)









Oakley, Lindsay

**Exhibit
PX 0045**
Herring

From: Robert Herring
Sent: Monday, May 3, 2021 3:30 PM
To: Lindsay Oakley; Charles Herring
Cc: Bobby Herring
Subject: Re: Newsmax Story

Good to go

From: Lindsay Oakley <Lindsay.Oakley@oann.com>
Date: Monday, May 3, 2021 at 10:44 AM
To: Charles Herring <Charles@oann.com>, Robert Herring <robert@awetv.com>
Cc: Bobby Herring <bobby@awetv.com>
Subject: RE: Newsmax Story

Yes! love it! I will add those things! And we are going to do a VO on Lindell's calls to boycott Newsmax to go into the package

Lindsay Oakley
News Director



One America News Network
Office: (858) 270 – 6900 ext. 150
Cell: (619) 381-9300

From: Charles Herring <Charles@oann.com>
Sent: Monday, May 3, 2021 10:40 AM
To: Lindsay Oakley <Lindsay.Oakley@oann.com>; Robert Herring <robert@awetv.com>
Cc: Bobby Herring <bobby@awetv.com>
Subject: RE: Newsmax Story

Nicely done, Lindsay. Some thoughts highlighted in yellow.

From: Lindsay Oakley <Lindsay.Oakley@oann.com>
Sent: Monday, May 3, 2021 10:23 AM
To: Robert Herring <robert@awetv.com>
Cc: Bobby Herring <bobby@awetv.com>; Charles Herring <Charles@oann.com>
Subject: Newsmax Story

Here's what I wrote so far... im gonna have Kristian look at it too... thoughts?? ---

NEWSMAX TURNS ITS BACK ON PRESIDENT TRUMP AND THE 74-MILLION AMERICANS WHO STAND BESIDE HIM.

ON FRIDAY... NEWSMAX SETTLED ITS LAWSUIT WITH 'ERIC COOMER' -- SECURITY DIRECTOR AT DOMINION VOTING SYSTEMS -- AND EVEN WENT SO FAR AS ISSUING AN APOLOGY

NEWSMAX CLAIMS IT FOUND *NO EVIDENCE DOMINION -- OR ITS TOP EMPLOYEE -- MANIPULATED THE 20-20 ELECTION RESULTS... DESPITE THE FACT THAT FORENSIC AUDITS ARE STILL UNDERWAY IN SEVERAL STATES. (Add something about Antrim County, Michigan findings per the court case show voting machines were completely unreliable.)

THE OUTLET THREW TRUMP AND HIS SUPPORTERS UNDER THE BUS... STATING "NO EVIDENCE OF FRAUD WAS FOUND IN *ANY STATE CONTESTED BY TRUMP'... EVEN AS MORE THAN HALF OF REPUBLICANS BELIEVE THE ELECTION WAS RIGGED.

THIS IS IN STARK CONTRAST TO PREVIOUS REPORTING FROM NEWSMAX -- LIKE THIS ARTICLE FROM JANUARY STATING -- 20-20 VOTER FRAUD CLAIMS WERE *NOT BASELESS.

THE FLIP-FLOPPING LEAVES ITS AUDIENCE TO QUESTION WHETHER THEY MISLEAD YOU BACK THEN FOR RATINGS... OR ARE THEY MISLEADING YOU *NOW FOR MONETARY PURPOSES.

OR... IS NEWSMAX JUST CAVING TO THE LIBERAL LEFT?

My Pillows CEO, Mike Lindell, who has spent considerable time to highlight alleged voter irregularities in numerous states. Lindell has broadly distributed his findings for all to see in multiple documentaries. Newmax apologies directly conflict with Lindell's findings...

DOMINION... SMARTMATIC AND/OR COOMER HAVE ALL FILED LAWSUITS AGAINST PRESIDENT TRUMP... RUDY GIULIANI... MIKE LINDELL AND EVEN O-A-N. (This isn't true. Only Coomer sued OAN. I think it sounds like Dominion and Smartmatic also sued.)

BUT WE HERE AT O-A-N WILL NOT CAVE... AS WE BELIEVE THESE LAWSUITS ARE POLITICALLY MOTIVATED AND A THREAT TO ELECTION INTEGRITY AND THE FIRST AMENDMENT.

WE HERE AT ONE AMERICA NEWS STAND BY OUR REPORTING AND ARE COMMITTED TO INVESTIGATING FRAUD IN THE 20-20 ELECTION.

WE WILL NOT GIVE IN TO BULLYING OR THREATS FROM COMPANIES LIKE DOMINION WHO WANT TO CONTROL THE NARRATIVE AND CENSOR THE TRUTH.

WE WILL LET THE FACTS LEAD US... AND WILL NOT ALTER OR CHANGE OUR REPORTING BECAUSE OF OUTSIDE INFLUENCE OR THREATS.

WE BELIEVE IN THE FIRST AMENDMENT AND WILL CONTINUE TO DELIVER THE TRUTH TO THE AMERICAN PEOPLE

Lindsay Oakley
News Director



One America News Network
Office: (858) 270 – 6900 ext. 150
Cell: (619) 381-9300



Parley



Joe Oltmann

@Joeoltmann • 4 hours ago • 33k



I've been busy doing 15 interviews in the last 2 days. Was told today, after questioning why the MSM has not picked up Eric Coomer, that I was "breaking something they are running away from"

What the living hell is that supposed to mean? Antifa in the middle of 28 states, by proxy of one of the largest shareholders in Dominion Voting Systems.

So it is up to you. Blow this shit up. Share, put his name everywhere. No rest for this shitbag. Eric Coomer, Eric Coomer, Eric Coomer. This shitbag and the corrupt asshats in Dominion Voting systems must not steal our election and our country! Eric we are watching you...



**Exhibit
PX 0046**
Herring