

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 21-cv-03440-WJM-KAS

ERIC COOMER, Ph.D.,

Plaintiff

v.

MAKE YOUR LIFE EPIC LLC dba THRIVETIME SHOW,
REOPEN AMERICA LLC dba REAWAKEN AMERICA TOUR, and
CLAYTON THOMAS CLARK, individually,

Defendants

EXHIBIT 10

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

ERIC COOMER, Ph.D.,

Plaintiff,

vs.

Civil Action No.

MAKE YOUR LIFE EPIC LLC d/b/a 21-cv-03440-WJM-KAS
THRIVETIME SHOW, REOPEN
AMERICA LLC d/b/a REAWAKEN
AMERICA TOUR, and CLAYTON
THOMAS CLARK, individually,

Defendants.

_____ /

VIDEO RECORDED DEPOSITION OF
MICHAEL T. FLYNN
(Conducted Via Videoconference)

DATE: April 4, 2024
TIME: 10:03 a.m. to 3:21 p.m.

PURSUANT TO: Notice by counsel for
Plaintiff for purposes of
discovery, use at trial
or such other purposes
as are permitted under
the Florida Rules
of Civil Procedure

BEFORE: Nathan F. Perkins, RDR
Notary Public, State of
Florida at Large

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 23 VIDEOPHOTOGRAPHER: DAWN MATTHES
 24
 25

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1 THE VIDEOGRAPHER: Good morning. We are going
 2 on the record at 10:03 a.m. on April 4th, 2024.
 3 This is Media Unit 1 of the recorded deposition of
 4 Michael T. Flynn taken by counsel for plaintiff in
 5 the matter of Eric Coomer, Ph.D., versus Make Your
 6 Life Epic, Thrivetime, et al., filed in the United
 7 States District Court for the District of Colorado.
 8 Civil action number 21-CV-03440-WJM-KAS.
 9 The locations of this deposition being
 10 conducted remotely using virtual technology.
 11 My name is Dawn Matthes representing Veritext
 12 Legal Solutions and I'm the legal videographer.
 13 And the court reporter today is Nathan Perkins from
 14 the firm Veritext Legal Solutions.
 15 Counsel and all present now will state their
 16 appearance and affiliation for the record going
 17 with the noticing attorney.
 18 MR. KLOEWER: Good morning. This is Brad
 19 Kloewer, here on behalf of the plaintiff, Dr. Eric
 20 Coomer.
 21 MR. GREAVES: Jason Greaves, on behalf of the
 22 deponent Michael T. Flynn.
 23 MR. ROBERTS: Jared Roberts, on behalf of the
 24 deponent, Michael T. Flynn.
 25 MS. WIESE: Melissa Wiese, on behalf of the

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1 defendant Make your Life Epic, Clay Clark, and
 2 ReOpen America.
 3 THE VIDEOGRAPHER: Will the court reporter
 4 please swear in the witness, and then counsel may
 5 proceed.
 6 MICHAEL T. FLYNN,
 7 the witness herein, being first duly sworn on oath, was
 8 examined and deposed as follows:
 9 DIRECT EXAMINATION
 10 BY MR. KLOEWER:
 11 Q. All right. We will get started. Good
 12 morning, Mr. Flynn. My name is Brad Kloewer. I'm an
 13 attorney. I represent Dr. Eric Coomer. He's the
 14 plaintiff in this proceeding.
 15 Just real quickly, to clarify for the record,
 16 I'm joined by Charlie Cain, my co-counsel in this case,
 17 and Dr. Eric Coomer is also on the ZOOM this morning.
 18 Before we get started, I want to establish a
 19 couple ground rules. It may be helpful to understand
 20 first, Mr. Flynn, have you ever had your deposition
 21 taken before?
 22 It appears the screen has frozen up. Is that
 23 on my end or is it Mr. Flynn?
 24 THE VIDEOGRAPHER: He has come back on. Hold
 25 on. It looks like he dropped.

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1 THE WITNESS: That was a quick deposition.
2 MR. KLOEWER: All right. Well, we've got a
3 bit more to get through, so we will continue here.
4 MR. GREAVES: It might be helpful, I think, if
5 attorneys that aren't asking questions go off
6 video, just to save the bandwidth here.
7 THE WITNESS: Good idea.
8 BY MR. KLOEWER:
9 Q. Okay, Mr. Flynn. Can you state your full name
10 for the record?
11 A. Michael Thomas Flynn.
12 Q. And before we get started, I want to just
13 establish some basic ground rules. It may be helpful to
14 understand, have you ever had your deposition taken
15 before, Mr. Flynn?
16 A. Yes.
17 Q. In what cases?
18 A. I don't recall the cases. I mean, you know,
19 the -- I have had depositions taken in --
20 (ZOOM connection became unstable with an
21 interruption by the court reporter.)
22 (A discussion off the record)
23 THE VIDEOGRAPHER: Shall we go off the record
24 and figure this out?
25 MR. KLOEWER: Yeah. Let's --

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1 MR. GREAVES: He's back for me.
2 MR. KLOEWER: Okay.
3 THE VIDEOGRAPHER: Keep rolling.
4 BY MR. KLOEWER:
5 Q. Yeah. All right. Mr. Flynn, you --
6 A. In various, various cases, Brad. I mean, I've
7 had various depositions taken in various cases. I mean,
8 you know, one up in Georgia. I've had, if I recall, one
9 up in Washington, DC. I don't recall the cases or dates
10 or anything like that.
11 Q. Well, I ask just so that we understand the
12 basic mechanics of a deposition. Just a few sort of
13 rules at the outset. I ask that you not speak over me,
14 and I'll do my best not to speak over you as well. And
15 that's because Nathan -- Nate is taking down every word
16 you say on the transcript, so it's important that we
17 have a clean record here. So even if you anticipate a
18 question I'm asking, I ask that you not jump to answer
19 that question until I have concluded. And if I ask a
20 question in a way that doesn't make sense or is unclear,
21 just let me know. I'm happy to rephrase it, just so
22 that we're all on the same page.
23 The other thing. Breaks are okay. If you
24 need a break at any time, please let me know. The one
25 thing I ask is that we don't take a break with a

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1 question on the table.
2 Is that fair?
3 A. Understood.
4 Q. All right. Mr. Flynn, can you tell me where
5 you are right now? I don't need a physical address but
6 it appears that you are in a residence; is that correct?
7 A. No. I'm in my office in Venice, Florida.
8 Q. Venice, Florida. Okay. And is anyone in the
9 room with you this morning?
10 A. No, there is not. No one is in the room.
11 Q. Okay. I ask that I just -- when we take a
12 remote deposition, it's important that when I ask you a
13 question, I'm getting an answer based on your personal
14 knowledge and that not from any other source. So if it
15 appears that you are -- somebody is speaking to you
16 outside of the frame or you are looking at your phone or
17 something like that, I'm going to raise that issue. But
18 I don't anticipate that we'll have in any problems with
19 that.
20 Okay. I want to get started here. We'll jump
21 right in.
22 As you know, this lawsuit has been filed
23 against Clay Clark, Make Your Life Epic, doing business
24 as the Thrivetime Show, and the entity Reopen America
25 LLC has recently been added to the case.

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1 Can you tell me, Mr. Flynn, when did you first
2 meet Mr. Clark?
3 A. It was late winter 2021.
4 Q. Okay. What was the context of that meeting?
5 A. I was in Tulsa, Oklahoma, endorsing a
6 political candidate. And I believe it was at Clay's
7 business offices when we first met.
8 Q. Okay. And just to clarify, I believe you just
9 said late winter of 2021.
10 A. Yeah. Yep.
11 Q. Is it -- is it possible you met him in late
12 2020?
13 A. 2020? No.
14 Q. Okay. I ask that because we are going to be
15 looking at some video clips of tour appearances that
16 happened throughout the summer of 2021, so I just want
17 to be sure if your recollection is correct on that
18 matter.
19 A. You just said 2020. You just said late winter
20 2020. I said late winter 2021.
21 Q. I'm aware of that. I just -- the ReAwaken
22 America Tour began its appearances in spring and summer
23 of 2021. So that's --
24 A. That's right. 2021. 2021. You're right.
25 Q. Okay. And you said you met him in the context

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1 of a political candidate that you were endorsing?
2 A. Yes.
3 Q. Who was that candidate?
4 A. Jackson Lahmeyer.
5 Q. And how do you know Mr. Lahmeyer? Did you
6 know him beforehand?
7 A. I did not.
8 Q. Why did you make the decision to endorse him?
9 A. I liked him. And some friend had come to me
10 and asked me if I would consider endorsing him.
11 Q. Was it based just on a personal affinity that
12 you decided to extend that endorsement.
13 A. No. I did -- I did some background and, you
14 know, like I normally do when I do political
15 endorsements for people. So it was a -- I thought he
16 was a good -- you know, the right -- right person.
17 Q. And this event was being held by Clay Clark?
18 Do I understand that correctly?
19 A. Yeah. I believe it was. It was at -- at his
20 office complex the first time. Yeah. If I remember
21 right.
22 Q. And so you traveled there to his office
23 complex in Tulsa for purposes of that endorsement?
24 A. Yes.
25 Q. And had you met -- had you spoken to him

Page 10

1 before traveling to this event? Did you speak on the
2 phone or communicate by other means prior to traveling
3 down there?
4 A. I don't recall if we ever spoke prior, no. I
5 don't recall if I did.
6 Q. Did you know who Mr. Clark was before this
7 event?
8 A. I don't believe I did.
9 Q. Had you ever listen to his podcast, the
10 Thrivetime Show?
11 A. I don't believe I did. I don't believe I had
12 by that time. I mean, I listen to a lot of things, so,
13 you know, I'm not going to sit here and tell you that I
14 didn't hear it, but I don't recall that being one of the
15 ones that I would watch or listen to.
16 Q. Had you read any of his, books?
17 A. Prior?
18 Q. Correct.
19 A. I had not.
20 Q. So did you know anything about his background
21 at all before that first meeting?
22 A. I don't believe I did.
23 Q. Okay. So you traveled to Tulsa to endorse
24 Mr. Lahmeyer. How did your relationship with Mr. Clark
25 develop from that point? And let me clarify. When was

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1 the next time that you spoke with Mr. Clark after that
2 event?
3 A. I mean, I would be guessing. I don't -- I
4 don't recall the exact time.
5 Q. Was it at that event that you discussed the
6 possibility of starting the ReAwaken America Tour?
7 A. I don't know if it was at an event or -- or in
8 a subsequent conversation, but I know that -- I know we
9 eventually talked holding a, you know, an event in
10 Tulsa.
11 Q. Was that your idea?
12 A. I don't recall. I don't recall.
13 Q. So you don't recall reaching out to Mr. Clark,
14 for example, to propose starting up the ReAwaken America
15 Tour or something similar?
16 A. No, no. No, I don't. I really don't. We may
17 have talked about it when we were together. I don't
18 recall, no.
19 Q. Okay. I guess we'll just hop right in here
20 with some of the audio visual stuff and see if this
21 might refresh your recollection.
22 We'll designate the audio visual exhibits for
23 this proceeding as Exhibit 19. And I'm going to play
24 just an audio clip, which we will designate as clip 1.
25 This is -- we're utilizing a new discovery provider

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1 here, Veritext, so bear with me. I'm going to try to --
2 hopefully there's no issue getting this exhibit in here.
3 (Exhibit 19, Composite video, was marked for
4 identification.)
5 (A video clip was played as follows:)
6 AN INDIVIDUAL: So, Steve, we called
7 General --
8 (The playing of the video clip stopped.)
9 BY MR. KLOEWER:
10 Q. Okay. I'm going to play this for one moment
11 and confirm if you can hear it, and then I'm going to
12 restart the audio recording so that we all have a clear
13 record here.
14 (A video clip was played as follows:)
15 MR. CLARK: I said, General Flynn, I think God
16 wants us to do a ReOpen America Tour where we kill
17 the spirit --
18 (The playing of the video clip stopped.)
19 BY MR. KLOEWER:
20 Q. Can you hear that okay, Mr. Flynn?
21 A. I can.
22 Q. Okay. I'm going to restart the recording.
23 And I'll represent this is from an interview that Mr.
24 Clark conducted with Stephen Strang on December 2nd of
25 2021?

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1 (A video clip was played as follows:)

2 MR. CLARK: So, Steve, we called General

3 Flynn. I said, General Flynn, I think God wants us

4 to do a ReOpen America Tour where we kill the

5 spirit of fear, where we explain the truth that the

6 models are false that 2.2 million Americans have

7 died from COVID, that PCR tests are false, COVID-19

8 is 100 percent treatable using budesonide,

9 ivermectin, hydroxychloroquine. We've exposed

10 election fraud, medical fraud, religious fraud,

11 monetary fraud, media fraud. And it's all about

12 getting people back to God. And General Flynn

13 said, I know, but it has to happen through the

14 church.

15 (The playing of the video clip stopped.)

16 BY MR. KLOEWER:

17 Q. Okay. Does that refresh your recollection,

18 Mr. Flynn? Do you remember having that conversation

19 with Mr. Clark?

20 A. On that show, or what do you -- be specific.

21 I mean we had --

22 Q. Just the means by which he described the

23 origins of the Tour, that he called you and proposed it,

24 and that -- and that you agreed but suggested that it

25 should happen, as he stated, quote, through the church.

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1 A. Yeah. I mean, I know we had conversations

2 about that. I don't recall, you know, that specific set

3 of statements that he made, but I don't disagree with

4 anything that he said.

5 Q. All right. And do you recall when the first

6 ReAwaken Tour event was?

7 A. It might have been like April, maybe April

8 2021. I don't exactly know. And it wasn't really the

9 first one or two, maybe; maybe even first three. They

10 were called, I think, Health and Freedom. Health and

11 Freedom Tour I think is what we called them.

12 Q. That's right. Those were held in Tulsa,

13 Oklahoma; is that correct?

14 A. The first one, yes.

15 Q. Okay. What sort of discussions did you have

16 with Mr. Clark leading up to that, that event? And by

17 that I mean did you discuss what you wanted the event to

18 look like?

19 A. No, I don't think so. I think it was just,

20 you know, get as many people to attend as possible and

21 get the word out on what we felt was going on at the

22 time.

23 Q. Did you agree with Mr. Clark on the format of

24 having a variety of speakers on different topics, or did

25 you -- did you have discussions as to how the Tour

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1 content would be presented?

2 A. I don't believe we had any specific talks like

3 that. I think it was just, you know, get the -- you

4 know, get a good group of people, get a good group of

5 speakers, and make sure that, you know. And, of course,

6 you know, the place, it turned out to be a much larger

7 event that I think anybody anticipated. But no, nothing

8 any -- nothing specific about those issues that you're

9 talking about.

10 Q. And who was in charge of planning that, that

11 first event?

12 A. Clay.

13 Q. And what role did you have in that event?

14 A. I don't recall having a very big role at all

15 other than just making sure that I was just going to be

16 there and attend.

17 Q. Did you provide any input as to which speakers

18 to include in that first event?

19 A. I don't believe I did, no. I don't believe I

20 did. I think later on maybe, but not that -- I think

21 that one was just get the speakers that we could get.

22 Q. Did you provide any input as to what topics

23 the Tour would cover or the event would cover?

24 A. No. I think that the title covered it, you

25 know, Health and Freedom.

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1 Q. Well, what does that mean to you? What topics

2 did you understand the event would cover? Under the

3 health topic, what did you think the event would

4 address?

5 A. Well, I know that that first event we had

6 some -- some doctors who spoke about the COVID-19 and

7 all the issues surrounding COVID-19. And we had some --

8 we definitely had some pastors spoke. You know, we

9 had -- we had some legal scholars speak. Maybe just had

10 a variety of people.

11 Q. What about the freedom aspect of the event?

12 What topics would you say fall under that umbrella?

13 A. I think anything ranging from, you know,

14 protection of our Bill of Rights, Constitution. Just

15 general topics. The security of the nation. I mean,

16 you know, just topics like that. And I think that those

17 were -- those were probably the umbrella, you know, from

18 that side from the folks that spoke to those issues.

19 But a lot of veterans that attended, that I remember

20 meeting a lot of veterans.

21 Q. Was one of the purposes of that first event to

22 address concerns surrounding the 2020 election results?

23 A. I -- I don't recall exactly what we -- what

24 was talked about during that particular event, no. I

25 mean, it could have been.

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1 Q. But you would agree that the Tour does feature
2 a variety of topics and speakers that address election
3 integrity and security matters, correct?
4 A. I would say yeah, that's a good -- that's a
5 good characterization.
6 Q. And is it your understanding that's one of the
7 purposes of the Tour, is to present that sort of
8 information?
9 MS. WIESE: Object to the form.
10 THE WITNESS: I'm sorry?
11 BY MR. KLOEWER:
12 Q. That was Ms. Wiese. She's counsel for
13 Mr. Clark.
14 I should have clarified at the beginning, and
15 you may recall this from prior depositions, at different
16 times you may hear objections from counsel. You can
17 still answer the question. So Ms. Wiese was objecting
18 to the form of my question there. I'll reask it just so
19 that -- so that we're clear.
20 I believe my question was you would agree that
21 the Tour was intended to address concerns about the
22 election, correct?
23 MS. WIESE: Same objection.
24 THE WITNESS: Yeah. I don't think that's
25 the -- no, I don't think that's the case. No, I

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1 don't. Because you are making it -- you're
2 saying -- you're stating that the tour's purpose is
3 that, and I don't think that's the tour's purposes.
4 BY MR. KLOEWER:
5 Q. Is it one of the tour's purposes?
6 A. It's one of the elements that's discussed
7 during the Tour, yeah, among many. I mean, we talk
8 about child autism, we talk about education, you know.
9 So we talk about a lot of issues and topics. That's one
10 among many.
11 Q. And did you discuss all these topics with Mr.
12 Clark prior to hosting this event?
13 A. No, I don't believe we did. I mean, I don't
14 believe we had any specific "we're going to talk about
15 these things." No, no. I think we just -- it just
16 evolved and we brought in a different array of speakers.
17 I mean, you know, we talk about human trafficking, we
18 talk about a variety of topics in these -- you know, I
19 think the title ReAwaken America is an appropriate title
20 for what it is that we are -- that is being done. I
21 mean, I talk about people getting out to register to
22 vote, as an example.
23 Q. What role do you play in deciding what topics
24 a tour will cover?
25 A. I play kind of a, I think, like a guidance

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1 counselor sometimes, I think, with Clay. He and I will
2 talk about different people that, you know, it has
3 evolved toward that, because sometimes -- sometimes we
4 get people that we vet and, you know, they -- they'll
5 talk, they'll speak, and then we won't -- we won't want
6 them back because of some of the things that they'll
7 speak about or we see things that they do in between an
8 event. But I think from the beginning it was always
9 just about people who -- who sort of fit the kinds of
10 topics that we wanted to talk about. And we brought
11 on -- we brought on a lot -- ended up bringing on a lot
12 of people who I think talk about an array of topics like
13 I just -- like I previously mentioned here.
14 Q. All right. Well, let's break that down a
15 little bit. You mentioned a few things there I want to
16 follow up on. You said you talked to Clay about people
17 and you will vet them. What does the vetting process
18 look like for potential speakers?
19 A. Listening to a podcast that they're on or
20 talking to them, meeting them. That's all. People will
21 come to us and go, Hey, can we -- we would like to speak
22 at your next ReAwaken Tour. You know, they may be a
23 political person, it might be an attorney, it might be a
24 pastor. I mean, and sometimes it's just a matter of
25 meeting them. You know, they will show up to an event

Page 20

1 and we'll meet them and they will say, Hey, can we come
2 on and join you on the next one? And, you know, and
3 there will be a decision made, we will talk to them.
4 You know, Clay generally takes a look at them too.
5 That's probably about it.
6 Q. What about the substance of what those
7 speakers present? Do you -- do you have them do like a
8 test presentation or something of that nature to see
9 what it is exactly they want to say on stage?
10 A. I don't.
11 Q. Do you know if Mr. Clark does?
12 A. I don't know. You'd have to ask him.
13 Q. Is there anyone else who is involved in that,
14 that vetting process you described other than you and
15 Mr. Clark?
16 A. I -- I don't know. I don't know if there is.
17 Q. Beyond meeting a person and listening to maybe
18 one of their podcasts, as you mentioned, do you engage
19 in any other background research on potential speakers
20 to sort of look into them from -- through the lens of
21 third parties, for example, beyond just how they present
22 themselves?
23 A. I mean, not -- not really. No, no. These are
24 people that we -- you know, that we meet and we get to
25 know them, and that's about -- you know, that's -- in

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1 many cases they're very high profile people, you know,
 2 highly respected lawyers, highly respected pastors,
 3 highly respected doctors, highly respected political
 4 activists, highly respected, you know, government
 5 officials, I mean. So --
 6 Q. You mentioned before that there -- you've
 7 talked to him about people that maybe were on the Tour
 8 and they were removed from the Tour. Did I understand
 9 you correctly when you said that?
 10 A. Yeah. There's a couple of examples.
 11 Q. Okay. Who would those individuals be?
 12 A. Oh, there's people that -- like I -- I don't
 13 know if I remember the guy's name, but there was an
 14 individual who made some pretty serious anti-Semitic
 15 remarks, and so he was asked to, very professionally and
 16 very politely, that we would not be inviting him back.
 17 Q. And whose decision was that to remove him from
 18 the Tour? Was that your decision?
 19 A. No. It's Clay's decision. I mean, he -- you
 20 know, we would talk about it, because it's -- you know,
 21 these people get upset and they have -- you know. And
 22 we want to be very professional and very polite in how
 23 we deal with everybody. And I think that -- that kind
 24 of stuff was handled, was handled I think appropriately.
 25 I think Clay did a masterful job of, you know, letting
 Page 22

1 that person know.
 2 Q. And were those comments that were made on
 3 stage at a tour event?
 4 A. I don't recall -- I don't believe they were.
 5 I think that they were made in between events and on
 6 some type of broadcast.
 7 Q. And how did those comments come to your
 8 attention?
 9 A. I think Clay and I spoke about it. I think
 10 he -- I think he had called me up about it.
 11 Q. So is it your understanding that Mr. Clark
 12 monitors the conduct of speakers when they're not on
 13 stage at the Tour in addition to, obviously, monitoring
 14 their conduct on tour?
 15 A. That he monitors them?
 16 Q. Yeah. I'm just trying to understand. You
 17 know, is he keeping an eye on what folks are doing when
 18 they are not on stage, or are those concerns being
 19 brought to his attention by other third parties, if you
 20 know?
 21 A. You'll have to ask -- you'll have to ask Clay.
 22 MS. WIESE: Objection, foundation. Excuse me,
 23 General Flynn.
 24 THE WITNESS: I'm sorry.
 25 BY MR. KLOEWER:
 Page 23

1 Q. And as for you, do you take -- make any
 2 efforts to sort of keep an eye on tour speakers when
 3 they are not on stage or monitor their conduct?
 4 A. I don't.
 5 Q. This individual that you mentioned who was
 6 removed for the anti-Semitic comments, was that the only
 7 instance when somebody has been removed from the Tour?
 8 A. I don't think that's the only instance, but
 9 that's the one that I recall. One that I recall.
 10 Q. Have there ever been times when somebody
 11 wanted to present on stage and was denied that, that
 12 request?
 13 A. You know, I don't recall. I mean, if there
 14 are, it would be -- I think it would be more of a time
 15 factor and we just didn't have the time, there was just
 16 not enough time for somebody to present, because there
 17 are so many people that want to -- that have wanted to
 18 join to speak, because it's a great platform and it's a
 19 great event.
 20 Q. Is there a sort of test to determine who is --
 21 who is qualified to speak. And I'm asking that in a
 22 couple different ways. Number 1, in terms of sort of
 23 ideology or background. Is there -- are there, for
 24 example, people that would not be welcome to speak on
 25 the ReAwaken America Tour?
 Page 24

1 A. I don't believe -- I don't believe that's the
 2 case at all. We've -- we've opened the door up to --
 3 heck, we've opened the door up to darned near anybody
 4 that wants to speak.
 5 Q. So, for example, if somebody wanted to put a
 6 presentation on stage explaining that the 2020 election
 7 results were fair, that it was a free and fair election,
 8 there was no misreporting of election results, would
 9 that -- would that presentation be allowed on stage?
 10 A. I don't see why not.
 11 Q. What about somebody who wanted to present on
 12 stage saying that transgender rights should be embraced
 13 more widely and that we should be teaching that sort of
 14 material in elementary school?
 15 A. I don't -- I don't think that that would be
 16 appropriate. You know, I don't think that that would be
 17 appropriate to be on -- on the ReAwaken Tour.
 18 I -- I will tell you that I've had personally,
 19 in the events that I have been at, I have had, you know,
 20 discussions with -- with many thousands and thousands of
 21 people, and I've had, you know, very interesting
 22 discussions with people that would fit that -- fit that
 23 description, and -- and you know, I've had actually nice
 24 open conversations with them. I mean, we -- we would
 25 probably -- you know, I would be interested in
 Page 25

1 hearing -- in hearing what they have to say. That's for
 2 sure. So I mean, I -- again, we're pretty open, but I
 3 would say that that -- I don't have any idea whether or
 4 not we have ever had anybody ever ask us that.

5 Q. Well, what I am getting at is that the Tour
 6 presents a variety -- on a variety of topics from a
 7 specific point of view. Would you agree?

8 A. No, Brad, I wouldn't agree. It -- what you
 9 are asking is what the media presents the Tour to be.
 10 That's what you're asking me. That's what you're --
 11 that's what you're implying. So no, the Tour is wide
 12 open. We have people of all races, colors, creeds. We
 13 have a lot of people that come on this thing. It's a --
 14 it's a wonderful, wonderful event. We have thousands of
 15 people that attend. I think the smallest audience we
 16 have ever had is three or -- three or four thousand
 17 people, I mean. So no, I disagree.

18 Q. When the Tour began it was -- it sounds like
 19 the Tour has expanded to cover more subject matter over
 20 time. We don't need to go into everything that the Tour
 21 covers or that speakers cover. I just want to
 22 understand what sort of discussions happened around
 23 bringing on new speakers or addressing new topics. Do
 24 you have conversations with Mr. Clark about what you
 25 would like the Tour to address, or has he raised those

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1 issues with you? How does that -- how does the sort of
 2 subject matter of the Tour -- how is that established?

3 A. Yeah. I mean, we talk about that. We've
 4 brought on comedians, we've brought on wonderful
 5 professional singers, we've brought on -- I mean, moms
 6 who have stood on the stage and talked about how they
 7 are getting involved in their school boards. We have
 8 had -- you know, we have a wonderful young lady who
 9 comes on and talks about child autism, which is
 10 fascinating. We have -- God, we have all kinds of
 11 topics. I mean, it's a wonderful event. You know, you
 12 are more than welcome to join us up in Michigan in June.

13 Q. And what is your role at these events? You
 14 are prominently featured on the advertisements,
 15 obviously. Would you agree with the description that
 16 you are sort of the headliner of these events?

17 A. I'm one of them, yes.

18 Q. Who else would you consider to be a headliner?

19 A. Mike Lindell. There have been so many over
 20 time. Roger Stone. Some of the doctors we have had.
 21 Malone I think we've had. McCullough we've had. Simone
 22 Gold we've had. Stella Immanuel. Hannah Faulkner.
 23 She's wonderful. She's a gifted 16-year-old. She's
 24 been on the Tour a couple of times. Kimberly Fletcher,
 25 Moms for America. So those are a few -- those are a few

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1 there.

2 Q. And you are aware the Tour has been referred
 3 to as Mike Flynn's ReAwaken America Tour? Have you seen
 4 that before?

5 A. I have not. No, I don't recall that. And, I
 6 mean, if people -- if people refer to that, to me as
 7 that, that's very humbling. That's very nice. But I
 8 know that I am one of the headliners for it, and I have
 9 been to every single one of them, which is a real badge
 10 of honor, to be honest with you, that I have been able
 11 to make it to every one.

12 Q. Well, that was my next question. So it seems
 13 like the Tour events don't happen without you. Is that
 14 fair?

15 A. We do coordinate schedules. We definitely
 16 coordinate schedules, you know. Yes, we do coordinate
 17 schedules.

18 Q. And when you are at these events, do you -- do
 19 you go and watch the speakers yourself?

20 A. I try to. I try to watch every single one.
 21 But I, you know, just based on other things that I am
 22 involved in. Sometimes I'm out in the audience. But
 23 yeah, I try to -- I try to pay attention to as much of
 24 the speakers as possible, because I like their message.
 25 I learn a lot.

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1 Q. Let's talk a little bit about the entities
 2 that run the Tour. Can you tell me who is -- who do you
 3 understand is the entity that is in charge of running
 4 the Tour?

5 A. Define "entity."

6 Q. Well, we've -- we've identified a couple in
 7 this proceeding as Make Your Life Epic, which goes under
 8 the business name of Thrivetime Show. Does the
 9 Thrivetime Show, are they the ones that are putting
 10 this -- the Tour on, as you understand it?

11 A. I don't know.

12 MS. WIESE: Objection, foundation.

13 THE WITNESS: Yeah. I mean -- yeah. I mean,
 14 I don't know. Honestly, I really don't know. I
 15 mean, I know Thrivetime Show is the podcast that --
 16 that I do with Clay. But I don't really know.

17 BY MR. KLOEWER:

18 Q. What about Reopen America, LLC? Do you know
 19 what their role is?

20 A. I don't.

21 Q. Does the Tour have employees?

22 MS. WIESE: Objection, foundation.

23 THE WITNESS: I mean, I don't know. I don't
 24 know.

25 BY MR. KLOEWER:

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1 Q. You are not aware of anybody that --
2 A. When you say "employees," there's all type of
3 employees. I mean, you know, contractors,
4 subcontractors. You know, you've got -- you got to
5 bring in porta-johns, you've got to do air conditioning
6 if you are in a tent. I mean, you know.
7 Q. Are you aware of any full-time employees of
8 the Tour?
9 A. I am not. I mean, that's not something that's
10 my business. I don't know.
11 Q. Do you know if Thrivetime, the Thrivetime Show
12 makes or sells merchandise at the events?
13 A. I know that there's a lot of --
14 MS. WEISS: Objection.
15 THE WITNESS: I'm sorry. Go ahead.
16 MS. WEISS: I was objecting on foundation.
17 THE WITNESS: Yeah. I mean, there's --
18 there's 15 to 20 vendors at every, you know -- you
19 know, some. And the vendor -- the vendor audience
20 has grown over time, because, you know, because
21 they -- they have merchandise to sell. So there's
22 a lot of vendors that attend these.
23 BY MR. KLOEWER:
24 Q. Do you personally sell merchandise at the
25 events?

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1 A. I do.
2 Q. What type of merchandise do you sell?
3 A. Books primarily, and apparel.
4 Q. And are you selling that as you personally or
5 is that through an entity that you run?
6 A. It's through an entity.
7 Q. And what is the name of that entity?
8 A. Resilient Patriot LLC.
9 Q. And who owns Resilient Patriot?
10 A. My wife and I.
11 Q. Anyone else?
12 A. No.
13 Q. Do you have any ownership interest in Make
14 Your Life Epic or the Thrivetime Show?
15 A. I do not.
16 Q. What about Reopen America, LLC? Are you a
17 member of that entity?
18 A. I am not.
19 Q. Do you have a contract with the Tour for your
20 appearances and your speaking engagements?
21 A. I do. I do. It's been a while. But yeah, I
22 do. I believe I do back in -- early on at the beginning
23 of this thing.
24 Q. And is that a -- are you an employee of the
25 Tour? Do you consider yourself to be?

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1 A. Well, again, define "employee."
2 Q. Well, do you collect a salary from the Tour,
3 or are you an independent contractor? What's your
4 relationship?
5 A. I'm -- I probably -- I guess I would be its --
6 considered an independent contractor that -- yeah. So
7 probably. That's probably a good definition or a good
8 description.
9 Q. And who is the entity on the other side of
10 that contract? I described it as the Tour, but who is
11 your contract with?
12 A. I don't -- you know, I don't recall. I don't
13 recall. I'd have to go look at the contract, which I
14 haven't looked at in probably three years.
15 Q. And what are the terms of the contract? Do
16 they include payment terms for you? Or what is the
17 contract meant to address?
18 A. Yeah, they do. They included a -- travel,
19 lodging, security, and initially a speaking fee.
20 Q. Okay. And do you collect a speaking fee from
21 every event?
22 A. From every event? You mean, these -- these
23 events or every event or what? Every time I speak?
24 Q. Yes.
25 A. Yes what?

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1 Q. Are you paid for your appearances on the Tour?
2 A. I was for -- well, for lodging,
3 transportation, security. And initially I was taking a
4 speaking fee, but I haven't taken one in a while,
5 probably the better part of a year or more, just because
6 the -- you know, they are -- they are -- the tours are
7 really, at best, break even.
8 Q. And what is your fee for speaking on the Tour?
9 A. Initially, it was around -- I think I was
10 taking around 15K.
11 Q. Per appearance?
12 A. For the events that I -- that I requested a
13 speaking fee for, for that event.
14 Q. And that rate adjusted over time?
15 A. No. It went down. It went down to zero.
16 Q. Well, you said initially, so I'm just trying
17 to understand when did the rate change?
18 A. You know, about a year ago. Probably --
19 probably a little over a year ago.
20 Q. Okay. So until that time you were collecting
21 \$15,000 per appearance?
22 A. No. No. On five. One five.
23 Q. Correct, yes. Yes, one five? But --
24 A. You said 50, I said 15, so one, five.
25 Q. Understood. So until about a year ago, so mid

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1 of 2023, you were collecting \$15,000 per appearance on
2 the Tour. Am I understanding that correctly?
3 A. For -- for -- yes. So about -- I'd say it
4 might even be longer. I'd have to go back and look at
5 when I stopped asking for speaking fee. But it's been
6 well over a year.
7 Q. Who else collects a speaking fee on the Tour?
8 A. No idea. You'd have to ask Clay.
9 Q. And have you ever discussed with him which
10 speakers are compensated, or should be?
11 A. No. I haven't really. I know when people are
12 asking for too much. I mean, when somebody -- when we
13 try to get, you know, certain speakers and they're
14 asking like for an ungodly amount of money, and we just
15 can't -- you know, I think that the -- we back out. You
16 know, he'll back out of that because it's just too
17 ridiculous.
18 Q. What would you describe as an ungodly amount
19 of money?
20 A. I think people that come in and ask -- I think
21 there has been one or two that have asked for 50 or
22 100K.
23 Q. And that's -- that's too much. Has the Tour
24 ever paid that much for any speaker?
25 A. I have no idea. And if he did, I probably

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1 would have, you know, told him he was dumb.
2 Q. Is your contract that you described, is that
3 still in force, as you understand it?
4 A. I believe so.
5 Q. But you -- you have stopped requesting
6 compensation for your appearances?
7 A. For the speaking part, yeah, but not for
8 travel, lodging, and security.
9 Q. So has Mr. Clark told you that that the Tour
10 couldn't afford to pay you anymore?
11 A. I just know that in the conversations we have
12 had that these are -- you know, that these have been --
13 these have been difficult, these have been financially
14 difficult for him.
15 Q. How frequently are those conversations
16 occurring?
17 A. Not -- not that often. Not that often. I
18 mean, you know, one specific example was the event we
19 had in Las Vegas that -- that just absolutely gouged the
20 Tour, you know. And you know, there's probably some
21 legal term for that, but --
22 Q. How long would you say you have been aware of
23 financial problems that the Tour has been having? When
24 did this issue first arise?
25 A. I --

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1 MS. WEISS: Object to the form.
2 THE WITNESS: Yeah. I'm not saying -- I mean,
3 you're asking financial problems. I don't know of
4 financial problems. I just know that they do these
5 things, you know, it comes at a cost. And I
6 personally felt that I didn't need to be paid, I
7 didn't need to be compensated for my speaking fees
8 for that, for this event, for these events.
9 MR. KLOEWER: Let's take a look at what's been
10 previously marked as Exhibit 15.
11 (Exhibit 15, Reopen America LLC profit and
12 loss document, was previously for identification.)
13 BY MR. KLOEWER:
14 Q. Can you see this document, Mr. Flynn?
15 A. Reopen America, titled Reopen America LLC
16 Profit and Loss?
17 Q. Yes, for January through December of 2022. Do
18 you see that?
19 A. I do see it, yes.
20 Q. All right. Sorry. I'll try to get this in a
21 format where you can view it here.
22 So this was produced by Reopen America LLC,
23 and they indicate that in the first year the Tour was
24 operating --
25 Oh, sorry. This is -- sorry, excuse me.

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1 Let's take a look at what's been previously
2 marked as Exhibit 13.
3 (Exhibit 13, Reopen America LLC Profit and
4 Loss for 2021, was previously for identification.)
5 BY MR. KLOEWER:
6 Q. And my apologies. This is for the year 2021.
7 Down here about 10 lines down where my mouse
8 is hovering, you see this line that says "speaker fees"?
9 A. Yeah.
10 Q. And on the right-hand column we see \$494,381.
11 A. Okay.
12 Q. If I understand your testimony correctly, you
13 only ever collected \$15,000 per event, correct?
14 A. No, that's not correct.
15 Q. Okay. What's incorrect about that?
16 A. I also collected travel, transport -- travel,
17 lodging, and security.
18 Q. Understood. As far as your compensation
19 outside of those -- that consideration, you were only
20 ever paid \$15,000 per event on top of those other items.
21 Is that fair?
22 A. Up to a certain -- up to a certain event,
23 yeah. And then I stopped taking the speaker fees.
24 Q. Okay. And in 2021, I don't have the exact
25 number in front of me, but is it fair to say in general,

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1 the Tour does about one appearance per month, or was at
 2 that time?
 3 A. Yeah. We were -- yeah, about one a month.
 4 Yeah, yeah, during that time.
 5 Q. All right. So if we just estimate that you
 6 started in April, call it eight events for the year,
 7 that would be \$120,000 that you personally collected in
 8 speaker fees for 2021. Is that a fair estimate?
 9 A. I'm not a math major, so I'll go with your
 10 math. I mean, I guess. I mean --
 11 Q. All right. So we can assume from these
 12 numbers then that other speakers, that upwards of
 13 \$350,000 was paid to other speakers on the Tour that
 14 year. Does that strike you as a fair assumption?
 15 A. I mean, that's your assumption. Yeah, I
 16 guess, that's -- if you assume that. Sure.
 17 Q. And then if we scroll down here, we see
 18 salaries and wages where my mouse is hovering. It
 19 indicates \$244,011. I just want to confirm I understood
 20 your prior testimony correctly. You are not aware of
 21 anyone who is a full-time employee of the Tour; is that
 22 correct?
 23 MS. WEISS: Object to the form.
 24 And, Brad, I'm going to -- and foundation.
 25 This isn't a document that he is familiar with. So
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1 I object to this line of questioning.
 2 MR. KLOEWER: Understood. I'm just trying to
 3 understand what his familiarity is with the
 4 workings of the Tour.
 5 THE WITNESS: It's zero, Brad. I have zero
 6 familiarity with what you are showing me and what
 7 you are asking. I mean, I really do. That's
 8 none -- that's none of my business.
 9 BY MR. KLOEWER:
 10 Q. We'll skip ahead to what's been previously
 11 marked as Exhibit 15.
 12 This is what we briefly looked at a moment
 13 ago. Same document from 2022. In this instance we see
 14 speaker fees here have gone up substantially from the
 15 year prior. This indicates \$1,744,751 in speaker fees
 16 issued in 2022. I just want to confirm that the same is
 17 true as far as your compensation, that you were
 18 collecting \$15,000 per event throughout the year of
 19 2022. Correct?
 20 A. For a period. I don't recall exactly when. I
 21 could go back and find -- probably find that out. But I
 22 don't recall exactly when I stopped taking one five.
 23 I'm hearing you say 50, and it wasn't 50, it was 15.
 24 Q. Sorry. I've got a bit of a cold. If I'm
 25 misspeaking, I apologize.
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1 I understand your testimony to be that your
 2 fee per event is 15, on five, \$15,000 --
 3 A. Yeah.
 4 Q. -- so we're clear on the record about that.
 5 A. Yeah.
 6 Q. But your rate didn't increase in 2022, did it?
 7 A. No, no. It actually decreased. It probably
 8 decreased in that time, starting toward the end of the
 9 year.
 10 Q. Was it your understanding that the Tour was
 11 losing money by the end of 2022?
 12 A. I don't know. I have -- it's not something
 13 that I was -- what you are showing me here is just not
 14 something that I'm familiar with.
 15 Q. And we'll take a quick look at Exhibit 17.
 16 This is the same document from 2023.
 17 (Exhibit 17, Reopen America LLC Profit and
 18 Loss for 2023, was previously for identification.)
 19 BY MR. KLOEWER:
 20 Q. Here in speaker fees we see \$779,490. Do you
 21 see what I am indicating there?
 22 A. I can, yeah.
 23 Q. Were you collecting a fee at all during 2023,
 24 or had you stopped?
 25 A. 2023? I don't think so. I don't think so. I
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1 think I had stopped taking the speaker fees. Again, I
 2 always took -- I always requested travel,
 3 transportation, security so I, you know, I wasn't
 4 completely out of pocket.
 5 Q. Do you know how the Tour generates revenue?
 6 A. I have no idea.
 7 Q. Well, they sell tickets, right?
 8 A. Yeah. I mean, right.
 9 Q. Do you know about how many tickets are sold
 10 per event?
 11 A. I don't have -- I mean, I could guess, but I
 12 would be guessing. So, you know, whatever -- they're
 13 usually sold out. They average about I would say
 14 anywhere from 2,500 to I think we have had highs of like
 15 9,000. So --
 16 Q. And how much do tickets cost?
 17 A. I don't know.
 18 Q. You described yourself before as Mr. Clark's
 19 guidance counselor. It sounds like you haven't provided
 20 any guidance on the financial aspects of the Tour. Is
 21 that fair?
 22 MS. WEISS: Object to the form.
 23 THE WITNESS: Yeah. I mean that's fair. You
 24 know, he's -- he's a smart guy.
 25 BY MR. KLOEWER:
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1 Q. What topics would you say you're fairly
2 described as his guidance counselor on?
3 A. I mean, he's -- he's about the age of my sons,
4 so I talk to him about life issues, I talk to him about
5 family issues, I talk to him about children, I talk to
6 him about a lot of things. You know, we talk about
7 the -- we talk about the, you know, the Tour itself and,
8 you know, how hard it is, how exhausting it is. And so
9 we -- you know, he's able to share, you know, things
10 with me that -- like that. And because it's -- you
11 know, he doesn't have a lot of people -- you know, he's
12 like anybody, you know, you find -- you find people that
13 you can talk to. And he and I have a good relationship
14 like that.
15 Q. Would you say Mr. Clark could call you to
16 discuss any matter that he has concerns about?
17 A. Not necessarily, no, no.
18 Q. Are there topics he couldn't discuss with you?
19 MS. WEISS: Object to the form. Foundation.
20 THE WITNESS: Yeah. I mean, yeah, a lot of
21 topics.
22 BY MR. KLOEWER:
23 Q. Like what?
24 A. You tell me.
25 MS. WEISS: Same objection.

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1 BY MR. KLOEWER:
2 Q. I just want to understand if Mr. Clark had a
3 question about a matter and he reached out to you --
4 THE VIDEOGRAPHER: I'm sorry.
5 Q. -- he has the ability to reach out to you if
6 he has questions, right?
7 THE VIDEOGRAPHER: He dropped.
8 MR. KLOEWER: Okay.
9 THE VIDEOGRAPHER: He was frozen there for a
10 while. He's just going to come on and --
11 Would you like to go off the record? He came
12 back on pretty quickly. What would you like.
13 MR. CAIN: Go off the record.
14 MR. KLOEWER: We'll go off the record for a
15 moment while he comes back.
16 THE VIDEOGRAPHER: Please stand by. This time
17 now is 10:55 a.m., and we are going off the record.
18 And this is the end of Media Unit 1.
19 (A recess was had.)
20 THE VIDEOGRAPHER: The time now is 11:00 a.m.,
21 and we are back on the record and this is the
22 beginning of Media Unit 2. You may proceed.
23 MR. KLOEWER: All right. We are back on the
24 record. I just want to confirm, do we have Melissa
25 and Jason back in the room at least?

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1 MR. GREAVES: Yes.
2 MR. KLOEWER: Okay.
3 MR. GREAVES: I'm here. Is Melissa here? I
4 may give her another minute here.
5 MR. KLOEWER: Melissa, we are just waiting for
6 you here. Can you hear me?
7 Okay. Let's go back off the record until
8 Melissa hops back on.
9 THE VIDEOGRAPHER: Okay. Please stand by.
10 The time now is 11:01 -- 11:02 a.m., and we are
11 going off the record.
12 (A recess was had.)
13 THE VIDEOGRAPHER: The time now is 11:03 a.m.,
14 and we are back on the record. And you may
15 proceed.
16 BY MR. KLOEWER:
17 Q. All right, Mr. Flynn. Before we went off the
18 record we were discussing the means by which the Tour
19 generates revenue. We briefly discussed ticket sales.
20 I want to talk a little bit about the
21 merchandising that the Tour does. You said you sell
22 merchandise through Resilient Patriot at the Tour events
23 yourself. Is that correct?
24 A. That's correct.
25 Q. And so that would be additional income that

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1 you collect by virtue of your tour appearances as well,
2 correct?
3 A. That's correct.
4 Q. Do you have an understanding of how vendors
5 are --
6 THE VIDEOGRAPHER: He dropped, Brad.
7 MR. KLOEWER: Well, this is precisely why we
8 requested an in-person deposition. But --
9 MR. GREAVES: I have never had this problem
10 with remotes. We do them regularly. This is the
11 first time I've ever had this happen.
12 THE VIDEOGRAPHER: I'll go off the record
13 quickly. Mr. Kloewer, should we go off the record?
14 MR. KLOEWER: Yes, please.
15 MR. CAIN: Go off, Dawn.
16 THE VIDEOGRAPHER: Okay. The time now is
17 11:04 a.m., and we are off the record.
18 (A recess was had.)
19 THE VIDEOGRAPHER: The time now is 11:17, and
20 we are on the record. You may proceed.
21 MR. KLOEWER: Okay. We're back on the record
22 now.
23 We have had to go off the record several times
24 already arising from technical difficulties.
25 Mr. Flynn's Internet connection keeps glitching.

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1 He left for a while and we tried to determine what
 2 the cause of these problems are. He appears to
 3 have moved to a new location and we are going to
 4 try again. But we have been having consistent
 5 technical difficulties with the remote deposition
 6 so far.

7 BY MR. KLOEWER:

8 Q. Mr. Flynn, before we had to go off the record
 9 again, we were talking about the means by which the Tour
 10 generates revenue, and we were talking a bit about
 11 merchandise sales. You sell merchandise at the Tour
 12 through Resilient Patriot, as we have established. Do
 13 you have a booth at the Tour? How exactly do you sell
 14 that merchandise?

15 A. Yes, there's a booth.

16 Q. Okay.

17 A. Or a table.

18 Q. And what type of merchandise do you sell? I
 19 believe you indicate books. Anything else?

20 A. Books and apparel.

21 Q. Okay. And do you have a contract with the
 22 Tour to have that booth present at events? What does
 23 that relationship look like?

24 A. I have a contract with -- with the Tour.

25 Q. Is that separate and distinct from the

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1 contract we discussed before regarding your compensation
 2 and your incidentals for security? I'm speaking
 3 specifically with respect to the merchandise, the vendor
 4 booth that you have.

5 A. I think it's part of the contract that I have
 6 with them.

7 Q. Okay. Are you certain that it's part of it,
 8 or you just believe that to be the case?

9 A. I just believe that to be the case. Like I
 10 said, I don't think I have looked at the contract in a
 11 couple years.

12 Q. What role do you play, if any, in working to
 13 get vendors to come to the Tour to sell merchandise?

14 A. I don't really play a role.

15 Q. Do you know if the other vendors have
 16 contracts with the Tour to set up a table and sell their
 17 merchandise?

18 A. I don't.

19 Q. And how much revenue have your vendor sales
 20 through Resilient Patriot generated during the time of
 21 the Tour?

22 A. I can't -- I really don't know.

23 Q. Can you estimate on average about how much
 24 merchandise Resilient Patriot sells at any given event?

25 A. It's up and down. I would be guessing if

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1 I -- if I gave you a number.

2 Q. Do you recall what the most you ever made at
 3 any event through merchandise sales was?

4 A. A couple of thousand dollars.

5 Q. And forgive me if I asked this before, but
 6 when you are paid as a speaker on the Tour, those
 7 payments also process through Resilient Patriot; is that
 8 correct?

9 A. Yes, yes.

10 Q. Do you ever promote any of the other endeavors
 11 that you're involved with on the Tour? And, for
 12 example, The America Project. Have you ever promoted
 13 The America Project at any tour events?

14 A. I may have.

15 Q. Do you direct people to The America Project
 16 website?

17 A. I may have.

18 Q. Requested donations to The America Project?

19 A. I may have. You know, I don't recall.

20 Q. Are there any other entities or projects that
 21 you're involved with that you have promoted at tour
 22 events?

23 A. I'd say that I do -- I promote a lot of the
 24 people that are there. I mean, I always, you know, help
 25 out some of the -- I will go do stuff to talk to the

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1 other vendors. So, I mean, I try to do a lot of things
 2 with the folks that are there to help them. These are
 3 people that are all struggling to make a buck.

4 Q. But as for your own personal endeavors, are
 5 there any others beyond The America Project that you
 6 have promoted at tour events?

7 A. Sure. Yes.

8 Q. And what would those be?

9 A. I mean, like I've said, I've promoted the
 10 childhood autism, Moms for America are two. I've
 11 promoted people to go watch some of the podcasts that
 12 some of these people have. So, I mean, I would say a
 13 range of the people that attend.

14 Q. Do you agree that the Tour is an opportunity
 15 for cross-marketing, meaning to promote these other
 16 third parties and individuals?

17 A. I'm not really sure what that means.

18 Q. Well, one of the benefits of the Tour is being
 19 able to provide a platform for these other efforts, like
 20 the autism one you described or Moms for America, for
 21 example. Correct?

22 A. Sure. Yes.

23 Q. Does the Tour ever engage in donations or
 24 collecting donations for individuals or causes at tour
 25 events?

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1 A. Yes.
2 Q. What are some of those causes?
3 A. Legal fees. Primarily I think legal fees,
4 people that are -- people that are being, you know --
5 that are involved in some type of legal action and legal
6 Defense Fund fees type things.
7 Q. Does that include the legal Defense Fund that
8 arises from this particular case?
9 MS. WEISS: Object to the form.
10 THE WITNESS: Yeah, I don't -- I don't -- I
11 have no idea.
12 BY MR. KLOEWER:
13 Q. Have you ever encouraged people to donate
14 funds to support Clay Clark in this particular lawsuit?
15 A. I don't believe I have.
16 Q. Let's take a look at what has been previously
17 marked as Exhibit 10, a clip. Let's see here. 6. This
18 is from August 23rd, last year. This occurred in Las
19 Vegas. Let me share my screen here.
20 (A video clip was played as follows:)
21 MR. FLYNN: Before I make mention of one
22 thing, I want to bring up. There's a donation
23 page. Clay will never do this. I'm going to do
24 it. And he didn't know I'm going to do it. But on
25 that TimeToFreeAmerica, if you could bring up the
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1 donation button. Right there. Okay.
2 So -- so it's off of the -- off of the main
3 page, TimeToFreeAmerica, donate. And I'll tell
4 you, to do this -- you know, and I have been up
5 here whining for the last couple of days about all
6 the nonsense that we've gone through for this
7 particular event, but all these events. But if you
8 just want to, you know, if you just want to help
9 out, five bucks, ten bucks, whatever it is, that --
10 that donation button goes to helping these events.
11 We're going to continue to do these -- we are
12 going to try to do -- in fact, we have probably
13 three more for sure, and we are looking at another
14 10. Okay? And we do this through the good graces
15 of you, you know, the people that do help us out.
16 And there's -- there's a whole bunch of people that
17 help us out. But if you want to -- if you want to
18 donate, it doesn't matter what you donate. Okay?
19 And so that's the -- that's the donate page. And
20 it helps. Every little bit helps.
21 (The playing of the video clip stopped.)
22 BY MR. KLOEWER:
23 Q. Okay. So you actually have directed donations
24 to the fundraiser for this lawsuit, haven't you?
25 A. Okay.
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1 Q. How often do you promote that fundraiser?
2 A. I don't -- I don't recall. Actually, I didn't
3 even recall that, doing that.
4 Q. Okay. Well, that fundraiser has been up for a
5 while, since at least early 2022. Is it your testimony
6 that's the only time you have ever directed donations to
7 that fund?
8 A. You know, I don't recall. I mean, that's --
9 that's -- you know, is there a problem with directing
10 people to help somebody out who is being sued?
11 Q. Well, I do have some questions about that
12 fundraiser. We just looked at the image there and it
13 says, "ReAwaken America versus Dominion Lawsuit."
14 Did you see that on the page?
15 A. I didn't, no.
16 Q. Let's take a look here. I'll show you again.
17 (A video clip was played as follows:)
18 MR. FLYNN: Before I make mention of one
19 thing, I want to bring up. There's a donation
20 page. Clay will never do this. I'm going to do
21 it. And he didn't know I'm going to do it. But on
22 that TimeToFreeAmerica, if you can bring up the
23 donation button. Right there. Okay? So -- so
24 it's off of the -- off of the main page,
25 TimeToFree --
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1 (The playing of the video clip stopped.)
2 BY MR. KLOEWER:
3 Q. Right there, Mr. Flynn. You see that? The
4 fundraiser is designated as ReAwaken America versus
5 Dominion Lawsuit Defense Fund.
6 Do you see that?
7 A. I can barely see it, but, yeah, I understand
8 what you're saying.
9 Q. Okay. Do you have an understanding of why
10 this lawsuit, this fundraiser describes itself as being
11 ReAwaken America versus Dominion?
12 A. I don't.
13 Q. I'm going to skip ahead here to the 40-second
14 mark. And you state here that the donation button goes
15 to helping these events. Let's listen to that again
16 real quick.
17 And here we can see more clearly the image of
18 the fundraiser on screen. And beneath here where my
19 mouse is hovering, it indicates that Eric Coomer, the
20 former director of strategy and security for Dominion
21 Voting Systems, has filed a lawsuit against Clay Clark
22 and the ReAwaken America Tour.
23 Let's play this from the 38-second mark.
24 (A video clip was played as follows:)
25 MR. FLYNN: That donation button goes to
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1 helping these events. And we're going to continue
 2 to do these -- we're going to try to do -- in fact,
 3 we have probably three more for sure, and we're
 4 looking at another 10. Okay? And we do this
 5 through the good graces --
 6 (The playing of the video clip stopped.)
 7 BY MR. KLOEWER:
 8 Q. How does donating money to this legal Defense
 9 Fund help put on ReAwaken America Tour events?
 10 A. I don't know.
 11 MS. WEISS: Objection, foundation.
 12 THE WITNESS: Yeah. And made -- it's the
 13 statement I made. You know, maybe it's -- maybe
 14 it -- maybe it's not too -- as specific as I could
 15 have been, but it's what I said.
 16 BY MR. KLOEWER:
 17 Q. You don't have any basis for having told
 18 people that?
 19 A. No. Just asking people to donate to a legal
 20 Defense Fund.
 21 Q. Do you think it's important to be careful with
 22 your language, discussing things like that?
 23 A. Yeah. It's always important to be careful
 24 with your language. Sure.
 25 Q. Okay. Now, we just discussed, that fundraiser
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1 is being designated as being against Dominion. Who do
 2 you understand Dominion to be in that context?
 3 A. In the context of what?
 4 Q. ReAwaken America versus Dominion lawsuit.
 5 What is "Dominion" referring to there?
 6 MS. WEISS: Objection, foundation.
 7 And my microphone was on mute earlier, and I
 8 didn't realize it. So I can't remember the
 9 question now that I had objected to, but it was the
 10 line of questioning about the statements about the
 11 elections -- or I'm sorry, the donation button.
 12 THE WITNESS: Yeah.
 13 BY MR. KLOEWER:
 14 Q. Mr. Flynn, who do you understand Dominion to
 15 be?
 16 A. I think it's a voting system that we use in
 17 this country.
 18 Q. Okay. And it's your belief that Dominion
 19 Voting Systems rigged the 2020 presidential election.
 20 Is that correct?
 21 A. I don't have any -- any comment on that.
 22 Q. Well, do you believe that Dominion Voting
 23 Systems rigged the 2020 elections? It's a "yes" or "no"
 24 question.
 25 MR. GREAVES: Objection, foundation.
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1 THE WITNESS: I don't really know. I mean, I
 2 don't really know. I know that there's a lot of --
 3 there's a lot being contested. I know that. But I
 4 don't know that to be true or not.
 5 BY MR. KLOEWER:
 6 Q. Have you seen credible evidence that Dominion
 7 Voting Systems rigged the 2020 presidential election?
 8 A. No, I don't really know.
 9 Q. You don't know if you've seen credible
 10 evidence that Dominion Voting --
 11 A. Well --
 12 Q. -- Systems rigged the presidential --
 13 MR. GREAVES: Objection, asked and answered.
 14 THE WITNESS: Yeah. I mean, I -- you know.
 15 Right. I don't know. No. Because you are saying
 16 "credible." I mean, evidence? Yeah. I have seen
 17 a lot of evidence. I mean, you know, a lot of
 18 stuff, I've read a lot of reports. You know,
 19 credibility is in the eye of the legal system to
 20 determine.
 21 BY MR. KLOEWER:
 22 Q. You are not comfortable under oath today
 23 stating, identifying any evidence you would describe as
 24 credible --
 25 MR. GREAVES: I'm going to object. Right
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1 now --
 2 THE WITNESS: Yeah, come on.
 3 MS. WEISS: Hold on, hold on, General Flynn.
 4 I'm going to object and I'm going to advise my
 5 client at this point not to answer these questions
 6 based on his Fifth Amendment rights under the U.S.
 7 Constitution. We are getting into territory here
 8 that there are active investigations going on. So
 9 this line of questioning we're not going to go any
 10 further on, and General Flynn is going to assert
 11 his Fifth Amendment rights.
 12 MR. KLOEWER: Well, I'm going to keep the
 13 asking questions. I'm asking questions of opinion
 14 based on his personal knowledge of information that
 15 he has seen. I don't think invocation of the Fifth
 16 Amendment when it's not being asserted with a good
 17 faith belief that the response would furnish a link
 18 in a change of evidence needed to prove a crime is
 19 proper. So --
 20 MR. GREAVES: Mr. Kloewer, that's a
 21 misstatement of the law. But you can ask your
 22 question and my client will assert his rights if he
 23 needs to. Any argument about that is going to have
 24 to be taken off the record and in court.
 25 MR. KLOEWER: Well, I was just reading from
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1 case law from Florida when I made that statement.
 2 We've discussed in this various communications
 3 prior to this deposition regarding improper
 4 invocation of the Fifth Amendment. I can give you
 5 some case cites, if you would like. But when I'm
 6 asking questions of opinion about what occurred in
 7 the 2020 election, I do not believe that's a proper
 8 invocation of the Fifth Amendment and it is
 9 unnecessarily obstructing the conduct of this -- or
 10 this deposition.
 11 So I'm going to keep asking the questions, and
 12 we'll proceed with this line of questioning.
 13 BY MR. KLOEWER:
 14 Q. What evidence have you --
 15 Let's discuss this, Mr. Flynn, because you
 16 seem to have a concern about the term "credible." How
 17 would you -- what's the difference between credible
 18 evidence and evidence that's not credible, in your
 19 opinion? What makes something credible?
 20 A. You know, something --
 21 MR. GREAVES: Advise my client to exercise his
 22 Fifth Amendment rights.
 23 THE WITNESS: Yeah. I mean, yeah. Exactly.
 24 I don't really understand what you're asking me.
 25 BY MR. KLOEWER:
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1 Q. Well, you are --
 2 A. I'm not a lawyer, Brad. Come on. I'm not a
 3 lawyer, so you know, I'm going to -- you know, if you
 4 want to go down this, then I will exercise my Fifth
 5 Amendment right.
 6 Q. You're a top ranking military --
 7 A. I understand who I am, Brad. Don't -- don't
 8 patronize me. Okay? Don't patronize me. And I
 9 understand. You're now -- you're now going into a
 10 territory where you're saying I'm a top ranking guy, and
 11 so then use my proper title. How about that?
 12 Q. That's fair. General Flynn, you have perhaps
 13 more experience than -- well, certainly more experience
 14 than anyone in this conversation with respect to
 15 determining when intelligence is credible or when it is
 16 not.
 17 A. Uh-huh (Affirmative response).
 18 Q. Your career has dealt with those issues in
 19 many instances. So surely you have an opinion about
 20 when you can determine a piece of evidence is credible
 21 or when it is not. So --
 22 MR. GREAVES: Objection. Are you finished
 23 with your question?
 24 MR. KLOEWER: No. I haven't asked it yet.
 25 BY MR. KLOEWER:
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1 Q. When you are trying to determine credibility
 2 of a piece of evidence, what factors do you look to?
 3 MR. GREAVES: Objection. My client is here as
 4 a fact witness, not as an expert witness. And,
 5 moreover, I'm advising him to assert his Fifth
 6 Amendment rights on this line of questioning. It's
 7 also irrelevant, it's overly burdensome. Need I go
 8 on?
 9 MR. KLOEWER: No. And I will reiterate my
 10 position that this is a violation of Rule 30,
 11 obstructing the deposition improperly through
 12 improper invocation of a privilege that does not
 13 apply.
 14 BY MR. KLOEWER:
 15 Q. Have you seen any evidence that you would
 16 consider credible, Mr. Flynn, that Eric Coomer played a
 17 role in rigging the 2020 presidential election? Yes or
 18 no.
 19 A. I have not, no.
 20 Q. Do you believe that Eric Coomer rigged the
 21 2020 presidential election?
 22 MR. GREAVES: Objection, foundation.
 23 THE WITNESS: No. Yeah. I have no idea.
 24 BY MR. KLOEWER:
 25 Q. Have you seen any evidence that makes you
 Page 60

1 suspect that he rigged the 2020 presidential election?
 2 A. No idea.
 3 Q. Have you seen any credible evidence that Eric
 4 Coomer manipulated his position with Dominion Voting
 5 Systems to alter the election results in 2020?
 6 A. No idea if I have seen anything like that.
 7 Q. Who do you understand Eric Coomer to be,
 8 General Flynn?
 9 A. I don't really know him.
 10 Q. Well, that's not exactly my question. My
 11 question is who do you understand him to be?
 12 A. I don't know.
 13 Q. You're familiar with the allegations against
 14 Eric Coomer, aren't you?
 15 A. I couldn't sit here and write them down. If
 16 you asked me to write them down, I'm not.
 17 Q. You know who Joe Oltmann is, correct?
 18 A. I -- I do know who he is, yeah. Yeah, I do
 19 know.
 20 Q. Who is Joe Oltmann?
 21 A. I really don't know him well. I just -- I
 22 have -- it's been a long time. I believe I have met
 23 him. But it's been some time.
 24 Q. When did you first meet Mr. Oltmann?
 25 A. I don't recall.
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1 Q. Who introduced you?
2 A. I don't recall. Don't know.
3 Q. Did you meet him in 2020?
4 A. I don't remember if I did.
5 Q. You were familiar with the allegations about
6 Eric Coomer as early as November of 2020, weren't you?
7 A. I don't recall.
8 Q. We'll get into that in a bit.
9 I tell you what. You've stated before that
10 you have watched every presentation on the ReAwaken
11 America Tour, correct?
12 MR. GREAVES: Objection, mischaracterization
13 of testimony.
14 BY MR. KLOEWER:
15 Q. What have I missed? What did I get wrong
16 there, General Flynn?
17 A. I try to watch as many as possible, but
18 obviously there's two, two to three days of events. So
19 I try to watch as many as possible.
20 Q. You have seen at least one of Mr. Oltmann's
21 presentations. He was on the Tour many times. I
22 presume you have seen him present on stage before,
23 correct?
24 A. I don't recall if I ever -- if I ever -- I
25 mean, if he -- I know he has been on there, but it's
Page 62

1 been a while. But I don't recall.
2 Q. Why is Mr. Oltmann a speaker on the Tour, as
3 you understand it?
4 A. I don't know.
5 Q. What does he bring to the table?
6 A. No idea.
7 Q. What topic is he there to discuss?
8 A. No idea.
9 Q. You don't have any idea what Joe Oltmann
10 discusses on the ReAwaken America Tour?
11 A. If he walked in the door right here in this
12 office I'm in, I wouldn't even recognize him.
13 Q. You say this even having co-starred in the
14 film The Deep Rig with Mr. Oltmann?
15 A. Okay.
16 Q. You are telling me under oath you wouldn't
17 recognize Joe Oltmann if he walked in the door?
18 A. I really haven't seen him in a while. I mean,
19 I don't -- the last time I saw him I was in an audience
20 of about 1,000 people in Missouri maybe six months ago,
21 eight months ago, and that was the last time I saw him.
22 I don't know. I really don't. He's not -- he's not
23 somebody that I am -- I know who he is. I'm not
24 familiar with him, no.
25 Q. You're familiar with his claims that Eric
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1 Coomer, our client, partook in an Antifa conference call
2 and claimed on that call to have rigged the election.
3 You are familiar with that, aren't you?
4 A. I am not, actually. I don't recall if I am.
5 Q. So you're telling me you co-starred in The
6 Deep Rig and you didn't even watch it?
7 A. I don't know if I watched it, no. I can't sit
8 here and tell you that I watched it, no.
9 Q. Let's take a look at some of the things that
10 Mr. Oltmann has said on stage with the ReAwaken America
11 Tour. I'm going to show you -- so we previously
12 designated the audio and video clips from this
13 proceeding as Exhibit 19. We'll designate this as Clip
14 2.
15 This was Oltmann's first appearance on the
16 ReAwaken America Tour at an event on July 18th, 2021, in
17 Anaheim, California.
18 (A video clip was played as follows:)
19 AN INDIVIDUAL: Ladies and gentlemen, one more
20 time let's hear it for Pastor Todd Coconato. Yeah.
21 All right, now.
22 AN INDIVIDUAL: -- anybody with a massive
23 beard with a little --
24 (The playing of the video clip stopped.)
25 MR. KLOEWER: Okay. For the record, I'm
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1 skipping forward in this clip to the one minute,
2 45-second mark.
3 (A video clip was played as follows:)
4 MR. OLTMANN: -- nominee. I was a finalist in
5 2020. They told me Ernst & Young, entrepreneur of
6 the year --
7 (The playing of the video clip stopped.)
8 BY MR. KLOEWER:
9 Q. Sorry. I'm rewinding here. Let me come back
10 to the one-minute 40-second mark. This is Mr. Oltmann
11 describing his credentials on stage. And we can see
12 your image emblazoned on the backdrop here as well,
13 General Flynn. Let's proceed here with the clip.
14 (A video clip was played as follows:)
15 MR. OLTMANN: -- tech company. I was a
16 two-time Ernst & Young entrepreneur of the year
17 nominee. I was a finalist in 2020. They told me
18 if you walk away from politics you will win.
19 If anybody knows about the tech world, I built
20 my company on a cocktail napkin over nine years.
21 We represent some of the biggest clients across the
22 country.
23 And I said, I can't do that.
24 If I'm being truthful, I could have walked
25 away and gone and drank a Mai Tai on a beach and
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1 just lived out the rest of my life.
 2 (The playing of the video clip stopped.)
 3 BY MR. KLOEWER:
 4 Q. Is this refreshing your recollection, Mr.
 5 Flynn, about who Joe Oltmann is?
 6 A. As far as what? I mean, I don't remember
 7 seeing this, no.
 8 Q. Well, you recognize him, don't you?
 9 A. I guess I do, yeah. I mean, he -- he looks
 10 familiar.
 11 Q. You stated before that you, along with
 12 Mr. Clark, will vet potential speakers from time to
 13 time. What did you do to vet Mr. Oltmann before he came
 14 on stage for the first time at the ReAwaken America
 15 Tour?
 16 A. I don't recall if I ever got involved in that
 17 one.
 18 Q. So you took no action to investigate who Joe
 19 Oltmann was? Am I understanding that correctly?
 20 A. That's -- that's -- yeah. I mean, I don't
 21 remember doing anything like that.
 22 Q. Do you know who did?
 23 A. I don't.
 24 Q. So all these claims he's making here, that he
 25 had hundreds of employees, that he could have retired,

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1 that he was -- that Ernst & Young told him that if he
 2 wasn't political he would win entrepreneur of the year,
 3 you didn't investigate any of those claims, did you?
 4 A. I did not.
 5 Q. Okay. So when you described yourself as a
 6 guidance counselor to Mr. Clark, it doesn't apply with
 7 respect to Mr. Oltmann's appearance on the Tour. Is
 8 that fair?
 9 MS. WEISS: Object to the form.
 10 THE WITNESS: That's fair.
 11 BY MR. KLOEWER:
 12 Q. Okay. Let's skip ahead here to about the
 13 three minute mark.
 14 (A video clip was played as follows:)
 15 MR. OLTMANN: And as a person who followed
 16 Jesus that could become an example for them. I
 17 happened to get on a phone call with a guy named
 18 Eric Coomer back in September of last year, and he
 19 said, "Hey, don't worry about it. Trump is not
 20 going to win. I made sure of that."
 21 I'm in the church of the Lord, so I'm not
 22 going to tell you what he said. But I am going to
 23 tell you that I didn't know what I knew at that
 24 point. I didn't know. I didn't know. I wrote it
 25 down. I thought these guys were nuts. And then I

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1 moved on.
 2 And it wasn't until three days after the
 3 election. You know what happened on the election
 4 night. It wasn't until three days afterwards that
 5 I figured out that, as somebody sent me an article
 6 when his name was in there, and he was the
 7 spokesperson for Dominion Voting Systems, what I
 8 was really looking at.
 9 I did my research, I do believe things are
 10 providential. I do believe that I didn't have to
 11 get involved.
 12 (The playing of the video clip stopped.)
 13 BY MR. KLOEWER:
 14 Q. All right. Let's pause there.
 15 So you're familiar with this story, aren't
 16 you?
 17 A. I -- what Joe Oltmann is talking about? I'm
 18 not familiar with that story.
 19 Q. Is this the first time you heard Joe Oltmann
 20 claim that he infiltrated an Antifa conference call with
 21 Eric Coomer?
 22 A. I really don't remember that. I don't
 23 remember that. I'm not going to sit here and tell you
 24 that I was in the audience even at that time. I
 25 remember that being -- that one I was -- I was walking

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1 around quite a bit, so I don't even remember him being
 2 on the stage.
 3 Q. We just watched a video of you a few minutes
 4 ago promoting a legal fundraiser for Clay Clark arising
 5 from this lawsuit, and --
 6 A. Okay.
 7 Q. -- you're telling me that you have no idea
 8 what the basis of this lawsuit is?
 9 A. I don't know what the exact basis of it is. I
 10 really don't.
 11 Q. Have you discussed the lawsuit with Mr. Clark?
 12 A. I -- I have. I've talked -- talked to him
 13 about it in his, you know -- yeah. I mean, I have
 14 spoken to him about it, but not in any kind of detail.
 15 Q. He didn't tell you that the Tour had been sued
 16 for publishing Oltmann's claims about Dr. Coomer?
 17 A. I think he -- I think he's just stated that
 18 the Tour had been sued. I didn't know it was about, you
 19 know, that -- I don't know how the -- how the details of
 20 Joel Oltmann was involved.
 21 Q. When you got a subpoena from Eric Coomer --
 22 A. Uh-huh (Affirmative response).
 23 Q. -- what steps did you take to determine who
 24 Eric Coomer was?
 25 A. I mean, I know who Eric Coomer is. I mean, I

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1 am aware of who he is, just in -- but I couldn't tell
 2 you what his job is or -- just the things that I have
 3 seen in podcasts and such and what I have read in the
 4 newspapers.
 5 Q. Well, what have you seen in podcasts about
 6 Eric Coomer?
 7 A. Just different -- different things that he has
 8 said, statements that he has made.
 9 Q. Like what?
 10 A. I don't know. I don't -- I don't recall what
 11 those statements are, but I have -- you know, I have a
 12 memory of him, seeing him in a -- speaking to some
 13 group, and I just don't recall what it was that he said.
 14 Q. Mr. Oltmann said that he took notes on this
 15 call. Have you ever requested to see those notes?
 16 A. No.
 17 Q. Why not?
 18 A. The first time -- first time I heard that is
 19 right now.
 20 Q. If Mr. Oltmann's story is true, that would be
 21 a pretty sensational piece of evidence, wouldn't it?
 22 A. I mean, you are -- you are asking me to
 23 speculate or what?
 24 Q. Well, you wouldn't answer before if you
 25 believed that Dominion Voting Systems rigged the

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1 election or not, but if it were true that Eric Coomer
 2 had made these claims on a phone call, you would agree
 3 that that would be an important piece of evidence to
 4 suggest that Dominion had rigged the election, correct?
 5 MR. GREAVES: Object.
 6 THE WITNESS: If that was the --
 7 MR. GREAVES: Speculation.
 8 THE WITNESS: Yeah, yeah. I mean, I think
 9 either way --
 10 Yeah. It is -- it's big-time speculation. I
 11 mean, it's big-time. You know that. I mean, I
 12 would be guessing.
 13 BY MR. KLOEWER:
 14 Q. What's big-time speculation? Mr. Oltmann's
 15 claims?
 16 A. No. Your question.
 17 Q. Well, you don't believe that Joe Oltmann was
 18 on this call with Eric Coomer, do you?
 19 A. No idea.
 20 Q. Why didn't you ever look into this?
 21 A. Why didn't I look into what? Whether Joel
 22 Oltmann was on a phone call?
 23 Q. Yeah.
 24 A. This is probably the first time I heard it.
 25 And to be honest with you, this is the first time I -- I

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1 don't think I -- I don't think I was in that audience
 2 when he was speaking. This is the first time I have
 3 heard that. I didn't know he was on a call with Coomer.
 4 Q. He said he did his research. You never
 5 attempted to find out what research he had done?
 6 A. No.
 7 Q. Let's skip ahead here to the 5 minute, 10
 8 second mark.
 9 (A video clip was played as follows:)
 10 MR. OLTSMANN: Because I don't live my life in
 11 fear. Then I got sued by Eric Coomer. I found
 12 myself in the middle of a fight that was unfairly
 13 balanced. I've spent hundreds of thousand of
 14 dollars, I have lost millions of dollars.
 15 (The playing of the video clip stopped.)
 16 BY MR. KLOEWER:
 17 Q. Here Mr. Oltmann is stating on stage in his
 18 first appearance that he got sued by Eric Coomer. Do
 19 you know what he got sued by Eric Coomer for?
 20 A. No idea.
 21 Q. You never read the lawsuit?
 22 A. Don't recall if I did.
 23 Q. And you didn't conduct any investigation, even
 24 before this deposition, to find out what Eric Coomer had
 25 sued Joe Oltmann for?

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1 A. I did not.
 2 Q. In your role as guidance counselor to Mr.
 3 Clark, you never discussed with him putting people on
 4 stage to repeat claims that they had been sued for
 5 defamation over?
 6 A. I don't believe we ever have, no.
 7 Q. Does it concern you at all that the Tour is
 8 putting speakers on stage who have been sued for making
 9 false statements?
 10 A. I'm not sure what you're asking me. What are
 11 you asking me?
 12 Q. Well, it seems like --
 13 If I understand your sworn testimony today,
 14 you are claiming that for the first time, as you sit
 15 here, you are just becoming aware of claims about Eric
 16 Coomer, which you can probably discern I'm highly
 17 skeptical of that claim. But knowing as you know now --
 18 A. Well, which claims, Brad? Which claims? I
 19 mean, there's a lot of claims about a lot of people. So
 20 which claims? You're making claims about --
 21 Q. Claims that -- claims that Eric Coomer, the
 22 former director of strategy and security for Dominion
 23 Voting Systems, partook in an Antifa conference call;
 24 that he claimed on that call that he had rigged the 2020
 25 election; and that he did, in fact, rig the 2020

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1 election.
 2 A. Okay.
 3 Q. You don't have any reason to believe any of
 4 those claims, do you?
 5 A. Other than -- other than they -- we just heard
 6 him state it a bit there on this. I don't. I mean, I
 7 don't -- I only have -- I have no -- you know, I mean,
 8 I'm not in a position where -- I don't know. I really
 9 just don't know. I don't know what it is that you're
 10 asking me. I'm not sure where -- I'm not sure what
 11 you're talking about.
 12 Are you asking me if I know Coomer? I don't
 13 know Coomer. The job title you just gave him, that's
 14 the first time I think I have heard him described like
 15 that.
 16 Joe Oltmann. I don't know him well.
 17 I think you said that this -- this video was
 18 2021, which probably would have been the third or fourth
 19 event that we had. So we were -- you know, we were --
 20 people were joining the Tour, and so we probably, you
 21 know --
 22 I don't know. I'm not exactly sure what
 23 you're asking me here. You're just -- you're sort of
 24 speculating about a bunch of things, and I'm not exactly
 25 sure what you are asking me.

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1 Q. Beyond Mr. Oltmann's claims about this call,
 2 have you seen any evidence that this supposed call ever
 3 occurred?
 4 A. I haven't.
 5 Q. Do you know how Mr. Oltmann got access to this
 6 call?
 7 A. No idea.
 8 Q. Do you who else was on it?
 9 A. I have no knowledge of this call whatsoever.
 10 Q. Did you ever discuss Mr. Oltmann with your
 11 brother Joe?
 12 A. I may have. I don't recall.
 13 Q. You know Joe has been on Oltmann's podcasts a
 14 few times, correct?
 15 A. I don't know. You know, if he has been on it,
 16 that's -- that's -- you know, he has been on it. I -- I
 17 don't -- I can't sit here and tell you that he has or
 18 has not. I just, you know. That's fine.
 19 Q. Have you discussed Mr. Oltmann with Patrick
 20 Byrne?
 21 A. I -- I may have. I don't recall, you know, if
 22 we had, you know, lengthy conversations about him or any
 23 conversations about him.
 24 Q. You're a board member on The America Project,
 25 correct?

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1 A. No.
 2 Q. What's your -- what's your role with The
 3 America Project?
 4 A. It was as an advisor.
 5 Q. Okay. And you know that Eric Coomer has sued
 6 The America Project, don't you?
 7 A. I don't recall, actually. I haven't been -- I
 8 haven't been around The America Project for quite a
 9 while.
 10 Q. Well, this wasn't the only time Mr. Oltmann
 11 made these claims on stage at the ReAwaken America Tour.
 12 In fact, he did it many times over a prolonged period.
 13 Let's take a look at an appearance that you
 14 also were at in Colorado Springs on September 25th of
 15 2021.
 16 We'll designate this as Exhibit 19, clip 3.
 17 (A video clip was played as follows:)
 18 MR. CLARK: All right. I'm telling you, we're
 19 going to go from a level 9 to about a level 11.
 20 You're going to leave here, your head is going to
 21 explode with knowledge you won't hear anywhere
 22 else, so stay tuned.
 23 Our next presenter is Colorado's very own tech
 24 entrepreneur and freedom-loving patriot exposing
 25 the corruption of election fraud. Ladies and

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1 gentleman, please stand and greet Joe Oltmann.
 2 (The playing of the video clip stopped.)
 3 BY MR. KLOEWER:
 4 Q. Okay. Exposing the corruption of election
 5 fraud. That's how Mr. Clark introduced him. What
 6 election fraud has Joe Oltmann exposed that you're aware
 7 of?
 8 A. No idea.
 9 Q. Do you know anything about Mr. Oltmann's
 10 background?
 11 A. I really don't.
 12 Q. Do you know if he has any credentials that --
 13 any background in election technology?
 14 A. No idea.
 15 Q. You don't know what kind of education he has?
 16 A. I don't.
 17 Q. Do you know what kind of work he does?
 18 A. I am aware he is working with Mike Lindell. I
 19 am aware of that.
 20 Q. In what capacity?
 21 A. I don't know what capacity -- I don't. I
 22 don't really know what capacity.
 23 Q. Let's skip ahead to the eight-minute mark
 24 here.
 25 (A video clip was played as follows:)

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1 MR. OLTMANN: -- the (Inaudible) from one
2 either.
3 Here is what I know. Number 1, Eric Coomer
4 was on that call. Eric Coomer, who is the director
5 of strategy and security for Dominion Voting
6 Systems, is a liar. I just sat in a deposition
7 with him where the guy literally lied about
8 everything. Dominion Voting Systems is a system
9 just like others that's designed to steal your
10 voice.
11 (The playing of the video clip stopped.)
12 BY MR. KLOEWER:
13 Q. Okay. Do you recall watching this
14 presentation in real time, Mr. Flynn?
15 A. I don't.
16 Q. Okay. But here we see Oltmann claiming again
17 that Eric Coomer was on that call. He says, "Dominion
18 is a system designed to steal your voice."
19 Do you agree with that assessment?
20 MR. GREAVES: Objection. I advise --
21 THE WITNESS: Right, right. I mean -- yeah.
22 BY MR. KLOEWER:
23 Q. Do you agree with that assessment, that
24 Dominion is system designed to steal your voice?
25 A. I'm going to -- I'm going to assert my Fifth
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1 Amendment right on this one.
2 Q. Tape.
3 (A video clip was played as follows:)
4 MR. OLTMANN: That's not hyperbole. That's
5 not me making stuff. That's truth. They say, Joe,
6 you're -- you're advocating for violence. And I'll
7 tell you this. When is enough going to be enough?
8 When are you going to keep moving that line back?
9 Until it kills you? Until they come for your
10 children?
11 (The playing of the video clip stopped.)
12 BY MR. KLOEWER:
13 Q. You're familiar with Mr. Oltmann's frequent
14 calls for violence, aren't you, Mr. Flynn?
15 MS. WEISS: Object to form.
16 THE WITNESS: I am not. Yeah. I'm not. I'm
17 not.
18 BY MR. KLOEWER:
19 Q. You never discussed Mr. Oltmann's Public
20 statements with Patrick Byrne?
21 A. I don't believe I have.
22 Q. Are you aware that Mr. Byrne has published
23 multiple statements stating that every conversation he
24 has ever been in with Joe Oltmann, he's advocating for
25 violence?
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1 A. I don't have any knowledge of that.
2 Q. Okay. And you heard Oltmann confidently
3 stating on stage that this is not hyperbole, that this
4 is truth.
5 A. I just heard in the video.
6 Q. Yes.
7 A. I mean, whatever he just said in the video.
8 I'm not -- I can't sit here and tell you that I watched
9 him.
10 Q. Do you have any reason to believe that Oltmann
11 was on an Antifa conference call where he overheard Dr.
12 Coomer speaking?
13 A. No idea.
14 Q. And you already stated before that you were at
15 every event, that you had been at every ReAwaken America
16 event. So I presume that would include the event that
17 occurred in Dallas in December of 2021? Is that -- is
18 that a fair assessment?
19 A. Okay. If it was a ReAwaken Tour, I was -- I
20 was at it. If it was in Dallas and it was a ReAwaken
21 Tour, I was at it.
22 Q. Was that tour event the victim of an anthrax
23 attack?
24 A. Say that again?
25 Q. Did somebody attack that event with anthrax?
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1 A. Is that a serious question?
2 Q. Yes.
3 A. I don't have any idea.
4 Q. You recall allegations that there was an
5 anthrax attack at that event, don't you?
6 A. I recall at one event somebody claimed about
7 some -- you know, the air conditioning system was doing
8 something, you know. But it was I think just the
9 humidifier or something. So I remember that. I don't
10 know whether that was in Dallas or what. But --
11 Q. Do you recall who made that claim?
12 A. I don't.
13 Q. You don't remember Joe Oltmann claiming that
14 he and Jovan Pulitzer had been attacked by anthrax at
15 the Dallas event?
16 A. I don't remember that, no.
17 Q. Okay. Is Jovan Pulitzer a speaker on the
18 ReAwaken America Tour events?
19 A. He has been, yes.
20 Q. I can -- I can discern from your skepticism by
21 my question that you take the premise that the event was
22 attacked by anthrax to be unreasonable, to put it
23 gently. Is that fair?
24 A. I -- I think that your question is not very
25 clear.
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1 Q. Well, what I'm --
2 A. Your statement. Your statement is not very
3 clear.
4 Q. After -- after Mr. Oltmann claimed that the
5 event had been the victim of an anthrax attack and that
6 he and Mr. Pulitzer may have been poisoned with anthrax,
7 did that give you concerns about his credibility?
8 A. I don't remember that. I don't recall that.
9 Q. You didn't discuss with Mr. Clark allegations
10 that the event had been attacked by anthrax, by a
11 chemical agent?
12 A. If we did, we were -- we probably laughed
13 about it, because anthrax is a very serious, you know.
14 It's a very serious thing, and if it was, we would know
15 about it. Everybody. The world would have known about
16 it.
17 Q. So you would agree that somebody that would
18 make that allegation that lightly is not somebody that
19 you would consider to be reliable.
20 A. I had no -- no -- I don't know how to answer
21 that question. I mean, I would just say I don't have
22 any real knowledge about his -- that claim and, you
23 know, nor -- nor what resulted from it.
24 Q. Does Joe Oltmann still appear with the
25 ReAwaken America Tour?

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1 A. I don't believe he has in a while that I'm
2 aware of.
3 Q. Why not?
4 A. No idea.
5 Q. Did you ever discuss Mr. Oltmann's ongoing
6 appearances with the Tour of Mr. Clark?
7 A. I don't believe I have.
8 Q. Did Mr. Clark ever tell you that the Tour,
9 that its insurance carrier had informed him that the
10 Tour would not be insured if Mr. Oltmann continued to
11 appear on stage?
12 MS. WEISS: Object to form.
13 BY MR. KLOEWER:
14 Q. Did Mr. Clark tell you that?
15 A. About what?
16 Q. That the tour's insurance carrier would not
17 insure the events if Mr. Oltmann continued to appear on
18 stage?
19 A. I don't recall that.
20 Q. Let's take a look at what's been previously
21 marked as Exhibit 10, clip 8.
22 This is an appearance, this is Mr. Oltmann's
23 Conservative Daily podcast. This is an episode from
24 April 26, 2023. So almost a year ago. He's describing
25 a conversation he just had with Mr. Clark. We'll roll

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1 the tape and I'll ask you a few questions about that.
2 (A video clip was played as follows:)
3 MR. OLTMANN: So he goes, first of all, the
4 insurance -- I have spent \$390,000 on legal fees
5 with the Eric Coomer case. Now, so since I know
6 what it cost to actually go through that case,
7 \$390,000 seems like an exorbitant amount for his
8 small part of this. But, you know, neither here
9 nor there. Maybe it's true. I hope it's not true,
10 because that just means that lawyers are literally
11 making a bunch of money and trying to bilk him dry.
12 But then he says that the insurance company
13 that he's dealing with will not cover the event if
14 Joe Oltmann speaks. So if Joe Oltmann gets on the
15 stage and speaks, we will not cover the event.
16 And I went, Oh, all right. Okay. Nobody has
17 ever paid me to go to an event. I paid my expenses
18 on I think, what, five percent of the occasions.
19 A SPEAKER: Yeah, yeah, about that.
20 MR. OLTMANN: And otherwise, I go out there
21 because I really want people to understand what the
22 truth is, right? So.
23 And by the way, I don't really give a shit
24 about your \$390,000 in legal fees. I really don't,
25 but --

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1 (The playing of the video clip stopped.)
2 BY MR. KLOEWER:
3 Q. Okay. So does that refresh your recollection?
4 Do you remember talking to Mr. Clark about removing
5 Oltmann from the Tour for this reason?
6 A. I don't.
7 Q. Is that the sort of thing that Mr. Clark would
8 have talked to you about?
9 A. Not necessarily.
10 Q. Well, you are involved in every tour event,
11 right?
12 A. I -- I show up to every tour event.
13 Q. So if the Tour could no longer proceed for any
14 reason, do you think that that's something that
15 Mr. Clark would discuss with you?
16 A. He likely would, yeah.
17 Q. Okay. But he didn't -- he didn't raise this
18 issue with you?
19 A. No.
20 Q. Mr. Flynn, you've, in fact, known about the
21 claims about Eric Coomer supposedly partaking in an
22 Antifa conference call since just days after Oltmann
23 first made them in November of 2020, haven't you?
24 A. Okay. I mean, I don't recall.
25 Q. Well, let's take a look at some documents

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1 here.
2 And, Nate, I apologize. I believe I'm at
3 Exhibit 21. And hopefully it will be the last time I
4 get out of order but I believe that's where we're at.
5 (Exhibit 21, E-mail chain ending 11/14/2020
6 from Mike Flynn to Joshua Steinman, et al., was
7 marked for identification.)
8 BY MR. KLOEWER:
9 Q. So I'm going to show you what we'll mark as
10 Exhibit 21. And these are documents that you produced
11 pursuant to a subpoena. So let's take a look at what's
12 been marked as MTF000011.
13 I'm going to share my screen here.
14 Okay. Do you see this document on my screen?
15 A. I do. I can see it.
16 Q. At the top of the page it's indicated as an
17 e-mail from zulutym@gmail.com and it includes your name
18 in the quotation marks. Is that zulutym@gmail, is that
19 an e-mail that you use?
20 A. Yes.
21 Q. What do you use that e-mail address for?
22 A. Just I've had it for a long time, I just -- I
23 use it for a lot of things. E-mail.
24 Q. Is it a personal e-mail address or is it --
25 A. Personal.

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1 Q. Okay. As is typically the case with these
2 sort of documents, the correspondence begins at the
3 bottom, and we see it, how it proceeds moving forward.
4 So I'm scrolling down to the lower portion of that
5 document. This indicates an e-mail from an individual
6 named Jerry Waller to Info@SidneyPowell.com, and the
7 date indicated here is Saturday, November 14th, 2020.
8 Do you see that?
9 A. I can.
10 Q. And the subject line is, "Eric Coomer.
11 Dominion"?
12 A. Okay.
13 Q. Who is Jerry Waller?
14 A. No idea.
15 Q. Okay. But you know who Sidney Powell is,
16 obviously?
17 A. I do.
18 Q. And who is Sidney Powell?
19 A. She was an attorney of mine.
20 Q. Is she still representing you?
21 A. No.
22 Q. So this is an e-mail. It appears it was sent
23 to Ms. Powell. And I'll read the subject. It appears
24 to be that this is what Mr. Waller wrote down here.
25 It says, "Massive information was given about

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1 Eric Coomer, VP security strategy, Dominion Voting
2 Systems. Here is the link."
3 And the link we can see is a Facebook link, it
4 goes to the right, Michelle Malkin. Do you know who
5 Michelle Malkin is?
6 A. I do. Yeah, I do know who she is.
7 Q. Do you know Ms. Malkin personally?
8 A. No.
9 Q. Did you watch this clip when it was forwarded
10 to you by Ms. Powell?
11 A. No idea.
12 Q. You don't recall watching an interview between
13 Michelle Malkin and Joe Oltmann?
14 A. I don't recall.
15 Q. Yeah. The e-mail states, "At 21 minutes of
16 this video Joe Oltmann discusses Eric Coomer's threats
17 against President Trump."
18 Does this -- did you read this e-mail at the
19 time you received it?
20 A. I don't recall.
21 Q. If you saw an e-mail about somebody making
22 threats against President Trump, would that concern you?
23 A. It would.
24 Q. Okay. The next line states, "Eric Coomer may
25 hold the key to the entire election theft by Dominion.

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1 Eric Coomer should be arrested immediately."
2 What did you understand this to mean when you
3 received this e-mail?
4 A. I don't recall what I understood at the time.
5 Q. Well, let's put this e-mail in the -- in the
6 appropriate time frame. This is November 14th, 2020.
7 It's about a week after the election was called for Joe
8 Biden. At that time you didn't believe that Joe Biden
9 won the election, did you?
10 MR. GREAVES: Objection. I'm going to ask my
11 client to assert his Fifth Amendment rights, or
12 advise him to do so.
13 THE WITNESS: Uh-huh (Affirmative response).
14 MR. KLOEWER: I'll just have a standing
15 response that we don't believe these objections are
16 proper under Rule 30.
17 MR. GREAVES: I understand.
18 BY MR. KLOEWER:
19 Q. At this time, you were actively looking into
20 claims that the election had been rigged, weren't you,
21 Mr. Flynn?
22 MR. GREAVES: Objection.
23 THE WITNESS: I was -- yeah.
24 MR. GREAVES: I'm advising my client to assert
25 his Fifth Amendment rights.

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1 BY MR. KLOEWER:
2 Q. And here we have an e-mail stating that a top
3 executive at Dominion may be the key to the theft and he
4 should be arrested immediately. And Sidney Powell sent
5 this e-mail to you.
6 Do you know why she sent that to you?
7 A. Does it say it on there?
8 Q. Well, we'll scroll right up here. So yes. If
9 we see the time stamp on the e-mail for Mr. Waller, it's
10 11:37 a.m. on November 14th. We scroll up here at
11 12:31, so less than an hour later Sidney Powell forwards
12 this e-mail to you and says, "Get to Josh ASAP."
13 Do you know why she was sending this
14 information to you?
15 A. I don't. I don't recall.
16 Q. Who is Josh?
17 A. Can you go up to the top? Josh Steinman, Josh
18 Steinman. I think at the time Josh was still in the
19 White House responsible for cyber security.
20 Q. So he was a White House official. Tell me if
21 this --
22 A. I think his -- I think his -- I don't think --
23 I wouldn't say White House official, but I think he was
24 on the -- he was somewhere in the National Security
25 Council.

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1 Q. If I told you that he was the senior director
2 for cyber policy and deputy assistant to the president;
3 would you disagree with that?
4 A. I would not.
5 Q. Okay. So he was a high-ranking government
6 official at the time. Is that fair?
7 A. Okay.
8 Q. You would agree with that assessment, that
9 he --
10 A. I would. Yeah. I'd say that sounds like a
11 pretty important title.
12 Q. So why did you send Mr. Steinman this
13 information?
14 A. I think because Sidney asked me to.
15 Q. You didn't review the information that she had
16 asked you to forward to this government official?
17 A. I don't recall if I did.
18 Q. Did you -- why didn't Sidney Powell reach out
19 to Mr. Steinman herself?
20 A. She may not have had the ability. I don't
21 know. You'd have to ask her.
22 Q. If Ms. Powell sent you a chain letter saying
23 if you don't send this to 15 people you will be cursed,
24 send it to Josh right away, would you have done that?
25 What I'm trying to understand, Mr. Flynn, is,

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1 you are just forwarding e-mails from Sidney Powell to
2 high-ranking government officials without even reviewing
3 their contents? Is that your testimony today?
4 A. No. I don't recall if I reviewed the
5 contents. I may have. I just don't recall.
6 Q. Okay. But you don't -- this was a claim, that
7 a top Dominion executive had claimed that he rigged the
8 election on a call, and you have no recollection of
9 that?
10 A. Of what? Of the e-mail, the --
11 Q. Yeah.
12 A. -- statement you just made? I mean, what are
13 you asking me?
14 Q. All of it. I mean, frankly, it's hard for me
15 to believe. This is a sensational claim. Here is
16 someone claiming to have evidence that a top --
17 A. Okay.
18 Q. -- executive at a voting machine company had
19 confessed to rigging the election in a phone call months
20 before the election. To my mind that is a remarkable
21 claim.
22 MR. GREAVES: Objection. Is there a question?
23 BY MR. KLOEWER:
24 Q. If it were true, I'm trying to understand --
25 I'm trying to understand why you didn't look into that

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1 claim at the time. So you don't have any recollection
2 of investigating whether this claim was true when you
3 received this e-mail?
4 A. I don't. I don't recall.
5 Q. Did Mr. Steinman respond to this e-mail?
6 A. I don't recall if he did or not.
7 Q. What is your relationship with Mr. Steinman?
8 A. I've known him for a number of years, and I
9 hired him on the National Security Council.
10 Q. And it looks like you're e-mailing him from
11 your personal e-mail account. That's an iCloud account.
12 That's not his government address, I presume. Would you
13 say you were a friend of Mr. Steinman's?
14 A. I was a colleague.
15 Q. But you trusted that if you sent him
16 information through his personal channel he would review
17 it?
18 A. I -- I trust Josh, yeah. I trust him.
19 Whether or not he reviewed it or not, I don't know.
20 Q. Are you still in touch with him?
21 A. I am. I am infrequent. I am.
22 Q. How frequently would you say you're in touch
23 with Mr. Steinman today?
24 A. Once a year.
25 Q. Did he follow-up on this e-mail with you?

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1 A. I don't recall.
2 Q. Did he call to discuss it?
3 A. I've answered that a couple times.
4 Q. What was -- what did you think Mr. Steinman
5 would do with this information?
6 A. I guess at the time -- I guessed that he would
7 look into it.
8 Q. And you never followed up with him to see if
9 he had looked into it?
10 A. I don't recall if I did.
11 Q. Because you didn't believe that Eric Coomer
12 actually had rigged the election, did you?
13 A. I mean, I -- I have no knowledge of that, and
14 definitely not at the time. I just -- you know, I was
15 helping out Sidney in her -- in the set of cases that
16 she was doing.
17 Q. Why were you working with Sidney Powell on
18 these -- these issues?
19 A. Why was I working with her?
20 Q. Yes.
21 A. Why was I helping Sidney Powell?
22 Q. Yeah.
23 A. Because she helped me.
24 Q. How did she help you?
25 A. Now, Jason, I mean, how ridiculous are we

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1 going to get here?
2 MR. GREAVES: You can answer that question.
3 THE WITNESS: I mean, she helped me by -- by
4 following through and determining how much the
5 Department of Justice was undermining me -- okay --
6 and how much the Department of Justice was -- was
7 illegally persecuting me.
8 BY MR. KLOEWER:
9 Q. She was working to get you a pardon from
10 President Trump at this time, wasn't she?
11 A. No, no, no, no, no. She -- my case had
12 already been dismissed, so don't -- don't jump to that.
13 Q. Well, your pardon hadn't yet been issued, had
14 it?
15 A. My pardon hadn't been issued?
16 MR. GREAVES: I'm going to object --
17 THE WITNESS: No, I don't know, I mean --
18 MR. GREAVES: Hold on.
19 THE WITNESS: I don't know. Yeah. Go ahead,
20 go ahead.
21 MR. GREAVES: Just for the record, I'm going
22 to object to any questions that ask for
23 attorney-client confidential communications.
24 THE WITNESS: Exactly.
25 MR. GREAVES: And hold on, General Flynn.

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1 These e-mails that we provided from Sidney
2 Powell, these are not obviously attorney-client
3 communications, which is why they are provided
4 without objection here. But if you are going to
5 ask him about advice that she was giving him
6 regarding his actual legal problems, that's
7 attorney-client privilege, and I'm going to
8 instruct my client not to answer those questions.
9 BY MR. KLOEWER:
10 Q. Understood. I don't need to know what your
11 conversations were with Ms. Powell with respect to her
12 representation of you. I understand that this is a
13 separate matter, as Mr. Greaves just confirmed. I was
14 just getting more towards the factual matter that your
15 pardon wasn't issued until November 22nd of 2020, as a
16 matter of fact. Isn't that correct?
17 A. I don't remember. I don't remember when the
18 pardon was issued.
19 Q. Okay. Let's take a look here at what we will
20 mark -- what you had provided as Exhibit MTF0005. We
21 will designate this as Exhibit 22.
22 (Exhibit 22, E-mail 12/1/2020 from Ben Sheva
23 to Mike Flynn, et al., was marked for
24 identification.)
25 BY MR. KLOEWER:

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1 Q. Can you see this document, Mr. Flynn?
2 A. From Ben Sheva. Is that what this says? It's
3 an e-mail.
4 Q. Yes, that's correct. It's dated December 1st,
5 2020, at the top?
6 A. Okay.
7 Q. Who is Ben Sheva?
8 A. I don't know.
9 Q. Okay. Well, let's take a look at the e-mail
10 and see if it rings any bells.
11 It says, "Sir, even if Batten will allow
12 forensic examination of servers, the Eleventh Circuit
13 will overrule his decision. Ms. Powell should
14 immediately present testimony of 305 officer and request
15 FBI and GBI to do the job before servers are wiped out."
16 Is this refreshing your recollection? Do you
17 have any idea who Mr. Sheva could be?
18 A. No, I don't. I don't recall it. I don't
19 recall that e-mail.
20 Q. Who is Batten?
21 A. I don't know. I don't remember.
22 Q. Would that be Timothy Batten, Chief United
23 States District Judge for the Northern District of
24 Georgia?
25 A. I mean, I don't know.

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1 Q. So you don't know who Mr. Sheva is. Do you
2 know why he's stating with such confidence that the
3 Eleventh Circuit would overrule an order from Judge
4 Batten?
5 A. I don't recall, no.
6 Q. "She should also add such a request in her
7 legal filings with Batten. Nobody can argue that FBI
8 and GBI forensics can compromise Dominion's 'security
9 and proprietary trade secret risks to defendants."
10 This e-mail was part of you and Ms. Powell's
11 joint efforts to get access to Dominion voting machines,
12 correct?
13 MR. GREAVES: Objection. And I'm
14 instructing -- advising my client to assert his
15 Fifth Amendment privilege.
16 THE WITNESS: Yeah. And I will, under advice
17 of my attorney, I'm going to assert the Fifth.
18 BY MR. KLOEWER:
19 Q. This e-mail says, "Ms. Powell should
20 immediately present testimony of 305 officer."
21 Do you know what this 305 officer refers to?
22 A. I don't.
23 Q. Do you recall Ms. Powell working with somebody
24 by the name of Joshua Merritt?
25 A. I don't recall.

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1 Q. Do you know Josh Merritt?
2 A. I don't know. I don't recognize that name.
3 Q. You don't recall an individual who went by the
4 pseudonym Spyder and filed affidavits for Ms. Powell?
5 A. I don't. I don't recall.
6 Q. Well, I'll represent to you that it was widely
7 reported at the time, and has since been widely
8 reported, that an individual by the name of Josh Merritt
9 purported to be an officer, a 305 officer.
10 Let me show you the next document here. Let's
11 take a look at MTF0094. We will designate it as Exhibit
12 23.
13 A. Uh-huh (Affirmative response).
14 (Exhibit 23, E-mail string ending 12/12/2020
15 from Sidney Powell to Regis Giles, et al., was
16 marked for identification.)
17 BY MR. KLOEWER:
18 Q. Again, Mr. Flynn, this is a document from your
19 production from Sidney Powell to Regis Giles and Flynn
20 at ResilientPatriot.com. This is December 12th, so
21 about 11 days later. Who is Regis Giles?
22 A. I don't remember, actually.
23 Q. You are using a different e-mail address here.
24 Why did you switch over from your zulutym e-mail address
25 to this --

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1 A. Which one am I using? My Resilient Patriot?
2 Q. Yes.
3 MR. GREAVES: Objection to form. Go ahead,
4 sir.
5 THE WITNESS: It's just -- it's just another
6 e-mail address.
7 BY MR. KLOEWER:
8 Q. Is that another personal e-mail address?
9 A. Uh-huh (Affirmative response).
10 Q. And Ms. Powell says, "Please print," with two
11 exclamation points. And this is a forward from somebody
12 named Christos Makridis, I believe. M-A-K-R-I-D-I-S.
13 Who is Christos Makridis?
14 A. Don't know. Don't recall.
15 Q. He says, "Here we go. The SSL certificate
16 linking Dominion with Venezuela and the ownership
17 interest of China in Dominion through Staple Street."
18 Now, here is a question I have for you, Mr.
19 Flynn, because I don't fully understand the documents
20 you've produced. So this is the e-mail Bates labeled
21 page 94. The next page, 95, is what appears to be some
22 sort of draft affidavit. It's not filled in.
23 Declaration of name, redacted.
24 Paragraph 2 here states, "I was an electronic
25 intelligence analyst under 305th Military Intelligence

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1 with experience through SAM surface to air missile
2 system electronic intelligence."
3 Do you recall -- can you tell me what document
4 I'm looking at here? And again --
5 A. I don't --
6 Q. -- it's your production, so --
7 MR. GREAVES: I might be able to help you out
8 here, Brad. The way that these were produced is
9 that the sequential numbers of these documents, if
10 there was an attachment to an e-mail, the e-mail
11 attachment comes next in the sequence. So what you
12 are looking at is 94. If you look at that, there's
13 an attachment there under the subject line. And so
14 the next pages are the actual PDF document that was
15 attached to that e-mail.
16 MR. KLOEWER: All right. Then -- I thank you
17 for that.
18 BY MR. KLOEWER:
19 Q. Then my assumption is correct, that I'm
20 assuming that the first document here is Andy_Huang --
21 H-U-A-N-G -- _affidavit.pdf. Do you recall reviewing
22 this, this PDF at the time, Mr. Flynn?
23 A. I don't.
24 Q. Do you know who this intelligence analyst
25 under 305th Military Intelligence was?

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1 A. I don't.
2 Q. Do you deny that that individual was Josh
3 Merritt?
4 A. Do I deny that it was Josh Merritt?
5 Q. Yeah. Do you have a reason to deny it?
6 A. I have no -- no reason to not know who it is.
7 I mean, I don't know -- I don't -- no, I guess not.
8 Q. And you knew that Josh Merritt was working
9 with the organization called the Allied Security
10 Operations Group at the time, correct?
11 A. I don't know that. I don't recall if I did.
12 Q. What is the Allied Security Operations Group?
13 A. I vaguely remember the group of -- one of
14 the -- one of the guys was a former military guy. Phil,
15 I think is his name. And I forget the gentleman's name
16 that was the --
17 Q. Phil Waldron?
18 A. Phil Waldron. That's an ego. He was part of
19 it, and there was a couple other people.
20 Q. And you've known Phil Waldron for some time,
21 haven't you?
22 A. I know him. Yeah, I knew him, you know, I
23 knew him but not necessarily -- I mean, our paths may
24 have crossed in the military, but they definitely -- we
25 definitely worked -- you know, we were working together
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1 at this time.
2 Q. When you say your paths crossed in the
3 military, what do you mean by that?
4 A. We probably served on the same battlefield.
5 Q. Which battlefield?
6 A. Iraq, Afghanistan.
7 Q. And did you work in the same unit?
8 A. I don't recall if we did.
9 Q. How about Russ Ramsland? You know
10 Mr. Ramsland, don't you?
11 A. I have met Russ. Yes, I do know who he is.
12 Q. How do you know Russ Ramsland?
13 A. Just through this, you know, from this period
14 of time.
15 Q. Did you know Mr. Ramsland prior to the 2020
16 election?
17 A. I don't believe I did.
18 Q. You never visited the ASOG hanger in Addison,
19 Texas?
20 A. I have not. I don't believe I have.
21 Q. Did you go with Ms. Powell to see a
22 presentation from ASOG in 2019?
23 A. In 2019?
24 Q. Yes.
25 A. No, I don't believe I did.
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1 Q. What about Todd Sanders?
2 A. I don't recall if I did. I mean, 2019 is a
3 different time.
4 Q. You don't recall going with Ms. Powell to an
5 airfield in Addison, Texas, where ASOG had an office
6 on --
7 A. I don't believe -- I don't recall that I did
8 that, no. Uh-uh. (Indicates negatively).
9 Q. You don't recall seeing a presentation from
10 them suggesting that elections may be manipulated
11 through electronic technology?
12 A. I saw presentations, but I don't believe I
13 ever went to that place.
14 Q. What do you mean by that? You saw
15 presentations from ASOG?
16 A. You know, PowerPoint presentations that
17 they -- that they had.
18 Q. When did you see those PowerPoint
19 presentations?
20 A. It would have been in the 2020 time frame,
21 maybe. Late 2020 time frame.
22 Q. And who was the individual presenting those?
23 A. No idea. I don't have any recollection other
24 than just I vaguely remember, you know, the -- some
25 presentations.
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1 Q. Was it Phil Waldron?
2 A. I don't recall. It's been too long.
3 Q. Do you have reason to deny that it was Phil
4 Waldron?
5 A. No idea.
6 Q. Okay. The same question for Josh Merritt. Do
7 you have any reason to deny that Josh Merritt was giving
8 you presentations of ASOG information in late 2020?
9 A. I don't remember. I don't think I -- I'm not
10 sure I've ever met him, or I don't recall meeting him.
11 Q. Well, at this time in early December of
12 2020 -- and I'm not hiding the ball here. I'll cut to
13 the chase. If we scroll down through this affidavit,
14 this also, if we scroll down to page 115 of your
15 production --
16 A. Why do you say this is my production?
17 Q. We subpoenaed you for documents --
18 A. Oh. I see. I see. My production for this
19 case. I gotcha. Because you're --
20 Q. Yes. I apologize. That's some lawyer speak
21 that is -- may not be clear. This is what your counsel
22 produced to us.
23 A. Yeah. I gotcha.
24 Q. I'm asking, because included with this
25 affidavit are multiple references to Eric Coomer.
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1 A. Okay.

2 Q. For example, on page 115 we see that Eric

3 Coomer is one of the inventors of Dominion Voting

4 security features.

5 Were you aware that Dr. Coomer had contributed

6 to patents owned by Dominion Voting Systems?

7 A. I don't recall if I was.

8 Q. Did you conduct any investigation into Eric

9 Coomer's role with Dominion Voting Systems at the time?

10 A. I don't believe -- I don't recall. I don't

11 believe I conducted any investigation, you know, to

12 answer your specific question.

13 Q. Do you know anything about what Dr. Coomer's

14 role was with Dominion Voting Systems?

15 A. I don't recall.

16 Q. On the next page of this document, forwarded

17 by the 305th officer, we see again another reference

18 saying Eric Coomer is one of the inventors of Dominion

19 Voting security features.

20 MR. GREAVES: Objection to form.

21 BY MR. KLOEWER:

22 Q. At this time in early December of 2020, you

23 were working with Ms. Powell at the -- at the -- at Lin

24 Wood's property that's Tomotley Ranch in South Carolina,

25 correct?

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1 A. There was a period that we were down there,

2 yes.

3 Q. Okay.

4 A. I don't remember the exact time frame but --

5 Q. Yeah.

6 A. Yeah.

7 Q. Who all was working with you at Tomotley?

8 A. A group of -- I don't know, a couple of

9 lawyers. Sidney and -- and another young lady.

10 Q. Is that Abigail Frye?

11 A. Yes, Abbie Frye, yeah.

12 Q. Was Katherine Friess there?

13 A. Who?

14 Q. Katherine Friess, F-R-I-E-S-S?

15 A. That name doesn't ring a bell.

16 Q. Okay.

17 A. There was people that came in and out of

18 there.

19 Q. Patrick Byrne was there, correct?

20 A. Not at the same time. I mean, we -- we

21 crossed paths, but we -- I don't think we were ever at

22 that -- at his home together.

23 Q. Who else was at Tomotley at that time?

24 A. I'm thinking who else. Boy. Racking my brain

25 here, Seth Keshel and his wife Carissa, I think. That's

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1 a couple that I remember there.

2 Q. Who is Mr. Keshel?

3 A. Seth is a young -- young guy who -- who has

4 been involved in -- in election analysis.

5 Q. Did you serve with Mr. Keshel as well?

6 A. Well, we served in the military at the same

7 time, roughly the same time.

8 Q. What about Jim Penrose? Was he there?

9 A. Jim Penrose was there, yes.

10 Q. Who is Jim Penrose?

11 A. Jim is another smart, you know, technically

12 gifted person. And he was there helping out with some

13 of the -- some of the -- you know, some of the technical

14 questions.

15 Q. Was Conan Hayes there?

16 A. You know, I don't -- I don't recall if he was

17 there.

18 Q. But you --

19 A. I don't recall if he was there.

20 Q. But you know Conan Hayes?

21 A. I do.

22 Q. How do you know Mr. Hayes?

23 A. He's a world class surfer.

24 Q. Is that how you met him?

25 A. No. That's how I knew about him.

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1 Q. Okay. Why was he involved with these efforts

2 at Tomotley?

3 A. He is, I believe -- I don't know whether he is

4 trained or not, but he's a gifted cyber security type

5 analyst.

6 Q. And he was working with the Allied Security

7 Operations Group at the time, correct?

8 A. No idea.

9 Q. Do you know anything about -- do you have any

10 knowledge about Mr. Hayes's credentials with respect to

11 his forensic background in computer forensics?

12 A. I don't.

13 Q. So you're not aware if he has any specific or

14 unique training in that field?

15 A. I -- I don't recall if I -- if I was ever

16 briefed on it. I don't, no.

17 Q. And Doug Logan was also at Tomotley during

18 this time frame, correct?

19 A. Yes. Doug Logan was another one there.

20 Q. Who is Doug Logan?

21 A. Doug is another cyber security analyst and was

22 helping out with technical questions and issues.

23 Q. And he went on to work with an entity called

24 Cyber Ninjas; is that correct?

25 A. I believe that was his company. Actually, I

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1 think, if I remember right, that's -- you're racking my
 2 brain here, but I think that was his company. Cyber
 3 Ninjas.
 4 Q. Are you still in touch with Mr. Logan?
 5 A. I am not.
 6 Q. When was the last time you spoke with him?
 7 A. Maybe two years ago.
 8 Q. Okay.
 9 A. It's been a while.
 10 Q. And did Joe Oltmann visit Tomotley at this
 11 time frame as well?
 12 A. I don't recall if he did.
 13 Q. Do you have any reason to deny that he came to
 14 Tomotley in late 2020?
 15 A. I don't, no.
 16 MR. KLOEWER: Okay. I think it's probably
 17 time everybody would appreciate a lunch break. We
 18 can break here and hop back in. Does that -- does
 19 that work, if we all hop off the record here for --
 20 I don't know. It's 10:37 my time, 12:37 your time.
 21 So if we hop back on the record, say, 1:30 Eastern,
 22 does that work for everybody?
 23 MR. GREAVES: Works for me.
 24 MR. KLOEWER: Fifty minutes for lunch. Okay.
 25 So let's hop off the record then, and we will get
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1 back on at 1:30 Eastern Time.
 2 THE VIDEOGRAPHER: Please stand by. The time
 3 now is 12:37. We are going off the record, and
 4 this is the end of Media Unit 2.
 5 (A recess was had)
 6 THE VIDEOGRAPHER: The time is 1:29 p.m. We
 7 are on the record, and this is the beginning of
 8 Media Unit 2. You may proceed.
 9 BY MR. KLOEWER:
 10 Q. Okay. Mr. Flynn, before we broke for lunch we
 11 were discussing some of the communications you had
 12 received in November and December of 2020 that
 13 referenced Eric Coomer, brought up various claims about
 14 him.
 15 One of the last things we looked at was what
 16 I believe is a draft affidavit from Josh Merritt. And I
 17 wanted to talk about him a little bit more.
 18 MR. GREAVES: Object to the form and
 19 foundation of that but go ahead.
 20 BY MR. KLOEWER:
 21 Q. Okay. If I recall your testimony correctly,
 22 you said you don't recall ever having met Mr. Merritt?
 23 A. That's correct.
 24 Q. Okay. Do you recall ever communicating with
 25 anybody that went by the alias of Spyder, S-P-Y-D-E-R?
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1 A. I don't recall.
 2 Q. And did you ever discuss with Ms. Powell who
 3 her sources were that were providing her with the
 4 affidavits for her lawsuits at the time?
 5 A. I -- I don't. But I was represented, you
 6 know, so Sidney was still representing me at the time,
 7 so I want to be careful that I am not crossing the line
 8 here, Jason.
 9 MR. GREAVES: Right.
 10 BY MR. KLOEWER:
 11 Q. So just so I'm clear on that so we don't cross
 12 that line, what matters was Ms. Powell representing you
 13 with respect to at that time?
 14 A. I mean, just as a lawyer. She was a legal --
 15 she was my lawyer at the time.
 16 Q. Well, but you hadn't retained her to advise
 17 you on matters related to the election, correct?
 18 A. I did not.
 19 Q. And we've seen various e-mails that she had
 20 sent to you, you know, asking you to forward things on
 21 to higher-ups and different offices as well during that
 22 time frame that were not subject to that privilege.
 23 So --
 24 MR. GREAVES: Form.
 25 BY MR. KLOEWER:
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1 Q. -- was she just representing you with respect
 2 to your appeal of the criminal case?
 3 A. I mean, there was no appeal.
 4 Q. But your retainer agreement with her was
 5 specifically with respect to the criminal allegations
 6 against you. Is that fair?
 7 A. They -- no, no, not at that time.
 8 Q. Okay. Well, what other matters was she
 9 representing you on?
 10 A. No -- that was not -- that's not a fair
 11 statement that you said.
 12 Q. Okay. Well, I just want to be sure I
 13 understand clearly what matters specifically she was
 14 representing you with respect to during this November-
 15 December time frame.
 16 A. Various -- various legal matters that were
 17 still pending.
 18 Q. Okay. Were you helping her with legal
 19 strategy as far as the lawsuits she was filing related
 20 to the election?
 21 A. I would not characterize it like that. I
 22 mean, legal strategy. I'm not a lawyer.
 23 Q. What would you say was your role in --
 24 Well, were you involved in any way with
 25 the either research or preparation or investigation for
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1 lawsuits that Ms. Powell went on to file?
 2 MR. GREAVES: Object, and advise my client to
 3 assert his Fifth Amendment rights.
 4 BY MR. KLOEWER:
 5 Q. Did you read any of the lawsuits that Ms.
 6 Powell filed? I'm going to refer to them generally as
 7 the Kraken lawsuits. There were four of them. Did you
 8 read those lawsuits? And she filed them in Georgia,
 9 Arizona, Wisconsin and Michigan. Did you review any --
 10 A. I don't -- I don't recall. Uh-uh (Negative
 11 response). I don't recall reading them.
 12 Q. Let's take a look at what you disclosed as
 13 MTF-21. I'll share my page here. And this is the next
 14 sort of chronological documents in that time frame. We
 15 were looking at that before. This is from December 11th
 16 of 2020. This is an e-mail from Jim Penrose directly to
 17 you, Lin Wood, and Ms. Powell. The subject line reads,
 18 From State Bar of Texas, Member Directory. Dominion
 19 Voting Ownership by George Soros.
 20 Sorry. Just to be clear, we will mark this as
 21 Exhibit 24. Sorry I didn't get that in there. We're at
 22 No. 24 now.
 23 (Exhibit 24, E-mail chain ending 12/11/2020
 24 from Jim Penrose to Sidney Powell, et al., was
 25 marked for identification.)

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1 BY MR. KLOEWER:
 2 Q. Mr. Penrose states, "We'll dig into this."
 3 And if we scroll down we will see that Ms.
 4 Powell stated, "To verify," in bold, "and advise."
 5 And below we have something from JimStep78.
 6 Do you know whose e-mail address that would -- that is?
 7 A. I don't.
 8 Q. Okay. The information here indicates Soros
 9 Fund Management LLC. I'm not going to read the whole
 10 thing. It's a bit of a lengthy document here. But it
 11 purports to indicate Soros Fund Management LLC having
 12 some ownership interest in Dominion Voting Systems.
 13 Do you recall looking into this matter at the
 14 time, Mr. Flynn?
 15 A. I don't recall.
 16 Q. Okay. As you sit here today, are you aware of
 17 any ownership interests that George Soros has with
 18 Dominion Voting Systems?
 19 A. I'm not.
 20 Q. Are you aware of any relationship at all
 21 between George Soros and Dominion Voting Systems?
 22 A. I am not.
 23 Q. Okay. And in this instance we have Lin Wood
 24 cc'd on this e-mail. Can you tell me, how did you start
 25 working with Lin Wood?

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1 MR. GREAVES: Objection to form.
 2 THE WITNESS: We -- what are you -- I mean,
 3 what do you mean, how did I start working with him?
 4 BY MR. KLOEWER:
 5 Q. Let's start there. How did you meet Lin Wood?
 6 A. I showed up to his home.
 7 Q. That was the first time you met him, when you
 8 arrived at his house?
 9 A. I believe so.
 10 Q. And why did you go to his house?
 11 A. Sidney I believe was invited, if I remember
 12 correctly.
 13 Q. Okay. So she served as an intermediary,
 14 basically introduced you to him? Is that fair?
 15 A. No. I mean, an intermediary? I don't know
 16 what you're talking about.
 17 Q. Well, did -- did Sidney Powell introduce you
 18 to Lin Wood?
 19 A. I would say she did, yeah. I mean, you know,
 20 she's -- she's the one that had a -- that's the reason
 21 why we went down to his home.
 22 Q. And was Mr. Wood representing you in a legal
 23 capacity at this time?
 24 A. No.
 25 Q. And who else did you -- did you go just with

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1 Ms. Powell, or were there more people who showed up at
 2 Lin Wood's house?
 3 A. I think we have been through that, but there
 4 was a few other people. You know, you mentioned some --
 5 Q. And --
 6 A. -- earlier.
 7 Q. Why did you go to Lin Wood's house, of all
 8 places?
 9 A. I -- I think wanted to -- we wanted to get out
 10 of Washington, D.C., as I recall. And I think it's
 11 because of a relationship that -- that, if I recall, I
 12 think Sidney had with Lynn.
 13 Q. Why did you want to get out of Washington,
 14 D.C.?
 15 A. Just because there was too much traffic. Too
 16 tough -- too tough getting around.
 17 Q. During this time frame when you -- and how
 18 long did you stay at Tomotley?
 19 A. Probably, off and on, a good two weeks maybe.
 20 Q. Was that just the late November time frame?
 21 Did that extend into December, if you recall?
 22 A. Yeah, it was -- it was over about two weeks I
 23 think. Yeah. Roughly --
 24 Q. Sorry. I don't mean to cut you off there.
 25 During that time frame when you were at

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1 Tomotley, were you in contact with Ron Watkins?
2 A. I don't know -- I don't know that name.
3 Q. He went by the alias of Code Monkey. Does
4 that sound familiar?
5 A. That does.
6 Q. Okay.
7 A. He was on -- he was on Twitter or something at
8 the time.
9 Q. Okay. You are not familiar with the name Ron
10 Watkins?
11 A. I'm not. I'm not familiar.
12 Q. You don't recall him running for Congress in
13 Arizona?
14 A. I don't, no.
15 Q. Did you have any contact with the individual
16 that went by the name of Code Monkey?
17 A. I don't recall at all, no.
18 Q. All right. I want to take a look at what you
19 disclosed here as MTF-195.
20 A. Uh-huh (Affirmative response).
21 Q. Do you see this e-mail, Mr. Flynn?
22 A. I do. Yes.
23 Q. Okay. And this is from a few days later.
24 This is December 19th of 2020. It's from Sidney Powell,
25 Sidney@FederalAppeals.com, directly to you, nobody else
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1 is cc'd on this, at your Flynn@ResilientPatriot.com
2 e-mail address. And this is just a forward that Ms.
3 Powell appears to have received from an individual named
4 Ted Groves?
5 A. Okay.
6 Q. And it says, "FYI. Wonderful if true.
7 However, I am told Maggie Haberman hasn't left Brooklyn
8 since March."
9 So I believe this is a link here. And if we
10 scroll down in this document, we can see this article
11 dated December 19th. It appears to be from the New York
12 Times. It states, "Trump discussed naming campaign
13 lawyer as special counsel on election fraud."
14 Do you know why Ms. Powell sent you this
15 e-mail?
16 A. I don't recall.
17 Q. Okay. You visited the White House with Ms.
18 Powell and Patrick Byrne the night before on December
19 18th, 2020. Is that correct?
20 MR. GREAVES: Objection. I'm advising my
21 client to assert his Fifth Amendment rights.
22 BY MR. KLOEWER:
23 Q. Who let you into the White House that evening,
24 Mr. Flynn?
25 MR. GREAVES: Objection, objection.
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1 THE WITNESS: I'm going to -- I'm going to
2 assert my constitutional rights on the advice of
3 counsel and respectfully decline to answer your
4 question.
5 BY MR. KLOEWER:
6 Q. The person who opened the door for you was a
7 guy by the name of Garrett Ziegler, correct?
8 MR. GREAVES: Same objection.
9 BY MR. KLOEWER:
10 Q. Garrett Ziegler was a staff for Peter Navarro
11 at the time; is that right?
12 MR. GREAVES: Same objection.
13 BY MR. KLOEWER:
14 Q. When did you first meet Garrett Ziegler?
15 MR. GREAVES: Same objection.
16 BY MR. KLOEWER:
17 Q. Are you still in touch with Garrett Ziegler
18 today?
19 MR. GREAVES: Same objection.
20 BY MR. KLOEWER:
21 Q. Have you discussed Eric Coomer with Garrett
22 Ziegler?
23 MR. GREAVES: Same objection.
24 BY MR. KLOEWER:
25 Q. Are you aware that Garrett Ziegler regularly
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1 posts personal contact information for Eric Coomer on
2 his Telegram page?
3 MR. GREAVES: Same objection.
4 BY MR. KLOEWER:
5 Q. Do you know that he's posted Dr. Coomer's
6 photograph on multiple occasions?
7 MR. GREAVES: Same objection.
8 BY MR. KLOEWER:
9 Q. Are you aware that Mr. Ziegler regularly posts
10 Dr. Coomer's personal phone number on his Telegram page?
11 MR. GREAVES: Same objection.
12 BY MR. KLOEWER:
13 Q. Are you aware that Mr. Ziegler regularly posts
14 photos of Dr. Coomer's home as well as his home address
15 on his Telegram page and encourages people to go and
16 protest outside his house?
17 MR. GREAVES: Same objection.
18 BY MR. KLOEWER:
19 Q. Have you coordinated with Mr. Ziegler on his
20 harassment efforts against Dr. Coomer?
21 MR. GREAVES: Same objection.
22 BY MR. KLOEWER:
23 Q. You're taking that Fifth to that objection; is
24 that correct?
25 MR. GREAVES: We're asserting our Fifth
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1 Amendment on anything related to anything -- you
2 brought this up as a string of questions about
3 meeting at the White House. And so anything
4 related to that and people involved in that meeting
5 we're asserting the Fifth Amendment right.
6 MR. KLOEWER: Okay. My question is more
7 towards the present day whether Mr. Flynn is aware
8 of Mr. Ziegler's ongoing harassment campaign
9 against Dr. Coomer.
10 MR. GREAVES: Could you rephrase or restate
11 the question then?
12 MR. KLOEWER: Sure.
13 BY MR. KLOEWER:
14 Q. Are you aware that Mr. Ziegler continues to
15 publish personal contact information of Dr. Coomer to
16 this day?
17 A. I'm not --
18 MR. GREAVES: You can go ahead.
19 THE WITNESS: Yeah. I'm not aware.
20 BY MR. KLOEWER:
21 Q. Do you support that, Mr. Ziegler's efforts to
22 do that, now that you're aware of them?
23 A. To do what?
24 Q. To post personal contact information for Dr.
25 Coomer on social media.

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1 A. I do not support that type of behavior.
2 Q. And you were also, in addition to Ms. Powell,
3 you were accompanied by Patrick Byrne at the White House
4 on December 18th, correct?
5 MR. GREAVES: Objection, Fifth Amendment.
6 BY MR. KLOEWER:
7 Q. How did you first meet Patrick Byrne?
8 A. A friend of mine had spoken to me about him,
9 and the first time we actually met we spoke on a phone
10 call.
11 Q. Do you recall when that phone call occurred?
12 A. It was summer of 2020.
13 Q. So summer of 2020, several months prior to the
14 election then. What was the substance of the
15 conversation? What did you discuss?
16 A. He was apologizing.
17 Q. For what?
18 A. For being part of the unjust attack against me
19 and my family.
20 Q. What role did Mr. Byrne play in that?
21 A. He -- I think he at the time, if I remember
22 correctly, he was working for the government.
23 Q. In what capacity?
24 A. You'd have to ask him.
25 Q. Okay. Did you accept Mr. Byrne's apology?

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1 A. Not necessarily.
2 Q. Did you discuss anything else on the phone
3 call at the time?
4 A. I don't recall.
5 Q. But you're -- you're in contact with
6 Mr. Byrne, you are still in contact with Mr. Byrne
7 today, correct?
8 A. Yes.
9 Q. Would you consider him a friend?
10 A. Yes.
11 Q. You've worked together on a variety of
12 different matters. Is that fair?
13 A. That's fair.
14 Q. So how did this relationship develop then? It
15 sounds like you had a phone call, he apologized, and you
16 didn't necessarily accept that apology. Correct me if
17 I'm misstating your testimony. But what happened next?
18 How did that relationship develop?
19 A. Well, I mean, I wouldn't -- whether I accepted
20 it or not, I just -- just it was -- you know, you had --
21 sort of have been there at the moment. But I think the
22 relationship afterwards, and I forget the next time we
23 met, I think it was after the 2020 election.
24 Q. So you weren't -- you didn't maintain -- you
25 didn't continue talking to him prior to the election?

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1 A. I don't believe I did. But I don't recall if
2 I did, but I don't believe I did.
3 Q. Were you aware of Mr. Byrne's election-related
4 efforts prior to the 2020 election, specifically his
5 concerns about election integrity?
6 A. I was not aware prior.
7 Q. Did you know about his involvement with the
8 election in Tennessee in 2019?
9 A. I was not.
10 Q. So you never discussed election-related
11 matters prior to the 2020 election. Is that fair?
12 A. That's fair.
13 Q. And did he reach out to you after the 2020
14 election, or did you reach out to him?
15 A. I -- I don't -- I don't recall.
16 Q. What was the first conversation you had with
17 him after the election had occurred?
18 A. I have no idea.
19 Q. Did you meet in person or was it on the phone?
20 A. No, I don't recall.
21 Q. Would it have been at Tomotley?
22 A. No. It was -- it was prior to that. It was
23 prior to us going down there.
24 Q. And the discussions you had at Tomotley
25 eventually led to your visit to the White House on

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1 December 18th; is that fair?
 2 MR. GREAVES: Objection, Fifth Amendment.
 3 BY MR. KLOEWER:
 4 Q. And the reason you visited the White House on
 5 December 18th was to try to encourage former President
 6 Trump to sign an executive order --
 7 MR. GREAVES: Objection.
 8 BY MR. KLOEWER:
 9 Q. -- voting machines; is that right?
 10 MR. GREAVES: Objection, Fifth Amendment.
 11 BY MR. KLOEWER:
 12 Q. Let's take a look at this document.
 13 You went to the White House with a copy of
 14 this draft executive order dated December 16th, 2020.
 15 "Presidential findings to preserve, collect, and analyze
 16 national security information regarding the 2020 general
 17 election."
 18 Correct?
 19 MR. GREAVES: Objection, Fifth Amendment.
 20 MR. KLOEWER: And again, we'll mark this as
 21 Exhibit 25. I apologize again.
 22 (Exhibit 25, Document 12/16/2020 headed
 23 Presidential Findings, was marked for
 24 identification.)
 25 BY MR. KLOEWER:

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1 Q. Who wrote this or who drafted this executive
 2 order, Mr. Flynn?
 3 MR. GREAVES: Objection, Fifth Amendment.
 4 BY MR. KLOEWER:
 5 Q. Did Phil Waldron draft this document?
 6 MR. GREAVES: Objection, Fifth Amendment.
 7 BY MR. KLOEWER:
 8 Q. If we look through this document, on the top
 9 line of the second page it identifies Dr. Coomer by name
 10 and states, "Just days prior to the election of November
 11 3rd, 2020, Federal Judge Totenberg found, after three
 12 days of testimony, including by Dominion executive Eric
 13 Coomers," there's a slight typo there, and it quotes
 14 some findings from Judge Totenberg from that proceeding
 15 in Georgia.
 16 Do you know why Dr. Coomer was referenced in
 17 this draft executive order?
 18 MR. GREAVES: Objection, Fifth Amendment.
 19 BY MR. KLOEWER:
 20 Q. And you believed at the time, or at least you
 21 were arguing that President Trump should sign this order
 22 to seize, collect, retain, and analyze all the voting
 23 machines in the country, correct?
 24 MR. GREAVES: Objection, Fifth Amendment.
 25 BY MR. KLOEWER:

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1 Q. And another purpose of your visit to the White
 2 House that night was to try to have Sidney Powell
 3 appointed as special counsel, correct?
 4 MR. GREAVES: Objection, Fifth Amendment.
 5 BY MR. KLOEWER:
 6 Q. Was Sidney Powell appointed as special
 7 counsel?
 8 MR. GREAVES: Objection, Fifth Amendment.
 9 BY MR. KLOEWER:
 10 Q. Why not?
 11 MR. GREAVES: Objection, Fifth Amendment.
 12 BY MR. KLOEWER:
 13 Q. Let's take a look at what's been disclosed as
 14 MTF-198. This is an e-mail from a few days later. This
 15 is from Sidney Powell to you and Abbie Frye, e-mail
 16 address Abbie@kracken-wood.com, sent Monday, December
 17 21st, 2020. Who is Abbie Frye?
 18 A. She is a lawyer.
 19 Q. Does she work with Ms. Powell?
 20 A. She did.
 21 Q. The subject line is, "Evidence for
 22 Congressional contacts."
 23 And if we scroll down here, it states -- and
 24 the signature block here is from the same individual we
 25 saw before, Christos Makridis. I'm not sure if I'm

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1 pronouncing his name correctly, but I believe that's the
 2 best I can do.
 3 And Mr. Makridis states --
 4 I want to go through several aspects of this,
 5 so we will spend a little time on this.
 6 "Hi Emily and Howard. I've continued
 7 coordinating with Bob Destro and John Baker."
 8 So I can see here that this e-mail is
 9 addressed to Emily, it appears to be Emily Newman. Do
 10 you know who is Emily Newman?
 11 A. She's a lawyer.
 12 Q. And where does she work?
 13 A. No idea.
 14 Q. Was she working with Ms. Powell at the time?
 15 A. I don't know. I don't recall.
 16 Q. And for the fourth or fifth but not the last
 17 time I have not marked another exhibit. We are going to
 18 call this Exhibit 26. Apologies. I'm going to try to
 19 pay closer attention here. Exhibit 26.
 20 (Exhibit 26, E-mail chain ending 12/21/2020
 21 from Sidney Powell to flynn resilientpatriot.com,
 22 et al., was marked for identification.)
 23 BY MR. KLOEWER:
 24 Q. And Howard. Do you know who Howard is?
 25 Howard415@protonmail?

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1 A. I believe, if it's the guy that I remember,
2 he's a lawyer, another lawyer.
3 Q. And Emily Newman, she is actually an executive
4 for The America Project as well, correct?
5 A. I believe she worked with The America Project,
6 yeah, yeah.
7 Q. So Mr. Makridis states to Ms. Newman and
8 Mr. Kleinhendler, I believe his name is Howard
9 Kleinhendler, "I have continued coordinating with Bob
10 Destro and John Baker."
11 Do you know who Bob Destro is?
12 A. I don't.
13 Q. If I told you that he was an undersecretary at
14 the Secretary of State's office, would you have a reason
15 to disagree with that?
16 A. If you say so.
17 Q. Okay. The same question for John Baker. Do
18 you know who that is?
19 A. I don't.
20 Q. Mr. Makridis states, "There are some positive
21 developments in building congressional support. Senator
22 Cotton needs to know the name of the case from the
23 federal court in Georgia which issued the order
24 preventing changes in the voting machines, whether the
25 order still applies, and the names, contacts and the
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1 attorneys handling this case."
2 So Ms. Powell has forwarded this to you and
3 Ms. Frye. Were you involved in efforts to coordinate
4 with members of Congress at this time?
5 A. I don't recall.
6 Q. You don't remember if you were meeting with
7 members of Congress in late December of 2020?
8 A. No, I don't recall if I was.
9 Q. Did you meet with Senator Cotton?
10 A. I -- at that time, no, I don't believe I did.
11 Q. Did you speak with him on the phone?
12 A. I don't recall if I did.
13 Q. Mr. Makridis goes on to state, "Relatedly,
14 John Baker has been working with Allied Security and the
15 lawyer who originally got the order in Antrim."
16 So Allied Security I understand to mean the
17 Allied Security Operations Group that we've already
18 discussed.
19 Do you have any reason to disagree with that
20 understanding of this -- what Mr. Makridis has stated
21 here?
22 A. I have no reason to disagree with it, no.
23 Q. And the lawyer who originally got the order in
24 Antrim, do you know what he's referring to there? What
25 is Antrim?
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1 A. I don't know what he's referring to.
2 Q. Okay. Were you involved in efforts to examine
3 voting machines in Antrim County, Michigan?
4 A. I was involved in efforts to get people to
5 Antrim County.
6 Q. Did you go to Antrim County yourself?
7 A. No.
8 Q. And why -- why were you involved in efforts to
9 get people to Antrim County?
10 A. Because I was able to coordinate the travel
11 basically. Coordinating the travel.
12 Q. Okay. But why -- why were people going to
13 Antrim County and why were you helping with that effort?
14 A. There was -- there was interest in -- if I
15 recall right, there was interest in -- in some outcome
16 of what they learned up there from the 2020 election.
17 Q. There was some confusion about vote totals out
18 of Antrim County. Is that a fair assessment?
19 A. That sounds -- yeah, that sounds about right.
20 That sounds about right.
21 Q. And who is the lawyer who got an order in
22 Antrim.
23 A. I don't recall.
24 Q. Does the name Matthew DePerno sound familiar?
25 A. It does.
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1 Q. Okay. How do -- do you know Mr. DePerno?
2 A. I have met him and I know him.
3 Q. How did you meet Mr. DePerno?
4 A. I don't know how we first met. He did -- he
5 and I did meet in Washington, D.C., when he came for a
6 visit one time. I remember that.
7 Q. Was that -- was that on January 5th of 2021?
8 A. I forget -- no. I forget the date. I don't
9 recall the date.
10 Q. And you went on to co-star in The Deep Rig
11 with Mr. DePerno, didn't you?
12 A. I was in that. I didn't -- I would not have
13 been able to tell you whether DePerno was in it or not.
14 But I was -- I was filmed for that.
15 Q. It says, "He's been working with Allied
16 Security and the lawyer who got the order in Antrim, as
17 well as Joe Oltmann, who put the information about Eric
18 Coomer and Garland Favoritino."
19 I believe that's another typo referring to
20 Garland Favorito.
21 Do you know who Garland Favorito is?
22 A. I -- I don't know who he is. I don't know
23 him. I have heard of him.
24 Q. What's the context in which you have heard of
25 Mr. Favorito?
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1 A. In the media.
2 Q. And what has the media stated about
3 Mr. Favorito that --
4 A. I think he's just -- he's another individual
5 who has been fighting election integrity issues, if I
6 recall right, in, I think, in the state of Georgia.
7 Q. The last line here says, "Our team should 100
8 percent be coordinating with them since they have more
9 information on the machines, but we need to be sharing
10 it."
11 Were you coordinating with Joe Oltmann and
12 Matthew DePerno at this time, as Mr. Makridis suggested
13 you should be?
14 A. I don't recall if I was.
15 Q. Do you deny that you were?
16 A. No, no. I know I had -- I had been back and
17 forth with Matt DePerno, but not -- I don't recall being
18 back and forth with Oltmann.
19 Q. You never spoke to him on the phone at the
20 time?
21 A. I don't remember.
22 Q. Do you know a guy by the name of Sam Faddis?
23 A. Sam Faddis. I do.
24 Q. How do you know Mr. Faddis?
25 A. He writes a great substack.

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1 Q. Have you met him in person?
2 A. I don't know if I ever have. I don't know.
3 Q. Do you recall speaking with him during this
4 time frame, November-December of 2020?
5 A. I don't.
6 Q. Did Ms. Powell tell you that she had had
7 Mr. Faddis come to Colorado to interview Mr. Oltmann?
8 A. I don't recall that.
9 Q. Did Mr. Faddis -- did you ever discuss
10 Mr. Oltmann or his claims with Mr. Faddis?
11 A. I don't remember if I did.
12 Q. Did Ms. Powell tell you that Mr. Faddis had
13 concluded that Oltmann was embellishing his claims?
14 A. I don't recall that.
15 Q. So, but you don't deny working, coordinating
16 with Mr. DePerno and Mr. Oltmann at this time. Do you
17 know why Ms. Powell was forwarding this e-mail to you?
18 A. I'm speculating. Maybe just for my
19 information, I guess.
20 Q. And are you aware that Mr. Oltmann and
21 Mr. DePerno went on to meet with Bob Destro and John
22 Baker at the Secretary of State's office on January 6th?
23 A. No, I don't recall that.
24 Q. Did you help to coordinate that meeting
25 between Mr. Oltmann and the State Department officials?

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1 A. I don't believe I did. I don't -- I don't
2 have any knowledge of that.
3 Q. Do you deny that you did?
4 A. Deny I did what?
5 Q. Helped coordinate a meeting between Joe
6 Oltmann, Matthew DePerno, Bob Destro, and John Baker on
7 January 6th?
8 MR. GREAVES: I'm going to object and ask my
9 client, advise him to assert his Fifth Amendment
10 rights here.
11 BY MR. KLOEWER:
12 Q. Do you know why Joe Oltmann and Matthew
13 DePerno would be meeting with people at the State
14 Department on January 6th?
15 MR. GREAVES: Objection, Fifth Amendment.
16 BY MR. KLOEWER:
17 Q. Can you think of any good reason for Joe
18 Oltmann and Matthew DePerno to be meeting with people at
19 the State Department on --
20 MR. GREAVES: Objection.
21 BY MR. KLOEWER:
22 Q. -- January 6th?
23 MR. GREAVES: Objection, Fifth Amendment.
24 BY MR. KLOEWER:
25 Q. Where were you on January 6th, Mr. Flynn?

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1 MR. GREAVES: Objection, Fifth Amendment.
2 BY MR. KLOEWER:
3 Q. Did you go to the State Department with Joe
4 Oltmann and Matthew DePerno that day?
5 MR. GREAVES: Objection, Fifth Amendment.
6 BY MR. KLOEWER:
7 Q. Were you staying at the Willard Hotel on
8 January 5th and January 6th?
9 MR. GREAVES: Objection, Fifth Amendment.
10 BY MR. KLOEWER:
11 Q. You spoke on stage on Freedom Plaza on the
12 night of January 5th, correct?
13 A. I did.
14 Q. And Joe Oltmann also --
15 A. Now, Freedom -- Freedom Plaza is the one on
16 the end of Pennsylvania Avenue, they call it Pershing
17 Plaza; is that right?
18 Q. I believe so, yes.
19 A. I did, yes.
20 Q. And Joe Oltmann also spoke on stage that
21 night, right?
22 A. I have no idea.
23 Q. Did you see Joe Oltmann's speech that night?
24 A. I don't believe I did. Don't recall.
25 Q. You don't remember he was the final speaker of

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1 the evening?
2 A. I don't -- I don't know that.
3 Q. Do you recall seeing him present a PowerPoint
4 presentation where he discussed Eric Coomer and his
5 theories about the election being rigged?
6 A. I don't recall.
7 Q. Did you speak with Mr. Oltmann back stage at
8 that event that evening?
9 A. I don't recall if we did or -- or I wasn't --
10 I wasn't there that long.
11 Q. Do you deny speaking with Joe Oltmann back
12 stage on January 5th?
13 A. I don't deny it. I just don't recall if we
14 did. It was packed with people.
15 Q. And did you spend any time in the Willard
16 Hotel with Joe Oltmann and Rudy Giuliani and John
17 Eastman?
18 A. I don't remember if I did. I know I -- I'm
19 just trying to think if I met with Rudy Giuliani. I did
20 meet with Rudy, but I don't know if it was in the
21 Willard or not. I just -- I don't recall that.
22 Q. When did you meet with Mr. Giuliani?
23 MR. GREAVES: Objection, Fifth Amendment.
24 THE WITNESS: Yeah, yeah.
25 BY MR. KLOEWER:

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1 Q. Were you in the Willard Hotel on the evening
2 of January 6th after the attack on the capital?
3 MR. GREAVES: Objection, Fifth Amendment.
4 BY MR. KLOEWER:
5 Q. Were you in the room with Joe Oltmann, Rudy
6 Giuliani, and Patrick Byrne on the evening of January
7 6th?
8 MR. GREAVES: Objection, Fifth Amendment.
9 BY MR. KLOEWER:
10 Q. Are you aware that Mr. Oltmann has repeatedly
11 told a story about how he was sitting at a table with
12 Rudy Giuliani on the evening of January 6th and Patrick
13 Byrne entered the room to request that Mr. Giuliani
14 organize a pardon for him from President Trump?
15 A. I'm not. I'm not aware of that.
16 Q. Were you in the room for that conversation?
17 MR. GREAVES: Objection, Fifth Amendment.
18 BY MR. KLOEWER:
19 Q. Has Mr. Byrne ever told you that he requested
20 a pardon from Mr. Giuliani?
21 MR. GREAVES: Objection, Fifth Amendment.
22 BY MR. KLOEWER:
23 Q. Do you know if Mr. Byrne requested a pardon?
24 A. I'm not aware.
25 Q. Did you request a pardon, Mr. Flynn?

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1 A. Be specific.
2 Q. Did you request --
3 Well, John Eastman famously sent an e-mail
4 stating that he should -- believed that he should be on
5 the pardon list. And I'm wondering if you also
6 requested a pardon from President Trump for any of your
7 activities related to what occurred on January 6th.
8 MR. GREAVES: Objection. The Fifth Amendment.
9 BY MR. KLOEWER:
10 Q. Do you believe Oltmann's story that Patrick
11 Byrne requested a pardon from Mr. Giuliani that evening?
12 A. I mean, I don't have any recollection of any
13 story like that, so I just -- you know, I don't -- I
14 don't -- I don't know.
15 Q. So we have just gone through a whole series of
16 communications throughout November, December and events,
17 possible conversations with Mr. Oltmann, claims about
18 Eric Coomer that long preceded the ReAwaken America
19 Tour. But if I understand your testimony correctly, you
20 never thought any of those claims were worth even
21 investigating, did you?
22 MR. GREAVES: Objection to form.
23 MS. WEISS: Join.
24 THE WITNESS: Which claims? I mean, you
25 are -- now you are -- like, which claims? If it

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1 was last month, maybe I would have a better memory
2 of it all. But what claims are you talking about?
3 BY MR. KLOEWER:
4 Q. Claims that Eric Coomer partook in an Antifa
5 conference call, that he claimed on that call to have
6 rigged the election, and that he did, in fact, rig the
7 election. You never thought those claims were credible,
8 did you?
9 A. I think I've already answered all those
10 questions.
11 Q. Well, you stated before you didn't recall ever
12 hearing about Eric Coomer, but now we have gone through
13 all these communications. I'm wondering if, having
14 refreshed your memory, you have any memory now that you
15 were aware of Eric Coomer but you didn't believe the
16 claims about him were credible?
17 MR. GREAVES: Objection to form.
18 MS. WEISS: Join.
19 THE WITNESS: I mean, you know, I had heard
20 about Eric Coomer in the media and from different
21 things going back and forth. But, you know, claims
22 of all this stuff, I mean, I just don't have any
23 recollection of what -- what, you know, resulted at
24 that time.
25 BY MR. KLOEWER:

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1 Q. I'll ask a more general question based on your
 2 professional experience. Are you familiar with the term
 3 "actionable intelligence"?

4 A. I am.

5 MR. GREAVES: Objection. My client is a fact
 6 witness, not an expert witness.

7 THE WITNESS: Yeah, yeah.

8 BY MR. KLOEWER:

9 Q. Yeah. I'm asking based on his experience in
 10 his field. And I don't intend to utilize this as expert
 11 testimony. I'm just asking for his understanding of
 12 what makes intelligence actionable.

13 A. What makes it actionable? That it's --
 14 it's -- you know, that it has been verified by, you
 15 know, good sources.

16 Q. What's a good source?

17 A. A bulletproof source would be somebody who is
 18 standing with somebody else and says, I'm in the room
 19 with, you know, with Brad Kloewer right now, and here's
 20 a photo of him standing here with me.

21 That would be pretty good.

22 Q. And it's important for intelligence to be
 23 actionable, because if it's not, people could get hurt,
 24 right?

25 A. Are you asking that as, you know, from a
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1 lawyer's perspective?

2 Q. Let me rephrase that.

3 A. I'm not sure what you're asking me.

4 Q. Let me rephrase that. That was a very
 5 poorly-worded question.

6 In your experience in the military,
 7 intelligence needed to be actionable in order to act on
 8 it. Is that a fair statement?

9 A. Well, there's things you do on a battlefield
 10 that are -- as long as they are within the rules of
 11 engagement and the laws of war, that would not
 12 necessarily be something that you would, you know, have
 13 to go to court over, I mean in terms of what you are
 14 talking about. I mean, there's things that you do on a
 15 battle field with intelligence that could result in the
 16 death of somebody, and it may not be 100 percent.

17 Q. Sure. But you stated that intelligence needed
 18 to be verified by a good source --

19 A. Uh-huh (Affirmative response).

20 Q. -- for it to be actionable. And why is that?
 21 Why wouldn't you take action on intelligence that hadn't
 22 been verified by a good source? What are the risks?

23 MR. GREAVES: Form. And just -- the relevance
 24 of this is getting to the point -- and we put --
 25 we've tolerated a lot of irrelevant questions here,
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1 but there's going to come a point where it becomes
 2 abusive of my client and his time. What his
 3 opinions on actionable intelligence are, are not
 4 even close to at issue in this case. He's not an
 5 expert witness.

6 BY MR. KLOEWER:

7 Q. What I am getting at is, you had no reason to
 8 believe that Eric Coomer -- that Joe Oltmann's claims
 9 were true throughout this November-December time frame,
 10 did you?

11 A. I had no reason to believe that Joe Oltmann's
 12 claims were true. And I guess the reverse -- the
 13 reverse of that is I had no reason to believe that they
 14 weren't. I mean, I just don't -- I don't recall.

15 Q. Between this November-December time frame and
 16 Mr. Oltmann's first appearance on the ReAwaken America
 17 Tour, did you ever learn anything new about Eric Coomer?
 18 And I'm talking about the first six months of December
 19 2021.

20 A. I don't remember if I learned anything new
 21 about him. He wasn't certainly the center of my
 22 attention.

23 Q. So you weren't making any effort to learn
 24 about him?

25 A. Not unless I -- no, I really wasn't. No.
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1 Q. Ms. Powell has provided sworn testimony that
 2 she considered Eric Coomer to be quote, a gnat, G-N-A-T.
 3 Would you share that assessment, that he was an
 4 inconsequential figure?

5 A. I have no opinion about that.

6 Q. And you know that Eric Coomer sued Sidney
 7 Powell for defamation on December 20 of 2020, right?

8 A. I don't recall that. You know, I understood
 9 that she was sued by somebody. I didn't know it was --
 10 I can't say whether it was Coomer or whomever, but I
 11 knew that she was being sued.

12 Q. Were you aware that Eric Coomer had filed a
 13 defamation lawsuit against -- you just answered with
 14 respect to Ms. Powell, but that that lawsuit also named
 15 Rudy Giuliani, the Trump Campaign, Newsmax, OAN,
 16 Michelle Malkin, Eric Mataxes, The Gateway Pundit, Jim
 17 Hoft, Joe Oltmann? Were you aware of any of that?

18 A. Probably from the media.

19 Q. Did you ever read that lawsuit?

20 A. I don't believe I ever did, but I don't -- I
 21 don't recall reading it.

22 Q. Were you aware that Newsmax settled with Dr.
 23 Coomer in April of 2021?

24 A. I'm aware that Newsmax settled. I am. But I
 25 don't remember the date.
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1 Q. Did you see the on-air retraction that they
2 posted?
3 A. I don't recall if I did.
4 Q. So you are not aware or you don't recall
5 seeing Newsmax apologize to Eric Coomer for the harm
6 they had caused?
7 A. I -- I have been on Newsmax, but I don't watch
8 a lot of -- I don't watch a lot of Newsmax. So no, I
9 don't recall seeing it.
10 Q. We talked about a little bit before about the
11 purposes of the Tour when it got started in 2021 and the
12 various different topics that are covered. But this
13 question of election security was, in fact, the number
14 one reason why the Tour was established, wasn't it?
15 MS. WEISS: Object to the form.
16 THE WITNESS: I don't believe it was, no, I
17 don't believe it was.
18 BY MR. KLOEWER:
19 Q. Let's do this, let's take a look at what we
20 will label as Exhibit 19, Clip 5. This is an interview
21 you conducted with Stephen Strang on August 11th of
22 2021. So this is just a couple weeks after Joe
23 Oltmann's first appearance on the Tour. And we already
24 watched those clips where he tells his story about Eric
25 Coomer. But let's take a quick look at this video where
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1 you are describing the purpose of the Tour to
2 Mr. Strang.
3 (A video clip was played as follows:)
4 AN INDIVIDUAL: Do you and Clay and the other
5 leaders have specific goals that you hope will
6 result from these -- this tour that you're on?
7 MR. FLYNN: Yes, yes. So the specific goals
8 are a much greater understanding and awareness of
9 our election security and our election system in
10 this country, and then what people can specifically
11 do at their local levels to fix that, to correct
12 that problem that we have. Because the elections
13 and our vote, specifically our vote, is a
14 sacrosanct right, liberty, freedom that we have,
15 and it's what makes all of us equal to each other
16 on that -- on that -- at that single moment in time
17 when we vote. The person with the least of means
18 or the person with the most of means in this
19 country are equal on that -- at that particular
20 moment in time. So specifically we want to address
21 election integrity, election security, and the
22 system that we have to vote and what we need to do
23 in order for us to have the privilege of voting.
24 That's No. 1.
25 (The playing of the video clip stopped.)
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1 BY MR. KLOEWER:
2 Q. Okay. So there you are telling Mr. Strang
3 that election integrity and strengthening our system is
4 the No. 1 priority of the Tour. Would you disagree with
5 that?
6 MR. GREAVES: Objection to form and
7 completeness.
8 THE WITNESS: Yeah. I -- I mean, I don't
9 object to anything I said. I think that's a great
10 education and that people ought to be teaching that
11 to every kid in this country.
12 BY MR. KLOEWER:
13 Q. So how did Mr. Oltmann's claims that Eric
14 Coomer rigged the election, how did they advance
15 those -- those objectives?
16 A. Say that again?
17 Q. How did Mr. Oltmann's claims on the Tour serve
18 the objectives of increasing election integrity?
19 A. You're making a big -- you're making a big
20 leap. I mean, that -- Oltmann wasn't the center of my
21 attention at all. I mean, I -- you know, he -- when I
22 made that -- more than likely when I made that
23 statement -- and I'm speculating here -- but when I
24 talked to him on that show, Joe Oltmann was the furthest
25 thing from my mind and probably the same thing with
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1 your -- with your client there, Coomer. I mean, I don't
2 think about them every second of the day or at all, to
3 be honest when you.
4 Q. Well, maybe the answer -- maybe that's the
5 answer, is the inverse, is that Joe Oltmann's claims
6 don't advance election integrity. Would you agree with
7 that?
8 MR. GREAVES: Objection, form.
9 THE WITNESS: Yeah, I mean, I -- I don't --
10 you know, it's just -- yeah. I mean, it's like,
11 what are you asking?
12 BY MR. KLOEWER:
13 Q. Well, I'm trying to understand why Joe Oltmann
14 is on the Tour, and he gets on stage and he talks about
15 how Eric Coomer rigged the election. And we have you
16 saying that election integrity is the No. 1 priority of
17 the Tour, just weeks after Mr. Oltmann started telling
18 these stories on stage. I'm trying to understand if you
19 believe Mr. Oltmann's claims and his presentation
20 contribute to what you believe is the No. 1 purpose for
21 the Tour to exist.
22 MR. GREAVES: Objection to form.
23 MS. WEISS: Object to the form.
24 THE WITNESS: Yeah. I mean, first of all, you
25 only played a certain clip of that, so I don't know
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1 what the hell else I said on that one. But we have
2 a lot of people that speak on the Tour that talk
3 about a variety of issues. Election integrity is
4 one of them and election security is one of them,
5 you know. And it's evolved over time. But -- and
6 there's a lot of topics that we talk about.

7 BY MR. KLOEWER:
8 Q. It sounds like you're not willing to say that
9 Mr. Oltmann's presentations advance the cause of
10 election integrity, are you?

11 MS. WEISS: Object to form. Argumentative.
12 THE WITNESS: Do you want to restate your
13 question? Because I -- it is. I think it is. I
14 feel like we are debating about Joe Oltmann and
15 versus something other than Joe Oltmann. So I just
16 don't understand what you're trying to get at here.

17 BY MR. KLOEWER:
18 Q. Well, how does claiming that a Dominion
19 employee rigged the election advance --
20 A. Okay. Are you saying that I -- I'm sorry to
21 cut in on you, because you asked me not to when you
22 talk. But are you implying that I am saying that about
23 Joe Oltmann in this statement, or about, you know, the
24 employee of Dominion in this statement that I'm making
25 on the Strang report?

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1 Q. No, no. I'm asking about Oltmann's statements
2 on the Tour. Do you believe that they advance the cause
3 of election integrity, and if so, how?

4 A. You know what? I don't remember Joe Oltmann,
5 any of the speeches that he gave. I don't recall
6 anything specifically that he said. I just -- I just
7 don't.

8 Q. Well, you know what he said now because we've
9 just watched the videos, right?

10 A. I do, yeah, from today.

11 Q. And as you sit here today, can you think of
12 any way that Joe Oltmann's claims about Eric Coomer
13 advance the causes of securing elections?

14 A. I don't. I mean -- I mean, I don't -- you
15 know, I think it's -- I'm trying to decide whether it's,
16 you know, apples and refrigerators here. I'm not sure
17 that what you're asking me to see and speculate about
18 have anything to do with what you're -- what you're
19 implying.

20 Q. You've filed several defamation lawsuits of
21 your own, correct?

22 A. And what does that have to do with this?

23 Q. Well, from the 30,000-foot view is you would
24 agree that lying is wrong, right?

25 A. I do.

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1 Q. And you believe that when people publish lies
2 against others, they should be held accountable for
3 those lies, correct?

4 A. I wish that was the case, but that's not
5 always the case.

6 Q. That's not my question. You believe that
7 people should be held accountable when they publish lies
8 about others, right?

9 A. Yes, I do. I do believe that. But that's not
10 always the case.

11 Q. And that's why you -- that's why you are
12 pursuing defamation claims of your own, right?

13 A. Yes.

14 Q. Because in your own personal experience you
15 know that published lies have caused -- or you've
16 alleged at least that those have caused you harm,
17 correct?

18 A. Yes.

19 Q. And you think you should be compensated for
20 the harm that you have been caused by lies published by
21 others, right?

22 A. Not necessarily.

23 Q. Okay. Well, then why are you pursuing your
24 own defamation lawsuits if you don't --
25 A. I wish that people would just, you know,

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1 just -- would basically just shut their mouths about
2 what -- what they say about something unless they have
3 met them and engage them. I mean, some of the people
4 that we're talking about in my specific cases, these are
5 people that I have never even met. You know, if they
6 had met me and I was a jerk to them, then they can call
7 me a jerk. But most of these people I have never even
8 met.

9 Q. Do you know if Clay Clark has ever met Eric
10 Coomer?

11 A. I don't know.

12 Q. Do you know if Joe Oltmann has ever met Eric
13 Coomer?

14 A. No idea.

15 Q. And I think we have established, you haven't
16 read any of the complaints filed by Eric Coomer,
17 correct?

18 A. I don't recall if I read any of them.

19 Q. Are you aware that Dr. Coomer has provided
20 sworn testimony that he has received death threats as a
21 result of these claims about him?

22 A. I'm not.

23 Q. You would agree that receiving death threats
24 on the basis of a lie is a significant harm, correct?

25 A. Absolutely.

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1 Q. And you would agree that individuals or
2 entities that are responsible for causing that kind of
3 harm should be held accountable for it, right?
4 MS. WEISS: Object to form.
5 THE WITNESS: What are you asking me?
6 BY MR. KLOEWER:
7 Q. I'm just confirming that you would agree that
8 people who are responsible for that kind of harm should
9 be held accountable.
10 A. I do believe that, yeah. I think that they --
11 especially that kind of stuff, yeah.
12 MR. KLOEWER: Okay. I'm going to shift gears
13 here. If we could go off the record for like five
14 or 10 minutes, and we will hop back on on a new
15 line of questioning. Does that work for everybody?
16 Would that be great?
17 MR. GREAVES: Sure. Do you have just an ETA
18 of how far you think you are -- are you like
19 halfway done? Three quarters?
20 MR. KLOEWER: Closer to three quarters
21 probably.
22 Nate, can you give us a time, a time stamp
23 there? Or we can go off the record first.
24 THE VIDEOGRAPHER: Yes. Let's go off the
25 record.

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1 The time now is 2:24 p.m. We are going off
2 the record. And this is the End of Media Unit 3.
3 (A recess was had at 2:24 p.m. to 2:35 p.m.)
4 THE VIDEOGRAPHER: The time now is 2:35 p.m.
5 We are on the record. And this is the beginning of
6 Media Unit No. 4. You may proceed.
7 BY MR. KLOEWER:
8 Q. All right. Mr. Flynn, I want to take a look
9 now, if we could shift gears a bit, to take a look at
10 the subpoena that was issued in this case.
11 Let me pull that up and share my screen, one
12 moment here. We'll mark this as Exhibit 27.
13 (Exhibit 27, Deposition notice, was marked for
14 identification.)
15 BY MR. KLOEWER:
16 Q. Okay. Can you see the document there on my
17 screen, Mr. Flynn?
18 A. I can see it, yes.
19 Q. Okay. Great. Do you recognize this document?
20 A. I don't.
21 Q. Okay. I'll just represent -- we see the case
22 caption at the top here. It's a notice of intent to
23 take oral and video deposition. This is the subpoena
24 that was issued in this case, and it includes --
25 Am I still on screen? No.

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1 Okay. Sorry.
2 All right. So I'm going to scroll down here
3 to the document requests. We don't need to go through
4 all of the definitions and instructions and all that
5 information. Do you recall that we requested a variety
6 of documents from you?
7 A. I -- I assume you did, yeah.
8 Q. I want to just go through these here to ensure
9 that any documents that are responsive have been
10 produced. So --
11 A. Uh-huh (Affirmative response).
12 Q. -- the first item we requested here is all
13 written communications relating to Dr. Coomer between
14 you and Clay Clark, Make Your Life Epic doing business
15 as the Thrivetime Show, or anyone acting on its behalf.
16 Can you tell me, when you're communicating
17 with the Thrivetime Show or the Tour, as you understand
18 the Tour in the broad sense, who do you communicate with
19 or --
20 A. I communicate --
21 Q. I'm sorry. Go ahead.
22 A. I communicate with Clay.
23 Q. Okay. Only Clay?
24 A. 99.9 percent of the time.
25 Q. Okay. Is there anyone else with the Tour that

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1 you have communicated with on tour business? For
2 example, Vanessa Clark or Aaron Antis or any other folks
3 like that?
4 A. I know them, and I have spoken to them or
5 communicated with them, but not -- I mean, related to,
6 you know, other things, not necessarily the Tour.
7 Q. And this request pertains to communications
8 relating to Dr. Coomer. It sounds like from your
9 testimony before -- and correct me if I'm wrong -- have
10 you ever discussed Dr. Coomer with Clay Clark?
11 A. I believe I have. Yeah, I believe I have.
12 Q. Okay. And what was the nature of those
13 conversations?
14 A. We've talked about -- I think on his podcast,
15 Clay's podcast, he's shown the incident on his podcast
16 where Coomer drives his car into a building.
17 Q. Okay. Anything other than that?
18 A. I don't -- I don't think so. I mean, I don't
19 recall anything else.
20 Q. Did Mr. Clark ever request that you utilize
21 some of your resources to try to determine whether these
22 claims about Eric Coomer were true?
23 MS. WEISS: Form.
24 BY MR. KLOEWER:
25 Q. To clarify, I'm referring to the claims that

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1 he partook on this call, that he claimed that he had
 2 rigged the election, and that he did rig the election.
 3 Has he ever requested that you investigate this?
 4 MS. WEISS: Object to form.
 5 THE WITNESS: I don't recall if he's ever done
 6 that. I don't believe he's ever done that. I
 7 don't recall if he has. I don't remember him
 8 asking me to do anything of that nature.
 9 BY MR. KLOEWER:
 10 Q. Well, do you have resources that would allow
 11 you to investigate whether this claim is true or not?
 12 A. Like, a claim about what? What are you
 13 talking about?
 14 Q. Well, you know, we have already established,
 15 obviously, you are a top-ranking military intelligence
 16 officer --
 17 A. I got -- I got all that, Brad. Don't
 18 patronize me, please.
 19 Q. I'm not --
 20 A. Okay. I mean, you're asking me what? Do I
 21 have investigative resources to investigate somebody?
 22 Q. Yes.
 23 A. I don't. I don't have anything that I -- that
 24 I, you know, that I own or anything that I -- I don't.
 25 I mean, I'm not an investigator.

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1 Q. Did you ever discuss your --
 2 Well, let's see here. So the point being, Mr.
 3 Clark has never tried to take advantage of your
 4 experience or resources to try to determine whether
 5 these claims are true or not. Is that fair?
 6 A. Yeah, that's fair.
 7 MS. WEISS: Object to the form.
 8 THE WITNESS: That's fair. I mean, I don't
 9 recall if he ever did, but that's fair.
 10 BY MR. KLOEWER:
 11 Q. And similar questions under document request
 12 No. 2 relating to Dominion Voting Systems as opposed to
 13 simply Eric Coomer.
 14 Has Mr. Clark ever requested information from
 15 you regarding Dominion Voting Systems?
 16 A. I don't believe he has. I don't recall if he
 17 has in the past, but I don't -- I just don't recall.
 18 Q. And would you have provided that information
 19 to anyone affiliated with the Tour other than Mr. Clark?
 20 MR. GREAVES: Objection to form.
 21 THE WITNESS: Yeah. I mean, I don't -- and I
 22 don't have any knowledge about what you're talking
 23 about.
 24 BY MR. KLOEWER:
 25 Q. I'm just referring generally to any

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1 information, any evidence, anything that would suggest
 2 that Dominion Voting Systems or related to Dominion
 3 Voting Systems at all, if Mr. Clark has ever requested
 4 that from you. Is that correct?
 5 A. I don't recall if he has. I don't -- I don't
 6 remember if he had at all.
 7 Q. And we discussed No. 3 previously a bit. But
 8 just to confirm, we requested all communications with
 9 Joseph Oltmann or anyone acting on his behalf.
 10 Have you ever been in direct contact with Mr.
 11 Oltmann?
 12 A. I don't -- I don't recall if I ever have.
 13 Q. Have you --
 14 A. I mean, I've bumped onto -- I've bumped into
 15 him at events, that kind of -- if I remember right.
 16 Q. Have you ever e-mailed, sent e-mails with him?
 17 A. I don't recall if I ever have.
 18 Q. Are you familiar with an entity called FEC
 19 United?
 20 A. I don't -- I don't believe I am, no. What
 21 does it stand for?
 22 Q. It's Oltmann's local organization. The
 23 acronym FEC stands for Faith, Education, and Commerce.
 24 It's a political organization that Mr. Oltmann has
 25 started here in Colorado. Does that sound familiar?

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1 A. It doesn't.
 2 Q. Okay. Did you ever speak at any of his events
 3 that you recall?
 4 A. I -- I don't believe I have. I mean, I don't
 5 know if, you know, if I was invited some place.
 6 Sometimes there's organizations that underwrite
 7 different things. But I don't believe I've ever spoken
 8 at something like that or with that name.
 9 Q. And have you ever appeared on Mr. Oltmann's
 10 podcast, Conservative Daily?
 11 A. I don't recall if I have.
 12 Q. What about an organization called the UADF,
 13 the United American Defense Fund? Does that sound
 14 familiar?
 15 A. It doesn't.
 16 Q. Do you know who Tig Tiegen is, or Tiegen?
 17 A. Tig Tiegen? I don't. It doesn't ring a bell.
 18 Q. If I told you that the UADF is a paramilitary
 19 organization associated with FEC United, that Tig Tiegen
 20 is a former -- I believe he's a Marine who served in
 21 Benghazi, does that ring a bell with respect to either
 22 the UADF or Mr. Tiegen?
 23 A. Well, not with respect to UADF, but now I do
 24 recognize Tiegen's name.
 25 Q. Okay. Do you know him? Have you met him?

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1 A. I don't know if I have ever met him.
2 Q. And just going back briefly with respect to
3 Mr. Clark, what's the most typical means by which you
4 communicate with him? Is that by text message? By
5 e-mail? What's the typical --
6 A. Normally by text.
7 Q. Okay. And is that a normal text app that you
8 have on your phone, or is that more through like a
9 Signal app or --
10 A. No, normal. Normal. Normal text, just
11 regular iPhone text.
12 Q. Do you ever communicate with Mr. Clark via
13 Signal?
14 A. I don't believe I ever have. I don't think I
15 ever have. Normally it's just regular text and share
16 links, stories, information, stuff like that.
17 Q. Moving down to No. 4, All documents or
18 communications authored, sent or received by you
19 relating to any appearances by Oltmann on the Tour.
20 We discussed this already when we were looking
21 at the video clips before, but when Oltmann was -- was
22 removed from the Tour, apparently for lack of insurance.
23 I realize you don't have any insight into that, but I
24 just want to confirm, did you have any conversations
25 with Mr. Clark at that time about why he was no longer
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1 on the show or on the Tour?
2 A. Yeah, I don't -- I don't recall that I did.
3 Q. And as far as on the other end of the spectrum
4 when Oltmann was brought on to the Tour in the first
5 instance, do you recall conversations you had deciding
6 whether or not he should be granted a spot on the Tour?
7 A. I don't remember if I was -- if I was in a
8 position to do that. I just have no knowledge of that.
9 Q. Do you typically communicate via text or
10 e-mail with Mr. Clark to discuss potential speakers on
11 the Tour and whether they should be allowed on?
12 A. Yes, texts. Sometimes we do, yeah.
13 Q. And did you search your text messages to see
14 if you had communications with Mr. Clark about Mr.
15 Oltmann?
16 A. I mean, that's -- I think Jason, you guys, you
17 know, did a very -- you know, my lawyers did a very
18 thorough search to address all the questions that you
19 are going through.
20 Q. Number 5. We requested documents and
21 communications authored, sent, or received by you
22 concerning any compensation for your employment, time,
23 expertise, including any contracts, pay stubs, text
24 messages, or e-mails.
25 You mentioned earlier that you have an
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1 employment contract with the Tour. Is that something
2 that you could locate?
3 MR. GREAVES: Object to the form.
4 MS. WEISS: Object to the form. That
5 misstates his testimony.
6 MR. GREAVES: Yeah. I was just going to say,
7 I think he talked about a contract but not an
8 employment contract.
9 THE WITNESS: Yeah.
10 BY MR. KLOEWER:
11 Q. Well, I apologize if I misspoke. I believe
12 you stated that your contract included reference to
13 compensation, correct?
14 A. I do.
15 Q. Okay.
16 A. I did. I did. Yeah.
17 Q. Okay. And is that contract something that is
18 in your possession today?
19 A. It's not in my possession today. If I --
20 Q. Well, in the general today, not sitting in
21 front of you at this moment. But you have possession of
22 that contract, correct?
23 A. I probably could find it, yeah. If I dig
24 back, if I -- you know, I could probably find it.
25 MR. GREAVES: It didn't come up in my search.
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1 THE WITNESS: Yeah, yeah.
2 MR. GREAVES: If we've got it, we will get it
3 to you.
4 THE WITNESS: Yeah, yeah. If we have it,
5 we'll get it to you. It's not -- but it, you know,
6 it's been so long.
7 BY MR. KLOEWER:
8 Q. Great. We will follow up with your counsel on
9 that.
10 And this referred to pay stubs as well for
11 your speaking engagements. I believe you stated before
12 that any payment you received for your speaking
13 engagements would go through Resilient Patriot; is that
14 correct?
15 A. Yeah. We would invoice -- we would invoice
16 Clay.
17 Q. And do you know, is there -- would you work
18 with Ms. Clark, Vanessa Clark on that compensation, or
19 does that all go through Clay Clark?
20 A. I mean, however they do it. I mean, we would
21 invoice Clay and that would get paid.
22 Q. When you say "invoice Clay," is that an e-mail
23 to who? Is it to his personal e-mail?
24 A. I'd have to -- I'd have to go. I mean, it's
25 a -- no, it would be like Thrivetime or something like
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1 that, if I remember right.
 2 Q. Number 6. We requested any documents or
 3 communications relating to the establishment of the
 4 Tour. That included, you know, discussing the purpose,
 5 financing, corporate structure, business plan, things of
 6 that nature.
 7 We didn't really get into detail too much
 8 earlier about how specific your conversations were in
 9 the beginning. Did you -- was it just you and Clay that
 10 were sort of kicking around ideas for this, or were
 11 other people involved in brainstorming what the Tour
 12 might look like?
 13 A. I -- I don't know other conversations that
 14 Clay may have had with other people that he knew, but my
 15 guess is he probably spoke to a lot of people, and I was
 16 one of them.
 17 Q. Were you a party to the conversations with
 18 Clay and any additional third parties about the
 19 formation of the Tour?
 20 A. We've talked about -- I don't know about the
 21 formation of it, but I know we've -- since we have been
 22 doing it, we have had different conversations with
 23 different people about, you know, how much -- how much
 24 fun it is and doing -- doing the various events and
 25 talking about the events. So, I mean, I wouldn't say

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1 about formation. It sounds like -- you know, I just
 2 don't have any knowledge of that.
 3 Q. But you can't identify anybody other than
 4 yourself and Mr. Clark who were -- who founded the Tour?
 5 MR. GREAVES: Objection to form, foundation.
 6 THE WITNESS: I mean, not really. I mean, I
 7 don't really have -- I mean, I can't answer because
 8 I really don't have any knowledge about that.
 9 BY MR. KLOEWER:
 10 Q. And what about the discussions about financing
 11 the Tour on the front end? What was your understanding
 12 of who was going to pay for all this?
 13 A. Honestly, I don't know. I mean, I think it
 14 was, you know, let's see -- let's see if we can sell
 15 some tickets, I guess. I mean, that seems to work. You
 16 know, I know we worked hard to do that.
 17 Q. But as far as before the tickets are sold, who
 18 did you understand was going to be paying to, you know,
 19 reserve the venue, to advertise, things of that nature?
 20 A. I don't know. I don't know. I don't know
 21 that level of detail.
 22 Q. Do you know if Clay Clark is paying for this
 23 out of pocket from his personal funds, or are there
 24 investors that you are aware of?
 25 A. I don't know.

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1 Q. Did you have discussions about the corporate
 2 structure of the Tour? Were you involved, for example,
 3 in discussions about starting Reopen America, LLC, and
 4 what its purpose would be?
 5 A. I don't recall if I ever had anything like
 6 that. I don't believe I did.
 7 Q. Business plan. Did you ever see anything like
 8 that, you know, the target revenue sales or, you know,
 9 any proposals of ways to generate revenue, things of
 10 that nature?
 11 A. I don't believe so, but I don't recall.
 12 Q. Let's look at No. 7 here. And I believe you
 13 may have already answered this question already, but
 14 just to be certain. Documents relating to tour's
 15 finances, including business plan that we just
 16 discussed, profit and loss statements, bank statements,
 17 general ledger reports.
 18 Are you involved with the Tour on that end of
 19 things in any way?
 20 A. No.
 21 MS. WEISS: Brad, I'm going to object to this
 22 because of the order we got in December on
 23 finances. The magistrate judge made it pretty
 24 clear that the only discovery you can do into the
 25 Tour's financing, the finances, is related to

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1 statements that were specifically about your client
 2 and Mr. Oltmann.
 3 So I know he's already produced the documents
 4 that he has, and I don't think he has any anyway.
 5 But the line of questioning about financing I'm
 6 going to object to.
 7 MR. KLOEWER: Understood. I'm just trying to
 8 understand what sorts of documents may exist and
 9 trying to determine if documents that could be
 10 responsive and appropriately disclosed under the
 11 Court's order are out there that we should be
 12 requesting.
 13 So, but I understand Mr. Flynn doesn't play an
 14 active role in the financial side of things, so we
 15 can -- we can proceed here.
 16 BY MR. KLOEWER:
 17 Q. Number 8. Tour tax returns. I'm anticipating
 18 Ms. Weiss's objection on that as well.
 19 So we'll skip to No. 9. Well, No. 9 falls
 20 under the umbrella of that objection as well.
 21 Do you have any communication with the Tour's
 22 bookkeepers or accountants, Mr. Flynn?
 23 A. I don't. And I know that, you know, my
 24 lawyers did a thorough, thorough review of everything
 25 that you're asking me and gave you what everything we

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1 we, you know, that we were asked to give. So I'm
2 confident that what exists, you have.
3 Q. Number 10 pertains to ticket sales. And I
4 know you are not involved on that side of things, so I
5 just wonder if -- you know, it strikes me that you would
6 have conversations going into an event to know whether
7 it's sold out or not or how many tickets are left. Do
8 you have those types of conversations as you head into
9 an event?
10 A. Absolutely.
11 Q. And how do those conversations typically play
12 out? Are they in person, on the phone, text messages?
13 A. On the phone, on a podcast when we are, you
14 know, trying to sell tickets and trying to figure out
15 whether -- you know, what kind of things we --
16 Clay gives away a lot of stuff to get people
17 to buy. You know we do -- we do back -- backstage
18 passes for -- I mean, he gives tickets away, literally
19 gives tickets away, because, you know, we want to -- he
20 sells them for -- he doesn't even sell tickets
21 sometimes. Sometimes he just gives them away.
22 Q. So do you -- are you in, for example, group
23 chats or on Google Documents saying, you know, we've got
24 110 tickets left --
25 A. No.

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1 Q. -- to sell for this event? Things of that
2 nature?
3 A. No. Usually it's just a -- it's on a podcast,
4 where we're selling them on a podcast or, you know, when
5 he and I speak, and, you know, how are we doing. But,
6 you know, he'll tell me, Hey, it looks like we are sold
7 out again, you know. Which is nice, you know. So --
8 Q. Do you have access to any sort of ticket sale
9 tracking mechanism in realtime? So like, for example,
10 if you wanted to see how many tickets were left for the
11 next event, can you -- is there a platform you can
12 access to that get that information?
13 A. For the ReAwaken Tour?
14 Q. Yeah.
15 A. No.
16 Q. Who would have that access?
17 MS. WEISS: Objection, foundation.
18 THE WITNESS: You've got me.
19 BY MR. KLOEWER:
20 Q. Is there anyone affiliated with the Tour that
21 you know, other than Mr. Clark, who sort of administers
22 the ticket sale aspect of operations?
23 A. I mean, I know a lot of -- a lot of the young
24 people that work with him. I've gotten to know them.
25 They're great young kids. But what they specifically

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1 do, I don't know.
2 Q. Getting down to these last few requests.
3 We requested all communications with Sidney
4 Powell or anyone acting on her behalf relating to Eric
5 Coomer or Dominion Voting Systems.
6 We have seen many of those communications and
7 discussed them today. Can you just confirm for me? We
8 looked at a couple e-mail addresses you used to
9 communicate with Ms. Powell. We have the zulutym@gmail,
10 the flynn@resilientpatriot. Are there any other e-mail
11 addresses you have used in your communications with her?
12 A. I don't believe so. And I know, you know,
13 we've provided a bunch of stuff related to this. You
14 know, obviously, she remained my attorney, so there's
15 that privilege for other stuff that, you know, that
16 we're involved in. But that's -- that's -- those are
17 the primary e-mail addresses.
18 Q. Do you ever text message with Ms. Powell?
19 A. Back then?
20 Q. Then or now.
21 A. Then, yeah. Not lately. Not lately.
22 Q. Are you still in contact with Ms. Powell?
23 A. Generally.
24 Q. How frequently would you say you speak with
25 her these days?

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1 A. More infrequently these days. More
2 infrequently.
3 Q. Is she still representing you on any legal
4 matters?
5 A. No.
6 Q. With respect to Patrick Byrne, I don't believe
7 we have seen any communications. How do you communicate
8 with Mr. Byrne?
9 A. Generally text, sometimes a phone call,
10 sometimes face-to-face.
11 Q. And you've discussed Eric Coomer with Patrick
12 Byrne, right?
13 A. I don't recall if I ever have. It's -- you
14 know, he's the center of your attention, not the center
15 of my attention.
16 Q. Well, again, the reason I ask this, you know,
17 it seems like many people in your circle have been sued
18 by Eric Coomer. Sidney Powell, Patrick Byrne, The
19 America Projects. And you have never -- you have never
20 communicated with them about him? Is that your
21 testimony today?
22 A. I have -- I don't recall if I have. I mean,
23 I'm aware of, you know, a lot of stuff because of what's
24 reported in the media. That's for sure. And all
25 these -- all these lawsuits.

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1 Q. Did Mr. Byrne ever ask you if you had any
2 information about Eric Coomer to share with him?
3 A. I don't remember him asking me any of that.
4 Q. Did you review your text messages with Mr.
5 Byrne to see if you had anything responsive to this
6 request?
7 A. I know that my lawyers reviewed, you know, the
8 requests and went through that in very thorough style
9 and provided everything that, you know, we could
10 provide.
11 Q. Number 13. We requested similar
12 communications with Eric Trump.
13 Can you tell me, give me a little bit of
14 background on Mr. Trump Jr. -- well, not -- Eric Trump's
15 involvement with the Tour? How frequently is he a
16 speaker?
17 A. How frequently is he a speaker? Probably the
18 last year he has come to almost the last -- the past
19 year's, but not all of them. But a fair number of them
20 this past year.
21 Q. Do you know if he's -- if he receives a
22 speaker fee for his appearances on the Tour?
23 A. No, no idea.
24 Q. And actually the same question for Patrick
25 Byrne. Do you know if he receives a fee when he appears
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1 as a speaker on the Tour?
2 A. No idea.
3 Q. With respect to Eric Trump, have you ever
4 discussed Eric Coomer with Eric Trump?
5 A. I don't believe I have. I don't recall ever
6 having that conversation him.
7 Q. Are you aware that Eric Trump was Tweeting and
8 sharing articles about Eric Coomer in November and
9 December of 2020?
10 A. I'm not.
11 Q. And he's never asked you about Eric Coomer?
12 A. Eric Trump?
13 Q. Correct.
14 A. I don't believe he's ever -- ever asked me
15 about him. I don't believe we've ever had a
16 conversation about Coomer.
17 Q. How do you typically communicate with Eric
18 Trump? Is that by text message, by e-mail?
19 A. Text.
20 Q. The last one we have here is Mike Lindell.
21 Have you ever discussed Dr. Coomer with Mike Lindell?
22 A. I don't recall if we have specifically talked
23 about Coomer.
24 Q. You are aware that Dr. Coomer has filed a
25 lawsuit against Mike Lindell, My Pillow, and FrankSpeech
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1 as well, correct?
2 A. Well, I don't know that it was -- I can't --
3 I'm not going to sit here and tell you that it was --
4 that I'm aware that it was Coomer, but I know that
5 Dominion has. That's what I -- that's what I believe.
6 Q. Okay. Well, Dr. Coomer has filed a lawsuit
7 against Mike Lindell. Is this the first that you have
8 heard of that lawsuit as well?
9 A. No. I may have read about it. But yeah, I
10 mean, I know -- I know if you were to ask me, you know,
11 that Mike Lindell has a lawsuit filed against him by --
12 by this election stuff, I would have said yeah, but I
13 think it's by Dominion. So that's what I -- I didn't
14 realize that Coomer had also filed a lawsuit against
15 him, unless it's the same thing.
16 Did Brad freeze up?
17 MS. WEISS: Brad, I think you are frozen.
18 THE VIDEOGRAPHER: I couldn't tell,
19 because when he has --
20 THE WITNESS: He's dropped out.
21 THE VIDEOGRAPHER: Yeah.
22 MR. GREAVES: I couldn't tell either, because
23 his document was still taking up the screen.
24 THE VIDEOGRAPHER: Right.
25 MR. GREAVES: Let's go off the record.
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1 THE VIDEOGRAPHER: Okay. Please stand by.
2 The time is 3:03 p.m., and we're going off the
3 record.
4 (A recess was had at 3:03 p.m. to 3:09 p.m.)
5 THE VIDEOGRAPHER: The time now is 3:09 p.m.,
6 and we are back on the record. You may proceed.
7 BY MR. KLOEWER:
8 Q. Okay. Before the Internet went out over here
9 we were discussing your communications with Mike
10 Lindell. And I was asking if, in relation to Josh
11 Merritt, who we discussed before, did Mike Lindell or
12 Josh Merritt ever send you an Excel spreadsheet that
13 included various tabs about Eric Coomer's friends,
14 family, their home addresses, contact info, things of
15 that nature?
16 A. I don't recall if that was ever sent to me,
17 no. I don't believe it was, but I don't recall if it
18 was sent to me.
19 Q. Did you ever receive a document like that from
20 Charles Herring?
21 A. I don't recall that. I don't know.
22 Q. Did you ever receive a document from
23 Mr. Lindell that included e-mail addresses and passwords
24 for employees of Smartmatic and Dominion Voting Systems?
25 A. I don't recall if I ever received anything
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1 like that.
 2 Q. Do you deny ever receiving something like
 3 that?
 4 A. I don't deny it. I just don't remember if I
 5 ever received something like that in e-mails. I just
 6 don't remember.
 7 Q. And the same question for Charles Herring.
 8 Did he ever send you a spreadsheet with Voting System
 9 employee e-mails and passwords?
 10 A. I don't -- I don't recall receiving anything
 11 like that.
 12 Q. All right. Are you aware of any document that
 13 meets that description that's in your possession today?
 14 A. I'm not.
 15 Q. Just real quick on the topic of Mike Lindell.
 16 Did you -- did you appear at his cyber symposium that he
 17 hosted in South Dakota a few years ago in August of
 18 2021? Does that sound familiar?
 19 A. The event I recall, but I don't believe I -- I
 20 attended.
 21 Q. Okay. And why not?
 22 A. Scheduling maybe. I don't know. I don't
 23 remember.
 24 Q. Do you recall watching that event in realtime?
 25 A. I don't recall. I mean, I remember -- I

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1 remember -- I remember there was pieces of it on the
 2 Internet, I mean, stuff that I do remember, but that's
 3 about it.
 4 Q. And on an unrelated note, have you ever worked
 5 with a guy named Dennis Montgomery?
 6 A. I know who it is, but I don't recall ever
 7 working with him. I don't believe I ever worked with
 8 him.
 9 Q. Have you ever met him?
 10 A. I have. I met him once.
 11 Q. What was the context of that meeting?
 12 A. Introduction and just talking about, you know,
 13 background and technical stuff. A lot of things. But
 14 that's -- that's about it. Nothing dramatic.
 15 Q. Are you aware that Mr. Montgomery claims that
 16 there's a super computer called Hammer which has rigged
 17 elections all over the world?
 18 A. I am. I have heard that.
 19 Q. Do you have any reason to believe that
 20 computer exists?
 21 A. I don't have any reason to believe that it
 22 exists or doesn't exist.
 23 Q. So in your experience, you've never heard of
 24 Hammer or a software application called Scorecard being
 25 utilized to manipulate election results in the United

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1 States or abroad?
 2 A. I have heard about it. I have heard about it,
 3 read about it in the news.
 4 Q. Okay. As you sit here today, do you believe
 5 that that has occurred?
 6 A. Believe what has occurred?
 7 Q. That the United States military has utilized a
 8 super computer called Hammer to manipulate election
 9 results around the world?
 10 A. I'm not sure what you're asking me. That the
 11 U.S. military has the capability to manipulate
 12 elections?
 13 Q. Yes.
 14 A. I mean, are you asking me if we have or have
 15 ever manipulated elections around the world?
 16 Q. I am asking if a super computer called Hammer
 17 has done that, to your knowledge.
 18 A. I -- to my knowledge, I don't know that. I
 19 don't know that.
 20 Q. And did Mr. Montgomery ever provide you any
 21 evidence or information related to Hammer or Scorecard?
 22 A. No, not -- if he did, I don't recall. But I
 23 don't remember ever communicating with him other than my
 24 first -- when I met him.
 25 MR. KLOEWER: Okay. I'm sorry to go off the


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1 record again after I just did, but if I could just
 2 have like three minutes, I think I'll probably wrap
 3 up here pretty quick if we could just have a quick
 4 break, and I'll hop back on here in two, three
 5 minutes.
 6 THE WITNESS: Sure. Great. Thank you.
 7 THE VIDEOGRAPHER: The time now is 3:14 p.m.,
 8 and we're going off the record.
 9 (A recess was had at 3:14 p.m. to 3:20 p.m.)
 10 THE VIDEOGRAPHER: The time now is 3:20 p.m.,
 11 and we are back on the record. You may proceed.
 12 MR. KLOEWER: Okay. We continue to have some
 13 Internet problems on my end. But in any case, I
 14 have no further questions, so I'll pass the
 15 witness.
 16 MS. WEISS: I don't have any questions. Thank
 17 you.
 18 MR. GREAVES: No questions.
 19 THE VIDEOGRAPHER: Okay. Read or waive?
 20 MR. KLOEWER: Okay. Sorry.
 21 MR. GREAVES: He'll read.
 22 THE VIDEOGRAPHER: All right. Are we ready to
 23 go off the record then?
 24 MR. KLOEWER: I believe so, yes.
 25 THE VIDEOGRAPHER: Okay. Please stand by.


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1 The time now is 3:21 p.m. We are going off
 2 the record. And this concludes today's testimony
 3 given by Michael T. Flynn.
 4 The total number of media used was four and
 5 will be retained by Veritext Legal Solutions.
 6 (Concluded at 3:21 p.m.)
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1 REPORTER'S CERTIFICATE
 2
 3 STATE OF FLORIDA
 4 COUNTY OF HILLSBOROUGH
 5
 6 I, Nathan F. Perkins, Registered Diplomat
 7 Reporter, certify that I was authorized to and did
 8 stenographically report the deposition of Michael T.
 9 Flynn; that a review of the transcript was requested;
 10 and that the transcript is a true and complete record of
 11 my stenographic notes.
 12
 13 I further certify that I am not a relative,
 14 employee, attorney, or counsel of any of the parties,
 15 nor am I a relative or employee of any of the parties'
 16 attorney or counsel connected with the action, nor am I
 17 financially interested in the action.
 18
 19 Dated this 18th day of April, 2024.
 20
 21 
 22
 23 _____
 24 Nathan F. Perkins, RDR
 25

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1 CERTIFICATE OF OATH
 2
 3
 4 STATE OF FLORIDA
 5 COUNTY OF HILLSBOROUGH
 6
 7
 8 I, Nathan F. Perkins, RDR, Shorthand Reporter and
 9 Notary Public, State of Florida, certify that
 10 Michael T. Flynn appeared before me by video conference
 11 on April 4, 2024, and was duly sworn.
 12
 13 WITNESS my hand and official seal this 18th day
 14 of April, 2024.
 15
 16
 17
 18 
 19
 20 _____
 21 Nathan F. Perkins, RDR
 22 Notary Public - State of Florida
 23 My Commission Expires: 7/18/2025
 24 Commission No. HH 122841
 25

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1 WITNESS' SIGNATURE PAGE
 2 PLEASE ATTACH TO THE DEPOSITION OF MICHAEL T. FLYNN,
 3 TAKEN ON APRIL 4, 2024, IN THE CASE OF ERIC COOMER,
 4 Ph.D., VS. MAKE YOUR LIFE EPIC LLC, ETC., ET AL.
 5 PAGE LINE CORRECTION AND REASON THEREFOR
 6
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 18
 19 I HAVE READ THE FOREGOING PAGES AND, EXCEPT FOR ANY
 20 CORRECTIONS OR AMENDMENTS INDICATED ABOVE, I HEREBY
 21 SUBSCRIBE TO THE ACCURACY OF THIS TRANSCRIPT.
 22
 23 _____
 24 MICHAEL T. FLYNN DATE
 25
 26 _____
 27 WITNESS TO SIGNATURE DATE

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<p>1 Jason Greaves 2 jason@binnell.com 3 April 18, 2024 4 RE: Coomer, Eric, Ph.D. v. Make Your Life Epic 5 4/4/2024, Michael T. Flynn (#6630872) 6 The above-referenced transcript is available for 7 review. 8 Within the applicable timeframe, the witness should 9 read the testimony to verify its accuracy. If there are 10 any changes, the witness should note those with the 11 reason, on the attached Errata Sheet. 12 The witness should sign the Acknowledgment of 13 Deponent and Errata and return to the deposing attorney. 14 Copies should be sent to all counsel, and to Veritext at 15 Errata-tx@veritext.com. 16 Return completed errata within 30 days from 17 receipt of testimony. 18 If the witness fails to do so within the time 19 allotted, the transcript may be used as if signed. 20 21 22 Yours, 23 Veritext Legal Solutions 24 25</p> <p style="text-align: right;">Page 186</p>	

Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate.

The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

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VERITEXT LEGAL SOLUTIONS

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