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12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**
14 **SOUTHERN DIVISION**

15 JOHN C. EASTMAN

16 Plaintiff,

17 vs.

18 BENNIE G. THOMPSON, *et al.*,

19 Defendants.

20 Case No. 8:22-cv-00099-DOC-DFM

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25 **Exhibit C**
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SELECT COMMITTEE TO INVESTIGATE THE
JANUARY 6TH ATTACK ON THE U.S. CAPITOL,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, D.C.

INTERVIEW OF: JEFFREY A. ROSEN

Wednesday, October 13, 2021

Washington, D.C.

The interview in the above matter was held in Room 4480, O'Neill House Office Building, commencing at 10:00 a.m.

Present: Representatives Murphy, Luria, and Cheney.

Appearances:

For the SELECT COMMITTEE TO INVESTIGATE

THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL:

TIM HEAPHY, CHIEF INVESTIGATIVE COUNSEL

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He also defended his own credentials against some of the attacks that were being made. He argued that the rest of the room were being self-defeating, you know, that, if you don't try it, you don't know what's going to happen, I think was the nature of that.

Let me think. This was a very, very long meeting.

Q Yeah.

A And everybody spoke at one time or another. Some people spoke repeatedly. The President interjected some places. There were a few places he spoke at greater length, but a lot of the meeting, he let other people talk.

Q Uh-huh.

A And so I'm trying to remember the different places that Jeff Clark spoke. Because he spoke more than once. And I have more the image, that he would get in a debate, you know, that Rich Donoghue and he would have back-and-forth, and Steve Engel and he would have back-and-forth, and Eric Herschmann and he would have back-and-forth --

Q Yeah.

A -- that that occurred numerous times.

But the overall substance was, different people in the room were saying, this is not legally well-founded, this is not the Department's role, this letter is inappropriate. They challenged Jeff Clark's qualifications to even be making these arguments. They challenged both whether he was qualified to be Attorney General but also is he even qualified to address election fraud, you know, even from his current position, let's say.

Q Uh-huh.

A And so there's this range of issues.

Now, at more than one juncture, a number of people do raise that, if this goes ahead, there are going to be resignations. And I think lots of people raised that. I let

other people speak to that, for obvious reasons, that they were speaking in support of me, so it wasn't my place to speak to. Jeff Clark didn't speak to that, but I think almost everybody else did. I remember Pat Cipollone spoke to it, Rich Donoghue.

There was one moment where I remember Steve Engel, and Steve was explaining why he thought it was inappropriate for the Department of Justice to be sending a letter to Georgia and that he had multiple reasons for that. And he commented that, if it went, that there would be resignations. And, again, this is in substance. I don't remember the exact words.

And then Steve Engel, when he was saying that, the President said to him, "Well, Steve, you've been at Justice the whole time. You wouldn't resign." And Steve -- I remember this because it was very vivid -- said, "No, Mr. President. If you replace Jeff Rosen with Jeff Clark and send this letter, I would have no choice. I would have to resign."

And the President looked to me, startled, and said, "Steve, you wouldn't resign." And Engel repeated it. He said, "Mr. President, I would have no choice. I would have to resign."

So that was highly corroborative of what had been said by other folks.

Q Uh-huh.

So the only substantive election-related action that was discussed was the sending of the letter? Was there also a discussion of the special counsel or the press conference or the Supreme Court brief, the litany of possible things that had been considered that you mentioned in your opening statement?

A I don't remember them being discussed in individual -- you know, what about the Supreme Court brief --

Q Yeah.

Mr. Flynn, but Sidney Powell, Mike Lindell -- there were media accounts of these going on.

I wasn't present at them, and I didn't have anybody reporting to me what happened at them, but I had a just general awareness from media accounts that that has happened.

Ms. Cheney. And did Pat Cipollone ever tell you what he thought about the President's claims about election fraud?

Mr. Rosen. So the way you've stated that, I'm not sure. Because the way the conversations with him went more was that he was supportive of the Department's position, you know, that "the Department should do what you think is right," "I agree the Department should proceed the way you think best."

I would be surprised if he didn't agree on the Department's posture that there had not been widespread fraud, but I don't know if I can specifically remember that or not. But I have more of this big-picture recollection that he was very supportive of the Department and me. And I maybe -- I'm not sure if I assumed he agreed or he said he agreed.

Ms. Cheney. And then my last question: In the meeting on the 3rd, did he speak out and say, I also will resign?

Mr. Rosen. Yes.

Ms. Cheney. And did Pat Philbin as well?

Mr. Rosen. He may have. I think Pat Cipollone recited that lots of people were going to resign and that it would include him. And while I don't have a specific, you know, again, word-for-word kind of recollection, if he did that the way I remember it, I'm sure he would've included Pat Philbin, because they were very closely aligned.

So Pat Cipollone was one of the people who said that there would be lots of