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4 SELECT COMMITTEE TO INVESTIGATE THE
5 JANUARY 6TH ATTACK ON THE U.S. CAPITOL,
6 U.S. HOUSE OF REPRESENTATIVES,
7 WASHINGTON, D.C.

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11 DEPOSITION OF: JUDSON P. DEERE
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15 Thursday, March 3, 2022

16
17 Washington, D.C.
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20 The deposition in the above matter was held in room 4480, O'Neill House Office
21 Building, commencing at 10:06 a.m.

22 Present: Representatives Aguilar and Murphy.

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2 Appearances:

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4 For the SELECT COMMITTEE TO INVESTIGATE

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

6

7 [REDACTED] STAFF ASSOCIATE

8 [REDACTED] INVESTIGATIVE COUNSEL

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16 [REDACTED] PROFESSIONAL STAFF MEMBER

17 [REDACTED] CHIEF ADMINISTRATIVE OFFICER

18 [REDACTED], SENIOR INVESTIGATIVE COUNSEL

19 [REDACTED], OF COUNSEL TO THE VICE CHAIR

20

21 For THE WITNESS:

22

23 CHRISTOPHER BARTOLOMUCCI

24 BRIAN FIELD

25 KRISTINA ROBINSON

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1

2 [REDACTED] Good morning. This is a deposition of Mr. Judson Deere conducted
3 by the House Select Committee to Investigate the January 6th Attack on the United States
4 Capitol, pursuant to House Resolution 503.

5 At this time, I'd like to ask the witness to please state his full name and spell his
6 last name for the record.

7 The Witness. Judson Porter Deere. Last name is D, double E, r-e.

8 [REDACTED] This will be a staff-led interview.

9 My name is [REDACTED]. I'm a senior investigative counsel for the select
10 committee, and also have the additional title of being of counsel to the committee's vice
11 chair, Representative Liz Cheney.

12 And I will let the other staff introduce themselves.

13 [REDACTED] My name is [REDACTED]. I'm an investigative counsel for the
14 select committee.

15 [REDACTED] Great.

16 [REDACTED] My name is [REDACTED]. I'm a professional staff member
17 with the select committee.

18 [REDACTED] Mr. Deere, I'm [REDACTED]. I'm the chief investigative counsel.
19 Thanks for being here.

20 [REDACTED] And could counsel introduce themselves, and I'll ask at least
21 Mr. Bartolomucci to spell his last name, because it's not easy.

22 Mr. Bartolomucci. Yes. My name is Christopher Bartolomucci,
23 B-a-r-t-o-l-o-m-u-c-c-i, and I'm with the Schaerr Jaffe law firm here in D.C.

24 Mr. Field. Hi. Good morning. My name is Brian Field. I'm also with Schaerr
25 Jaffe.

1 [REDACTED] So members of the select committee may be joining us and leaving
2 during this deposition. My understanding is, right now, they may have some votes on
3 the floor. So there are no members with us at this time.

4 We will try to keep an eye on the video screen to see when their names come up,
5 and we'll try to mention that for the record when they join us. We probably will not
6 mention when they leave just because it's hard to keep track of.

7 This will be a staff-led deposition, but we'll pause throughout to give members an
8 opportunity to ask questions as well if they'd like to do so.

9 At this time -- actually, I'll cover a few ground rules before we swear in the
10 witness.

11 This is a deposition that is being held in executive session. That means that it is
12 not public at this time, but it can -- the transcript as well as the video and audio recording
13 can be made public at the will of the chairman of the committee. You, though, are free
14 to discuss it publicly if you so choose.

15 So I'll go ahead now and have the witness sworn in. If you could raise your right
16 hand.

17 The Reporter. Do you solemnly declare and affirm under the penalty of perjury
18 that the testimony you are about to give will be the truth, the whole truth, and nothing
19 but the truth?

20 The Witness. I do.

21 The Reporter. Thank you.

22 [REDACTED] So, before we get started with the questions, I'll go over a few
23 additional ground rules. As you know, there is an official reporter transcribing the
24 record of the deposition. It's also being videotaped.

25 The transcript is technically the official record of the proceeding. If you're

1 interested, we can make the transcript draft available for you and your counsel to review
2 in person and identify any errors that you notice.

3 As you know, it's important to make sure we have a clean transcript, so, if we ask
4 a question, try to wait until the question is finished before you give an answer.

5 Obviously those who are making the transcript can only record verbal responses, so they
6 can't record if you just shake or nod your head. So please try to give a verbal, audible
7 response to every question.

8 We also want to make sure you understand the questions. So, if a question is
9 not clear, please say so.

10 As you know, you're under oath. That means that any false statement you make
11 knowingly would constitute perjury and a violation of 18 U.S.C. 1001, so it's important
12 that you tell the truth at all times. If you don't know the answer to the question,
13 obviously you can say that or, if you don't recall, you can say that. But you do have to
14 answer truthfully. So, if you do recall or do know the answer, then you can't say you
15 don't know or don't recall.

16 You can only refuse to answer a question to preserve a privilege that's recognized
17 by the select committee. If you refuse to answer a question based on a privilege, the
18 staff can either proceed with the deposition, or seek a ruling of the chair on the objection.

19 If you need to consult with your counsel at any time or just need a break, we
20 would be happy to accommodate. So you or your counsel can speak up at any time.
21 And, as we progress, we'll offer you the opportunity to take breaks as we go along.

22 So do you have any questions, or does your counsel have any questions about any
23 of this before we begin?

24 The Witness. Nope.

25 Mr. Bartolomucci. No.

1 [REDACTED] Great.

2 EXAMINATION

3 BY [REDACTED]

4 Q Okay. If you look first in the binder of materials that you and your counsel
5 have been given at exhibit 30, you should see there a subpoena from the House select
6 committee as well as a cover letter and a schedule.

7 Do you understand that you're appearing today pursuant to that subpoena?

8 A Yes.

9 Q Okay. Part of the subpoena required you to produce documents, which
10 you have done.

11 Did you or your counsel search for records that were responsive to the subpoena
12 schedule?

13 A Yes.

14 Q Have you produced to the select committee all the documents and
15 communications in your possession, custody, or control that you have been able to
16 identify as responsive to the subpoena?

17 Mr. Bartolomucci. Could I jump in there? Counsel --

18 [REDACTED] Of course.

19 Mr. Bartolomucci. -- obviously assisted with that process, so we -- we produced
20 all the documents that we judged to be responsive to the subpoena, and withheld no
21 documents based on any privilege.

22 [REDACTED] Great. Thank you very much.

23 BY [REDACTED]

24 Q So I'm going to ask you a few questions now about your use of email
25 accounts and personal cell phone records and things like that.

1 First of all, I assume, when you worked at the White House, you had a White
2 House email account. Is that correct?

3 A Yes.

4 Q And, to your knowledge, were all those emails preserved and in the control
5 of the National Archives at this time?

6 A To the best of my knowledge.

7 Q Okay. Did you also have a personal email account during the time that you
8 worked at the White House?

9 A Yes.

10 Q Okay. Did you use that personal email account for any official business?

11 A Not that I recall.

12 Q Okay. Have you searched that personal email account, or have your
13 attorneys searched that personal email account to see if there are any responsive
14 records?

15 A Yes.

16 Q And then did you have a White House-issued cell phone?

17 A Yes.

18 Q And did you also have a personal cell phone?

19 A Yes.

20 Q So you've produced some text messages, which I believe were from your
21 personal cell phone. Is that correct?

22 A Yes.

23 Q And, with regard to your official cell phone, or your White House-issued cell
24 phone, do you remember whether you sent and received texts from that cell phone?

25 A Yes.

1 Q Okay. And did you turn that cell phone in to somebody at the White House
2 when you left?

3 A Yes.

4 Q Okay. Do you still have access or copies of any of those text messages?

5 A No.

6 Q Okay. So, as far as you know, those would be with the National Archives?

7 A To the best of my knowledge.

8 Q Did you ever send or receive text messages directly with President Trump
9 himself?

10 A Electronic text messages?

11 Q Yes.

12 A No.

13 Q Okay. Do you know whether President Trump sent or received text
14 messages while he served as President?

15 A I do not know.

16 Q Okay. Did you use any other devices besides email accounts we've just
17 talked about, two cell phones -- well, this would be, I guess, included within cell
18 phones -- anything besides text messages? Did you use any kind of communications
19 apps like Signal, Telegram, WhatsApp, any of those types of things?

20 A Not for official purposes.

21 Q Okay. Did you keep any handwritten or electronic notes while you were
22 working at the White House?

23 A Handwritten notes, yes.

24 Q Okay. And do you know where those are today? Do you have them, or
25 are they left at the White House?

1 A I mean, certainly there would have been, you know, documents that I
2 prepared that would have been saved on my computer that would be with National
3 Archives. You know, handwritten notes would have been -- if they were applicable to
4 Presidential records, they would have been left behind.

5 I have searched through notebooks that I took with me that were just -- you might
6 call daily to-do lists that I kept. None of those were responsive to the committee's
7 request.

8 Q Okay. And handwritten notes, whether they were in notepads or anything
9 like that, do you recall what you did with those when you left the White House?

10 A Put them in a box.

11 Q Okay. Do you know where that -- where that box went?

12 A To the best of my knowledge, to National Archives.

13 Q Does anybody have any questions about any of that before I move on?
14 Okay.

15 Can you tell us a little bit about your professional background? So maybe just
16 start with when you graduated from college and each of the jobs that you had since
17 college.

18 A Graduated from college in 2010, began employment with the State
19 Republican Party of Arkansas as a field director for the 2010 campaign. When that
20 concluded, I moved to D.C. and began work with Senator John Boozman's office as
21 correspondence and systems director.

22 In 2012, I began employment with Senator Mike Crapo's office, first as new media
23 director, and then subsequently, about -- approximately a year later, assumed the roles of
24 press secretary and digital director.

25 In April 2014, I returned to Arkansas to join the Tim Griffin for Arkansas campaign

1 as deputy campaign manager and communications director. When the campaign
2 ended, I began employment with the Office of Arkansas Attorney General Leslie
3 Rutledge -- that would have been January of 2015 -- where I remained until November
4 of 2017, when I moved back to Washington to begin employment at the White House.

5 Had three different jobs at the White House, first as director of State
6 communications; then was special assistant to the President and director of media affairs;
7 and then, finally, deputy assistant to the President and deputy press secretary.

8 Q And roughly when did you become deputy press secretary?

9 A Approximately November or December of 2018.

10 Q And to whom did you report when you started that position?

11 A Sarah Huckabee Sanders.

12 Q Okay. And who took her place?

13 A Stephanie Grisham.

14 Q Okay. And who took Ms. Grisham's place?

15 A Kayleigh McEnany.

16 Q And when did you leave the White House?

17 A January 20, 2021.

18 Q And what have you been doing since then?

19 A Deputy chief of staff for communications for U.S. Senator Bill Hagerty.

20 Q So I want to focus now on your -- your position as deputy press secretary.

21 Can you just tell us in general what your roles and responsibilities were?

22 A I assisted the press secretary in various media relations capacities; spoke on
23 behalf of the President when needed; traveled with the President; communicated with
24 him to ensure that, you know, the items that he wanted communicated publicly, that I
25 was aware of; fielded media inquiries via in person, electronically; and managed a team

1 of three press assistants.

2 Q And who were the three press assistants?

3 Well, and we'll focus here -- let's focus -- since it may have changed over time,
4 let's focus on from the November 2020 election until you left on January 20, 2021.

5 A Margo Martin, Gaby Hurt, Davis Ingle.

6 Q And President Trump was certainly well-known for having a large Twitter
7 following until his account was eventually suspended. Did you have any role in his
8 tweets in your capacity as deputy press secretary?

9 A Could you be more specific? You mean in a role in drafting, or --

10 Q Drafting, reviewing, editing, any of that. Or, if it's easier, just you can tell us
11 how the process worked for issuing a Presidential tweet and then work into that what
12 role, if any, you had in it.

13 A I would say drafting on occasion.

14 Q Okay. Were you included in any kind of regular review process if
15 somebody else drafted the tweets?

16 A No.

17 Q Okay. Who other than the President himself had primary responsibility for
18 the Twitter account?

19 A Dan Scavino.

20 Q Okay. And he was not part of the press operation. Is that correct? Did
21 he have a separate line of reporting?

22 A I believe, in the time period that you referenced earlier, at that time, he
23 would have been deputy chief of staff for communications.

24 Q Uh-huh.

25 A I guess technically on an org chart, he might have overseen the entire global

1 operation. But, in terms of did I directly report to him or was he involved in day-to-day
2 operations of the press team, no.

3 Q Okay. And it sounds like you were not involved as a regular matter in
4 reviewing or preparing tweets for the President; only occasionally, you would draft them.
5 Is that correct?

6 A Correct.

7 Q And we're going to get later to January 6th, but were you involved in either
8 drafting, reviewing, or editing any of the President's tweets on January 6, 2021?

9 A Kayleigh and I had discussions about -- about overall messaging that
10 afternoon. Did I specifically have a hand in drafting or writing what he ultimately put
11 out? No.

12 Q All right. We'll -- we'll come back to January 6th.

13 Just in terms of overall messaging for the White House, how involved was
14 President Trump in the day-to-day messaging strategy for the White House?

15 A The President set the day-to-day messaging.

16 Q Okay. And what was that process? Was there a regular process where he
17 was given recommendations from somebody and then would approve, or how did that
18 work?

19 A Whatever the President wanted the message to be that day, that was the
20 message of the day.

21 Q So does that mean that there was not sort of a regular formal process for
22 setting the message each day?

23 A If you're asking if there was a check-in with the President or a meeting with
24 the President every morning to determine what the message of the day was, no, there
25 was not.

1 [REDACTED] Before you leave the org chart, can I just jump in?

2 [REDACTED] Yep.

3 BY [REDACTED]

4 Q So, when you indicate you were deputy press secretary, does that mean you
5 were the -- sort of the principal deputy or the immediate number two to Ms. McEnany, or
6 were there other people like you who were deputies?

7 A I never had the title of principal deputy. But, at the time that Kayleigh
8 assumed her duties, I was the most senior person in the press shop --

9 Q I see.

10 A -- and had been there the longest.

11 There were two other colleagues of mine that also shared responsibilities of
12 deputy press secretary.

13 Q Who were the other two during the -- sort of the end period that [REDACTED]
14 referenced earlier?

15 A Sarah Matthews and Brian Morgenstern.

16 Q I see. And did you and Ms. Matthews and Mr. Morgenstern divide up the
17 press portfolio and have different areas of responsibility, or just tell us a little bit more
18 sort of how the press office was organized.

19 A I would say that, in the timeframe that we're talking about, no, we didn't
20 have a good structure of division of labor.

21 Q Uh-huh.

22 A For the most part, I handled all incoming inquiries. And things that I
23 needed assistance with, I would delegate to the other two.

24 Q I see. And it -- was it -- since you had been there the longest, you had
25 relationships with members of the White House press corps? They would reach out to

1 you directly? I get a sense that a lot of this comes down to those individual
2 relationships. Is that accurate?

3 A Yes.

4 Q Uh-huh.

5 A Since you asked the question about responsibilities and I mentioned the
6 timeframe, in a different timeframe in the press office, we did have a more structured
7 division of labor and responsibilities in terms of policy portfolios and if an -- if an inquiry
8 came in on X topic --

9 Q Right.

10 A -- if that's not my topic, I would assign it to somebody else.

11 Q I see. That's interesting. Just to help us understand how things evolved,
12 tell us a little bit more about that structure that preceded before the timeframe.

13 A Honestly, what changed that structure was the pandemic.

14 Q I see.

15 A The pandemic and changes in personnel.

16 Q Yeah.

17 A When Kayleigh came in and the pandemic was ongoing, predominantly all of
18 the requests that we were getting at that point was COVID related --

19 Q Yeah.

20 A -- with very few on other topics.

21 Q Kind of became the issue that people wanted to talk about, I suppose?

22 A Yes.

23 Q Okay. And, in terms of personnel change, is it fair to say that there was a
24 fair amount of turnover over the course of your time in the press shop, like a lot of
25 deputies and a lot of press assistants kind of cycled through those roles?

1 A I guess it depends on your definition of "a lot."

2 Q Yeah. It's an unfair question, I think.

3 A I mean, I -- I worked under three different press secretaries.

4 Q Yeah.

5 A I guess, in total, I had five or six different deputies that I worked alongside.

6 Q Uh-huh.

7 A There were also three assistant press secretaries that didn't directly report

8 to me.

9 Q Uh-huh.

10 A But certainly they were colleagues, and I worked with them.

11 Q Uh-huh.

12 A And I would say that the three press assistants were fairly consistent with

13 the exception of -- at least during my time there, with the exception of one, which I had

14 to replace while I was there.

15 Q I see. Okay.

16 And then, just to finish this, just in terms of the org chart, I have a sense that

17 communications, and particularly digital, was kind of its own separate entity that

18 Mr. Scavino ran that was kind of parallel to the press office? Is that accurate?

19 A I would -- I would -- best way to describe that is it's -- it's the same house,

20 but it's two different sides of the house.

21 Q I see.

22 A Press was on one side. Communications was on the other.

23 Q Uh-huh.

24 A You might even say that digital was on the second floor or -- I mean, it -- it's

25 all one house, but it's kind of three different silos.

1 Q Okay. And is there a person in the org chart who sort of has overall
2 responsibility for both sides of the house, for digital and communications and press?

3 A Is there a specific time period we're talking about?

4 Q Yeah. I guess maybe it did change. I guess sort of best case or how it's
5 supposed to work or how it worked for the -- most of the time that you were there. Is
6 there like a director of communications to whom --

7 A I -- well, I'll -- I'll do it this way. From the time Stephanie Grisham was press
8 secretary and communications director --

9 Q Uh-huh.

10 A -- she oversaw the entire house --

11 Q Got it.

12 A -- the three different silos.

13 Q Okay.

14 A When Kayleigh was brought in, that was when -- around the same time that
15 Mr. Scavino assumed the role of deputy chief of staff for communications.

16 Q Uh-huh.

17 A So he would have been the one that oversaw the entire house.

18 Q I see. So press reported technically up to the director -- deputy chief of
19 staff for communications, Mr. Scavino?

20 A Technically.

21 Q Okay. And then, just finally on this -- and I'm sorry to interrupt you -- the
22 sort of back and forth between the digital -- the social media, Mr. Scavino, and his team,
23 and press was -- would you just give us a better sense as to whether those were siloed
24 separate entities doing their own thing every day, or whether there was coordination
25 over, "Hey, we're getting this inquiry, we need to put out this tweet"? Was it an

1 integrated unit, or was it sort of two different units that are working more in parallel?

2 A I would -- I would say that it was -- it was integrated. It wasn't --

3 Q Uh-huh.

4 A -- siloed off, but it was integrated where it needed to be. Like I didn't -- I
5 didn't necessarily let digital folks know that I was getting inquiries on X, Y, or Z.

6 Q Uh-huh.

7 A But, if there was -- if there was a policy rollout of some kind --

8 Q Yeah.

9 A -- then certainly everyone was read in and aware of responsibilities.

10 Q I see. So it sort of depended on the issue?

11 A Yes.

12 Q Understood. Okay.

13 [REDACTED] Thank you.

14 The Witness. Uh-huh.

15 BY [REDACTED]

16 Q So we understand that Kayleigh McEnany, in addition to her White House
17 role, during her free time, also had sort of an informal role speaking on behalf of the
18 Trump campaign, so frequently, in the evening, appearing on FOX News and other places.
19 Is that correct?

20 A You would have to ask Kayleigh what her role is, but I'm aware that she
21 appeared on FOX News in the evenings. As far as if that was an arranged relationship
22 between her and the campaign, I -- I can't speak to that.

23 Q Did you have any role in the President's 2020 campaign?

24 A Not officially.

25 Q Okay. Did you have an unofficial role of any kind?

1 A I mean, if -- if you're asking if I -- when he would travel to rallies, did I attend
2 rallies in my official capacity as part of a deputy press secretary position for the President
3 of the United States, then yes. Was I speaking on behalf of him as a candidate or for the
4 Trump campaign? No.

5 Q Okay. Were you involved in any coordination of messaging between the
6 White House and the President's 2020 reelection campaign?

7 A Well, the Hatch Act would have prohibited me from coordinating on
8 messaging between the White House and the campaign, but I was certainly aware of their
9 day-to-day messaging.

10 Q Okay. And you mentioned the Hatch Act. Is it -- what was your
11 understanding -- and, again, we're talking from November 3, 2020, to January 20, 2021.

12 What was your understanding of what the White House press office could talk
13 about with regard to challenges to the outcome of the 2020 election versus what were
14 kind of considered off limits for White House press officials?

15 A Certainly, if it -- if it had anything to do -- if it had anything to do with
16 Donald Trump as a candidate, be it encouraging people to vote for him for X, Y, or Z
17 reason, or dealing with lawsuits after the election or allegations of fraud in certain States,
18 all of that would have been handled by the campaign.

19 Q Okay. And did you have any involvement in any of that?

20 A In what way?

21 Q Any involvement in developing any messaging regarding the topics you just
22 discussed. So challenges to the outcome of the 2020 election, allegations of fraud
23 related to the 2020 election, things like that.

24 A I don't recall it if I was.

25 Q Okay. Now, as I understand, Ms. McEnany, though, in her capacity as press

1 secretary, you know, would be prepared for questions that could come from reporters
2 regarding some of these topics after the election.

3 Did you have any role in sort of helping prepare her briefing papers or things like
4 that in the event she got questions about allegations of election fraud or the outcome of
5 the 2020 election?

6 A I was not involved in the day-to-day prep of her notebook.

7 Q Okay. Who was?

8 A It would have been the research team staff.

9 Q And do you remember their names?

10 A Group of eleven.

11 Q Okay. I won't make you name all of them.

12 Do you know whether there was anybody in particular who was working on
13 Ms. McEnany's briefing papers or other materials related to possible questions regarding
14 the 2020 election?

15 A I don't recall specifically if there was someone handling that topic, if that's
16 what you're asking.

17 Q Yes, that is. Okay.

18 Okay. If you can look in your binder at exhibit 1 -- and I believe this is an
19 example of what I was just talking about -- this, I believe, was produced from the National
20 Archives.

21 If you look at page 2, the heading says: Ballots. We believe, but tell me if you
22 have any reason to think this is incorrect -- we believe this is from Kayleigh McEnany's
23 briefing binders that she would use for press conferences.

24 Does that look like what this document is?

25 A Yes.

1 Q Okay. So this one, as I said, has the heading of ballots. First bullet starts
2 with Barr, which I believe is a reference to Attorney General Bill Barr. It absolutely
3 opens the floodgates to fraud.

4 Do you know who was involved in helping prepare this particular briefing paper?

5 A Do you have a date?

6 Q I don't. And -- but, if it -- if you know who worked on this over time
7 because I imagine this may have been a document that was updated from time to
8 time -- if you know people worked on it at different times, just tell us what -- what you
9 can recall.

10 A I -- I don't recall who -- until reviewing exhibits to prepare for this, I -- I don't
11 recall seeing this specific document.

12 Q Okay.

13 A But it does -- it does look similar to what would have been in her
14 briefing -- her briefing binder.

15 Q Okay. If you look at exhibit 2 -- and this looks like it's excerpts from a
16 statement from President Trump. It says: White House news conference,
17 September 23, 2020.

18 He said: We're going to have to see what happens. You know that I've been
19 complaining very strongly about the ballots, and the ballots are a disaster.

20 Looks like the question isn't in here, but I'll represent to you that he was asked:
21 Do you commit to making sure that there is a peaceful transfer of power?

22 And the President responded, as you can see here in the document: Get rid of
23 the ballots, and you'll have a very peaceful -- there won't be a transfer, frankly. There
24 will be a continuation. The ballots are out of control. You know it, and you know who
25 knows it better than anybody else. The Democrats know it better than anybody else,

1 end quote.

2 Do you know if anybody was involved in preparing any materials or talking points
3 or oral briefing of the President to prepare for questions like that?

4 A If you're asking if we did -- if we did prep sessions with him before a press
5 conference, yes.

6 Q Okay. And do you recall whether a question along those lines was part of
7 the prep session?

8 A I don't recall if that was a question.

9 Q Did you have any conversations or witness any conversations with the
10 President after he made that statement regarding what he said in that statement?

11 A I don't recall.

12 Q Okay. If you look at tab 3, and if you look at the second page, the heading
13 is accept, a-c-c-e-p-t. This looks to us like it's another excerpt or tab from one of
14 Kayleigh McEnany's binders that she used to prepare for press conferences.

15 Does it look like that to you?

16 A It's what it appears.

17 Q Okay. So you can see the top of that second page says: POTUS, oh, I
18 know, I know, yeah, I know, we want to get rid of the ballots, and you'll have a very
19 trans -- we'll have a very peaceful -- there won't be a transfer, frankly. There will be a
20 continuation. The ballots are out of control. You know it -- which appears to
21 be -- that's the end of the quote -- appears to be a quote of something the President had
22 already said.

23 And then it looks like here there is, you know, material that Ms. McEnany could
24 use if asked about that. Is that what this document appears to be to you?

25 A Again, I didn't prepare the document that -- but that is what it appears.

1 Q Okay. And the two major headings are: Clinton failed to accept results of
2 the election, and Stacey Abrams failed to accept the results of her election.

3 So you said you didn't prepare it. Do you know who did?

4 A I don't.

5 Q Were you involved in any conversations about whether the President would
6 or would not accept the results of the November 2020 election? In other words, any
7 conversations about whether the President would or would not concede that he lost the
8 November 2020 election?

9 Mr. Bartolomucci. Are you asking about conversations with anybody?

10 [REDACTED] With anybody, yes.

11 The Witness. Yes.

12 BY [REDACTED]

13 Q Okay. Were you involved in any such conversations with the President?

14 A Yes, but I don't recall a specific date or --

15 Q Okay.

16 A -- time period.

17 Q That's understandable. But tell us what you can recall, to the best of your
18 recollection.

19 A He -- I mean, I think you all know from public reporting that he was very
20 concerned about fraud and believed that -- believed that, in some places, the election had
21 been rigged, and he was not prepared to concede.

22 Q And did you have multiple conversations with him on this topic, or is there
23 just one in particular that you're recalling?

24 A No. It -- it came up multiple times when I was around.

25 Q Okay. Do you recall whether anybody during any of those conversations

1 advised the President that he should concede the election?

2 A Yes.

3 Q Who was that?

4 A I would have been one of those people after mid-December.

5 Q Okay. Who else?

6 A I don't recall specifically who else.

7 Q Were -- do you remember whether there were others?

8 A There were.

9 Q Okay. And do you remember whether they were people from the press
10 office or --

11 A I don't recall specifically who --

12 Q Okay.

13 A -- but there were others.

14 Q Do you recall whether Kayleigh McEnany took that position?

15 A I don't recall.

16 Q Do you recall whether Mark Meadows took that position?

17 A I don't recall.

18 Q Do you recall whether Ivanka Trump took that position?

19 A I don't recall.

20 Q Do you recall whether Jared Kushner took that position?

21 A I don't recall.

22 Q Was Vice President Mike Pence in any of these conversations?

23 A Not in my presence.

24 Q Okay. Do you -- I know you said there were multiple of these

25 conversations, but tell us who you can remember being in any of those conversations

1 besides you and the President.

2 A Like I said, I -- I can remember being in the room when others encouraged
3 him to do this, but I don't recall specifically who suggested this or who encouraged him to
4 do it. I do remember that I encouraged him to do it at least once after the electoral
5 college met in mid-December.

6 Q Okay. So the electoral college, I believe, met December 14th. Do you
7 remember roughly how long it was after that that you encouraged the President to
8 concede?

9 A I don't recall specifically.

10 Q Okay. Was it in the Oval Office?

11 A I -- I don't remember the location.

12 Q Okay. What can you remember about what you said?

13 A I -- I told him that my personal viewpoint was that the electoral college had
14 met, which is the system that our country is -- is set under to elect a President and Vice
15 President, and I believed at that point that the means for him to pursue litigation was
16 probably closed.

17 Q And do you remember saying anything else to him about it?

18 A Not specifically, no.

19 Q And do you recall what his response, if any, was?

20 A He disagreed.

21 Q Okay. To the best of your recollection, what did he say?

22 A He -- he just disagreed and reiterated the points I said earlier and expressed
23 that he intended to continue with challenges and litigation.

24 I don't -- I don't recall this specific conversation mentioning January 6th or
25 Congress' role, but -- but certainly he indicated that he intended to continue to pursue

1 legal challenges.

2 Q Okay. So you recall him discussing litigation. You don't recall specifically
3 him referencing January 6 or Congress, correct?

4 A Not in this conversation.

5 Q Do you remember him discussing it at a later conversation?

6 A No.

7 Q Okay. Do you remember him discussing it in an earlier conversation?

8 A No.

9 Q Do you remember whether he discussed getting State officials, whether
10 secretaries of state, sort of Governors or State legislatures to try to change the slate of
11 electors sent by their States?

12 A I've never heard him discuss that.

13 Q Okay. I'm sure you're familiar with a phone call that he had -- the
14 President, that is -- had with Georgia Secretary of State Brad Raffensperger because it
15 was recorded and then later, you know, played in the news.

16 Did you have any conversations with the President about his call with Secretary of
17 State Brad Raffensperger?

18 A Not that I recall.

19 [REDACTED] Do you have any -- you looked like --

20 [REDACTED] Yeah.

21 [REDACTED] -- you had some questions.

22 [REDACTED] Just a couple, yeah.

23 BY [REDACTED]

24 Q So, at any point, Mr. Deere, from the election in November through the time
25 that you left in January, did the President ever say anything that suggested he

1 acknowledged that he had lost -- "I can't believe I lost" -- or express any statement that
2 would suggest an awareness of the fact that he had lost?

3 A The word "lost," no, but certainly he -- he left on January 20th, so --

4 Q Sure.

5 A -- had to acknowledge it in some way.

6 Q I understand that, but -- and I don't want to put -- I don't mean to ask a
7 specific question about the word "lost," but did he say anything during this entire period
8 that would suggest kind of an acknowledgement of sorts that he was leaving, that he had
9 lost, that these efforts, litigation or otherwise, had not worked?

10 A At some point around the final several days that we were there, sometime
11 between Friday and the Tuesday or Wednesday that we departed, he acknowledged to
12 me that we collectively had done a lot, and that he was proud of the work that had been
13 done.

14 Q Meaning we had done a lot over the course of the administration on matters
15 of policy?

16 A Uh-huh.

17 Q I see. Okay.

18 But -- and did he ever say anything about the election specifically that suggested
19 an acknowledgement of defeat or of a loss?

20 A Not that I recall.

21 Q At any time?

22 A Again, not that I recall or in my presence.

23 Q Yeah. And I -- I understand you can only talk about the things that were in
24 your presence. I'm just trying to get a sense of whether there was an evolution here.
25 The discussion you just referenced to [REDACTED], where you said it's time to concede, the

1 electoral college has met, and he said: I disagree. Was that his consistently held
2 position whenever this topic came up with you, or was -- did it vacillate, or did it vary over
3 time?

4 A I don't recall it -- it evolving.

5 Q Uh-huh. Did you ever hear from others that he had made such statements
6 indicating a different position than the one he articulated to you at that meeting that
7 [REDACTED] asked you about?

8 A In -- in the week after the election, there was gossip around the building
9 that -- that he was considering conceding.

10 Q Yeah.

11 A And even that -- even strongly considering inviting the President-elect and
12 the incoming First Lady to the White House.

13 Q Yeah. We've heard similar -- more than gossip, but that there was some
14 discussion immediately after the election about a more sort of traditional transfer of
15 power and a meeting with the -- tell me more what you heard about that and from
16 whom.

17 A I don't recall from whom I heard it, but, as I said, it was gossip around the
18 building.

19 Q Yeah.

20 A And being the Deputy Press Secretary in charge of ensuring that the
21 protected press pool always has access to him --

22 Q Uh-huh.

23 A -- I was very inclined to hear more about if the President-elect and the
24 incoming First Lady would be making a visit.

25 Q Okay. Do you remember anybody sharing with you, hey, the President's,

1 you know, ready to meet with Biden, or the President said this, or the President
2 said -- and, again, I understand you weren't -- President may not have said this to you, but
3 things that you may have heard he said?

4 A Again, the only thing I heard was gossip indicating that he was strongly
5 considering it.

6 Q Uh-huh. When you, Mr. Deere, gave him the advice that you did after the
7 electoral college, was that based -- I guess tell me what it was based on. Was that based
8 on sort of press advice, about it's time for you to start talking about all the victories of the
9 last 4 years as a press strategy, or was it based on, hey, there is no more practical ability
10 to change this once the electoral college had met, or both?

11 A Both.

12 Q Uh-huh.

13 A Personally, I felt, again, that the electoral college -- when the electoral
14 college meets and -- and gives its vote, that's the system that we have, and I felt it
15 important that he know my personal viewpoint on that privately. But, then, also, with
16 that in mind, knowing that, at that point, we basically had approximately 30 days left in
17 office, that, yes, I wanted him to spend the next 30 days talking about the 4 years of
18 unprecedented accomplishments.

19 Q Right. Rather than the election, relitigating what occurred. Was that
20 good press advice in your view -- "Hey, you should be talking about the record, not the
21 election"?

22 A I think it's good advice, but it was the advice I gave.

23 Q I understand.

24 Did other people share that advice or share that -- share that perspective, the one
25 you just articulated? "Hey, talk about your record"?

1 A That we ought to be talking about our record?

2 Q Yes.

3 A Yes.

4 Q Who?

5 A Certainly Kayleigh.

6 Q Uh-huh.

7 A Other junior staff in the building that -- you know, executive assistants,
8 people who, I'll call it, do grunt work.

9 Q Uh-huh.

10 A Ivanka Trump.

11 Q Uh-huh.

12 A Larry Kudlow, Chris Liddell. Those are the ones that come to mind, but
13 then I -- I certainly heard from -- from other assistants to the President that Cabinet
14 members wanted to do the same thing.

15 Q Yes. I see. And do you know that, Mr. Deere, from -- that those people
16 shared the view because they told you that? Do you know whether or not they told the
17 President that? Tell us more about those other folks that were sort of in your camp,
18 "Hey, talk about your record." How do you know that, and do you know whether they
19 conveyed it to him?

20 A I don't recall specifically who shared with me that -- that they had
21 encouraged the President to do the same, but, yes, several of -- of them who I just
22 mentioned had indicated that they had encouraged the President to do the same.

23 Q I see. Okay.

24 Who was on the other side, if you know? Were there other people on the White
25 House staff or externally who were saying quite the opposite -- "Keep fighting, this

1 election was rigged, you should never concede" -- you know, things along those lines?

2 A I can't speak to people on the outside or people that I wasn't around in a
3 room with --

4 Q I understand.

5 A -- that -- I don't recall being in a conversation in the room with the President
6 and somebody else who was encouraging him to keep fighting or --

7 Q Yeah.

8 A -- continue contesting the election.

9 Q Okay. When you encouraged him to stop fighting and talk about the
10 record, were you mindful of other voices that were giving him contrary advice?

11 A Certainly, I suppose, yes.

12 Q And who would -- were you aware of were in that category of those giving
13 him the contrary advice, whether they were inside the White House or on the campaign,
14 lawyers, otherwise? In other words, who did you think, Mr. Deere, was sort of on the
15 other side of this issue in terms of influence on the President?

16 A Certainly I wasn't happy with the -- what I -- well, with -- with the advice I
17 knew he was getting from the likes of Rudy Giuliani --

18 Q Uh-huh.

19 A -- Sidney Powell --

20 Q Yeah.

21 A -- Jenna Ellis.

22 Q Uh-huh.

23 A I wasn't in the room when he received this advice, but --

24 Q Uh-huh.

25 A -- based on conversations from people who I knew were in the room --

1 Q Uh-huh.

2 A -- I was not happy with what I was hearing.

3 Q I see. So your understanding is he was getting the advice to keep fighting
4 from the legal team -- from Giuliani, from Powell, from Ellis. And were you not happy
5 with that because it was bad press strategy or because it was wrong, or -- or just sort of
6 not supported by facts? Or tell me more about why you thought it was wrong.

7 A Well, again, I -- I believe the President had every right to pursue every legal
8 avenue he wanted to until the electoral college met.

9 Q Right.

10 A At that point in time, I personally felt like he had exhausted all legal options,
11 and, you know, it was -- it was time to turn the page.

12 Q Yeah.

13 A Was that a right press strategy? I --

14 Q Yeah.

15 A He didn't -- he didn't take my advice, so, you know, would the press have
16 treated him differently if he had? Doubtful.

17 Q Uh-huh. It sounds like your view was not, "Hey," just in terms of effective
18 communications, "you should stop talking about this"? It was more: We tried. We
19 filed 62 lawsuits. Electoral college has met. It's over. It's time to move on.

20 I mean, I don't want to put words in your mouth, but I'm hearing you say your
21 assessment was that this was the -- the right thing based on the -- the facts and what had
22 occurred.

23 A Correct.

24 Q Uh-huh. All right. Anyone else in that category beyond those three
25 lawyers that you think was -- was a voice of keep fighting, contrary to your perspective,

1 even if it's not someone who told you directly, but you heard gossip, was sort of pushing
2 him in the other direction?

3 A Again, gossip was -- was that the chief was not helping -- the chief of staff
4 was -- was not helping close the book on this.

5 Q That the chief may have been on the side of the lawyers, not on the side of --

6 A Well, I've never spoken with the chief of staff about this, so I don't want to
7 put words in his mouth.

8 Q Got it.

9 A Gossip around the building was that -- that he was encouraging the
10 President to also talk about accomplishments, but to also not give up the fight.

11 Q Got it.

12 Do you remember who you heard that from? Anybody that worked directly for
13 the chief?

14 A Not that I recall specifically.

15 Q Do you remember talking to Cassidy Hutchinson or Ben Williamson or Chris
16 Liddell or others that worked directly for the chief about the chief's position on all of this?

17 A Not that I recall.

18 Q Okay. And anything more specific about that gossip, like what -- the source
19 of it?

20 A No.

21 Q Okay. Last question on this. In your view, during this period of time, who
22 were the people that had -- that the President trusted the most, or that, in your view,
23 were most influential to him?

24 A That's a difficult question to answer.

25 Q Yeah. It's a bit speculative. I grant you that. But did you have a sense as

1 to, hey, whose word he really listens to?

2 Mr. Bartolomucci. If you know.

3 [REDACTED] Yeah.

4 The Witness. Yeah. I -- I don't know that I can answer that.

5 [REDACTED] Okay. Okay. I appreciate it. Thank you.

6 [REDACTED] You mentioned Cabinet members in response to one of [REDACTED]
7 questions. I -- I'm not going to try and restate the question, but I think the question was
8 who else had sort of a similar view to yours.

9 Do you recall which Cabinet members you had heard had a similar view to yours?

1 [11:04 a.m.]

2 The Witness. Names that I recall being mentioned to me that wanted to talk
3 about accomplishments included Secretary Mnuchin, Ambassador Lighthizer, Secretary
4 Chao, Administrator Wheeler, Secretary Bernhardt, Secretary Pompeo, Acting Secretary
5 Wolf.

6 BY [REDACTED]

7 Q Do you remember whether Secretary Scalia was one of them?

8 A Not specifically.

9 Q What about Attorney General Barr before he left?

10 A Not specifically.

11 Q Okay. Acting Attorney General Jeff Rosen?

12 A Not specifically.

13 [REDACTED] You look like you have a question.

14 [REDACTED] I do.

15 [REDACTED] Actually before I turn to you --

16 [REDACTED] Go right ahead.

17 BY [REDACTED]

18 Q You listed several Cabinet members. Did you hear all that from primarily
19 one person or did you have a lot of different people that you heard it from?

20 A No. As I indicated, there were several people in the building who felt the
21 same way I did. Those were the names that I recall hearing from several individuals.

22 Q Did you hear it from any of those Cabinet members directly?

23 A Not that I recall.

24 Q Did you hear whether any of those Cabinet members expressed their view
25 directly to the President?

1 A I don't know.

2 [REDACTED] Go ahead.

3 BY [REDACTED]

4 Q So with respect to these conversations that you had with the President in
5 which he discussed whether or not he would concede, I understand that you may not be
6 able to recall all of the specifics, but do you have a sense of roughly how many of these
7 conversations you participated in; fewer than five? More than five? More than ten?

8 A Where I had a conversation with him about encouraging him to concede, or
9 that we needed to turn the page?

10 Q Correct, you personally.

11 A Less than five.

12 Q Do you have a rough sense of how often these conversations were
13 happening in total, including the ones that you didn't participate in?

14 A I have no idea.

15 Q With respect to the ones that you did participate in, do you have a rough
16 sense of when they happened chronologically?

17 A At least one would have been before Christmas, and at least one other one
18 after January 6th.

19 Q Okay. Do you recall any conversations with the President on this issue
20 before the election?

21 A Before the election? No.

22 Q Do you recall hearing anything about conversations with the President
23 where he discussed whether or not he would concede that took place before the
24 election?

25 A No.

1 Q When you communicated to the President after December 14th that you
2 thought he should concede, why did you think it was important to convey your views on
3 this to him?

4 A Well, again, as I think I stated earlier, we elect our President and Vice
5 President using an electoral college. The electoral college had met and voted, and I felt
6 like, at that point in time, it was incumbent upon the sitting President to recognize the
7 situation, to recognize that we had lost, and to turn his attention towards the transition
8 and departure.

9 Q Was it your impression that President Trump wouldn't take those steps
10 unless people were conveying this sort of advice to him?

11 A I'm sorry. I don't know if I follow the question.

12 Q You know, absent receiving the kind of advice that you delivered to the
13 President, was it your sense that he wouldn't have done that?

14 Mr. Field. Just for the sake of the record, object on form and vagueness. I'm
15 not sure what "that" is you're referring to.

16 The Witness. Yeah, I don't know that I can speak to -- don't know that I can
17 speak so what is in the President's mind at that point.

18 [REDACTED] Sure.

19 I don't have anything further.

20 [REDACTED] Okay.

21 BY [REDACTED]

22 Q So going back to your view that once the electoral college met on
23 December 14th and voted that you -- I don't want to put words in your mouth, but it
24 sounds like you essentially thought that the election was over at that point. Implicit in
25 that, it sounds like you did not think that January 6th and the joint session of Congress

1 was an opportunity to change the outcome of the election.

2 Can you explain why?

3 A I mean, no, I didn't think that it was an opportunity. I don't know that I had
4 any legal basis or understanding for why it wasn't. I just didn't personally think that it
5 was.

6 Q And was that that you didn't think Congress had the power to change the
7 outcome of the election, or you just didn't think it would be the right thing to do, or what
8 was your reason for that?

9 A No, I don't think that Congress has the power to change the outcome of an
10 election. I think that the electoral college has met, and that is the election.

11 Q And, similarly, did you think that the Vice President on his own had the
12 power to change the outcome of the election?

13 A My personal viewpoint, again, without any legal basis for it, no, I don't think
14 the Vice President has the power to change the outcome of an election.

15 Q When [REDACTED] was asking you about conversations with the President,
16 I think you mentioned that one of them occurred after January 6th.

17 Can you tell us what you recall about that conversation?

18 A Again, I don't recall the specific date, other than I know that it was after
19 January 6th, and it, again, was me encouraging the President to talk about policy,
20 accomplishments, as well as acknowledge that we were finished, that we were leaving.

21 Q And why did you feel the need to give him that advice?

22 A I don't recall the specifics of the conversation, but I was a deputy assistant to
23 the President, Deputy Press Secretary, and I --

24 Q Well, was the context that he appeared to be considering taking a different
25 approach?

1 A I don't recall the full context of the conversation. I just recall what I told
2 him.

3 Q And do you recall roughly when that was?

4 A It was around the time that we traveled to the border, I think on
5 January 13th, which would have been the last official trip that he took before departing
6 on January 20th.

7 Q Do you recall where you were when you had that conversation?

8 A I believe I was on Air Force One.

9 Q Do you recall who else was participating in the conversation?

10 A Other than the President, no.

11 Q Was it just the two of you alone?

12 A I believe it was just the two of us alone.

13 Q Okay. And what was his response?

14 A If I recall, he acknowledged that we were going to talk about the border and
15 the wall and immigration today and that he would consider talking about other things
16 because others had encouraged him to do the same.

17 Q Did he indicate whether he planned to continue to talk about the 2020
18 election?

19 A He didn't indicate one way or the other.

20 Q Can you recall anything else about that conversation related to the 2020
21 election?

22 A Not that I recall.

23 BY [REDACTED]

24 Q Did he continue to talk about the election being stolen? Judd, you don't
25 understand, they stole it. You know, anything along those lines expressing -- regardless

1 of what he was going to do, expressing a personal belief about the election?

2 A He talked about that a lot. I don't recall if it specifically was addressed in
3 that conversation.

4 Q Okay. Did he continue to talk about that after January 6th --

5 A Yes.

6 Q -- his beliefs -- I'm sorry. I didn't mean to interrupt you.

7 Go ahead.

8 A Yes.

9 Q Okay. Repeatedly? Is that a constant -- not constant; a frequent theme in
10 his statements?

11 A Yes.

12 Q Okay. Didn't really -- January 6th didn't change that core perspective?

13 A No.

14 Q Okay. And anything in this conversation on Air Force One at all stick out
15 beyond, I know we're going to talk about immigration today, I'll think about other stuff,
16 anything more that you recall, anything -- not specific words, but general subjects
17 discussed?

18 A He spoke about rioters, people who stormed the Capitol Building.

19 Q What did he say about that?

20 A He indicated his belief -- or reiterated his belief that antifa and BLM activists
21 and others likely had infiltrated within his own supporters.

22 Q Okay. Did he say that on Air Force One during that conversation?

23 A Uh-huh.

24 Q Yes? You have to answer "yes" or "no."

25 A Yes.

1 Q Okay. Did he say that on other occasions, his belief that antifa had
2 infiltrated the crowd on January 6th?

3 A Yes.

4 Q Did he cite any evidence for that or where he had heard that or what the
5 basis of that was?

6 A He did, but I don't recall the evidence that he provided.

7 Q Was it news reporting or personal accounts, or do you recall the nature of it,
8 the support?

9 A I don't recall specifically.

10 Q Okay. What else did he say, if anything, about January 6th about what had
11 happened at the Capitol?

12 A That's the only thing I recall him mentioning of January 6th.

13 Q Okay. How about on other occasions? Anytime thereafter, do you
14 remember him saying other observations, other things about January 6th?

15 A At one time he indicated that he didn't want to talk about January 6th.

16 Q Did he say why?

17 A No.

18 Q Okay. How did that even come up?

19 A If I recall, it was around the time of -- it was near January 6th, and he was
20 just tired of talking about it. He didn't want to talk about it, didn't want to acknowledge
21 it.

22 Q Did this come up, Mr. Deere, in the context of an opportunity for him to say
23 something or even a draft of something and him being resistant to sort of talking about
24 that publicly?

25 A If I recall, it was for him to say something --

1 Q Okay.

2 A -- publicly.

3 Q Yes. And, again, tell me everything you can recall about why he didn't want
4 to say something about January 6th.

5 A I don't recall specifically other than he just didn't want to talk about it
6 anymore. He was tired of talking about it.

7 Q All right. Do you remember how long after January 6th that conversation
8 was, roughly?

9 A I think it was, like, Friday, January 8th, or maybe even that following
10 Monday. It was around the -- it had been several days.

11 Q Okay. But not several weeks?

12 A Correct.

13 Q This was sort of later -- January 6th was a Wednesday.

14 A Correct.

15 Q So this was sometime later that week or over the weekend?

16 A It also could have been in preparation for the border trip.

17 Q Okay.

18 A I just recall him saying he didn't want to talk about it.

19 Q I see. All right.

20 And, again, reason for that was you said tired of it or had already said what he
21 wanted to say? Tell me more what the basis was.

22 A The only thing I recall is him saying he didn't want to talk about it, he was
23 tired of talking about it.

24 Q Okay. Were you and others encouraging him to talk about it, saying he
25 should say something about it?

1 A Yes.

2 Q Tell me more. What did you or others suggest that he should say or would
3 say?

4 A I felt that it would be incredibly odd not to acknowledge it.

5 Q And did you express that to him?

6 A Yes.

7 Q And what was his response?

8 A He, again, reiterated that he was tired of talking about it.

9 Q Okay.

10 A Didn't want to talk about it.

11 Q In your view, had he not sufficiently addressed it with his public -- his initial
12 statement on January 7th?

13 A On January 7th or January 6th?

14 Q Whenever his initial statement was released. I thought it was on the 7th --
15 [REDACTED] I believe he did statements on the 6th and the 7th.

16 [REDACTED] You're right, he did.

17 BY [REDACTED]

18 Q Regardless of when, did you feel at this time that whatever he had said, at
19 whatever time, was somehow insufficient?

20 A If I'm recalling correctly, the following week, the lead into the border trip
21 may have been his first public appearance in person, not on a video. And, yes, I felt like
22 he should still acknowledge it in some capacity since he had not done a public event to
23 that point.

24 Q Yeah, I think you're exactly right. He did not do a public event until the
25 following week.

1 Did others share your view and similarly encourage him to address it or say
2 something about January 6th at that first public appearance?

3 A Yes.

4 Q Who?

5 A Kayleigh.

6 Q Okay. Was she part of the same conversation?

7 A Yes.

8 Q Anyone else?

9 A I don't recall anyone else.

10 Q Okay.

11 And then at that first public appearance, what happened? Was he asked about
12 it? Did he address it or not?

13 A I don't recall if he addressed it in the remarks or not.

14 Q Okay. Any other conversations with him about January 6th that you can
15 recall?

16 A Not specifically.

17 Q Have you talked to him since the administration ended, since January 20th?

18 A Yes.

19 Q Have you talked about it since then, since neither of you are any longer
20 working together at the White House?

21 A Yes.

22 Q Tell us what he said. How many times have you talked to him about it?
23 And tell us about those conversations.

24 A He acknowledged -- he acknowledged that it was a terrible day, but he
25 believes that many of his supporters are being mistreated, and that he doesn't believe

1 that the rioters and people who instigated violence in the summer of 2020 had been held
2 to the same scrutiny and standards as his supporters, who may or may not have stormed
3 the Capitol had been.

4 Q When you say "may or may not have stormed the Capitol," what do you
5 mean? I know I'm asking you to interpret what he meant, but I'm trying to understand
6 that. People did storm the Capitol. Does the "may or may not" mean whether they
7 were his supporters?

8 A Again, I can't tell you what's in his head, but that is my interpretation of
9 what he is saying.

10 Q I see.

11 Did he in these subsequent conversations after January 20th continue to say antifa
12 or others had infiltrated, somehow infiltrated the crowd?

13 A I don't recall him saying antifa specifically, but not my people.

14 Q Okay. Is this one conversation, Mr. Deere, you're talking about, or is this a
15 series of conversations?

16 A This is one conversation.

17 Q When and where did that take place?

18 A This would have been in April of 2021 at Mar-a-Lago.

19 Q Okay. What was the reason, the occasion that brought you there and
20 prompted the conversation?

21 A Senator Hagerty was doing a one-on-one meeting with him, and they both
22 asked that I join the meeting.

23 Q Because you worked for the President and now were working for Senator
24 Hagerty? I see.

25 A [No verbal response.]

1 Q Okay. So you accompanied Senator Hagerty to Mar-a-Lago to meet with
2 the President?

3 A Correct.

4 Q I see.

5 Is that the only conversation with him that you had about anything since you left
6 employment at the White House?

7 A No.

8 Q Okay. Have there been telephone or other conversations or other
9 meetings?

10 A Not telephone. There has been one other meeting.

11 Q Okay.

12 A August of 2021 --

13 Q Okay.

14 A -- at his property in Bedminster, New Jersey, also with Senator Hagerty.

15 Q All right. Did he say anything then about January 6th?

16 A I don't recall him bringing up January 6th at that meeting.

17 Q Okay. So everything that you discussed earlier about his views on
18 January 6th post administration were from that April conversation at Mar-a-Lago?

19 A Correct.

20 Q All right. Anything else that he said during that conversation about
21 January 6th that you can recall?

22 A I don't recall that.

23 Q Okay. Did he cite anything as evidence for the views that his supporters
24 were being mistreated, the summer protestors weren't similarly held accountable, the
25 infiltration of the crowd by not his people, all of those statements, did he say, I read that

1 here or someone -- this person told me that?

2 A I don't recall if he did or not.

3 Q You don't -- does that -- do you recall that he did cite evidence and you don't
4 recall what it is, or you're not recalling whether he cited any such evidence?

5 A I don't recall if he cited any evidence.

6 Q Okay.

7 All right. And when he said all of this, Mr. Deere, what did you say? What was
8 your response?

9 A I don't recall engaging in this portion of the meeting. Again, it wasn't my
10 meeting. I was asked to sit in. There were certainly moments in the conversation that
11 I weighed in, but I don't recall engaging the January 6th discussion.

12 Q Okay. He was talking, not looking for your views, but just talking about
13 what had occurred?

14 A [No verbal response.]

15 Q Yes?

16 A Yes.

17 Q Okay. Anything else at all in that conversation that you recall?

18 A No.

19 Q Okay.

20 Have you talked to him about the subpoena that you received to come to testify
21 before the select committee?

22 A No.

23 [REDACTED] Okay.

24 The Witness. Could we take a break?

25 [REDACTED] Absolutely. We should say whenever you need one, you just say

1 the word and we'll break.

2 [REDACTED] And I'll just note before we go off the record that Congressman
3 Aguilar has joined us.

4 How long a break would you like to take; 5, 10 minutes?

5 The Witness. Ten minutes is fine.

6 [REDACTED] Ten minutes. Okay. We'll resume in about 10 minutes.

7 We'll go off the record.

8 [Recess.]

9 [REDACTED] Okay. We'll go back on the record.

10 BY [REDACTED]

11 Q So, Mr. Deere, I would like to now step back and walk through things
12 somewhat chronologically, starting with election night, November 3, 2020.

13 Do you recall where you were on election night? Actually, let me ask a different
14 question.

15 Were you at the White House on election night?

16 A Yes.

17 Q That's what I was interested in.

18 Did you have any conversations with the President on election night?

19 A No.

20 Q Did you have any interactions with Mayor Rudy Giuliani on election night?

21 A No.

22 Q Did you hear anything about anything that Rudy Giuliani said about whether
23 or not the President should -- let me rephrase that.

24 Did you hear anything about what Mayor Giuliani said on election night to the
25 President about what he should say about the election?

1 A Only what's been reported in the media.

2 Q Just -- not to quibble with words, but you heard it only through the media,
3 not that you heard the same thing from somebody other than the media?

4 A Correct.

5 Q Okay.

6 Were you involved at all in the preparation of the speech that President Trump
7 delivered on election night?

8 A No.

9 Q Do you know who was involved in preparing his remarks?

10 A No.

11 Q So in the days immediately following the election, so we'll say a week or so
12 after the election, do you recall any conversations about how the White House press
13 office should respond to press inquiries about the election?

14 A Again, as I stated earlier, anything involving Donald Trump as a candidate for
15 office, or the 2020 election would have been handled by the President's campaign, not
16 the White House.

17 Q So as I mentioned earlier, we on the committee understand that Kayleigh
18 McEnany, in addition to her White House responsibilities also, whether after hours or
19 whenever it might be, made a lot of TV appearances where she may have been sort of
20 informally acting on behalf of the campaign.

21 Did you have discussions with Ms. McEnany about any of those television
22 appearances where she did talk about the 2020 election?

23 A I don't recall them if I did.

24 Q Okay. If you'll look at exhibit 4 in your binder.

25 This looks like a tweet from Erin Perrine?

1 A Perrine.

2 Q Perrine. Thank you.

3 And it looks like you retweeted it. First of all, who is Erin Perrine?

4 A Currently or then?

5 Q Then.

6 A She would have been on the communications team for the campaign.

7 Q And then when you retweeted it, is that from a personal Twitter account or
8 official Twitter account in the sense that there even is a relevant distinction there?

9 A This is my personal account.

10 Q And you can see in this exhibit 4, there are several tweets here that you
11 retweeted. Feel free to take a moment to look them over. You may have already done
12 so in preparation for this. But several of those, if not all of them, refer to allegations of
13 election fraud.

14 Can you explain -- we don't need to go through each one, but explain in general
15 why you were retweeting these tweets that contained allegations of election fraud?

16 A If I recall correctly, these would have been in the days immediately following
17 the 2020 election, and I elected to amplify them on my personal Twitter account.

18 Q And what was the objective in doing so?

19 A As a private citizen, I was personally supportive of President Trump winning
20 the 2020 election, and this was -- these were items that the President's campaign were
21 pushing or involved in in the days immediately following the election, and I was
22 supportive of that effort.

23 Q In the days following the election, so we're talking now before
24 December 14th, which was an important date we talked about before, did you believe
25 that it was still possible that Donald Trump could end up being the winner of the 2020

1 election?

2 A Yes. But with every passing day, I thought it was becoming more
3 challenging and difficult.

4 Q And why is that?

5 A Well, as I've indicated, December 14th is an important day, and as you get
6 closer and closer to that day, I think the odds are less and less likely. It also certainly
7 became more challenging, in my opinion, when all of the media operation on Saturday,
8 November 6th -- 5th or 6th declared Joe Biden the winner.

9 Q May have been the 7th.

10 A Math has never been my strong suit.

11 [REDACTED] Am I right?

12 [REDACTED] It is the 7th.

13 The Witness. I do communications, not math.

14 [REDACTED] Lawyers don't do math either.

15 [REDACTED] I was told there would be no math in this deposition.

16 BY [REDACTED]

17 Q In addition to that, there were several lawsuits, and I don't recall exactly
18 when the court rulings were, but did court rulings also factor into your changing view
19 over time that it became less and less likely that President Trump could be declared the
20 winner?

21 A Certainly.

22 Q Can you explain that?

23 A Certainly. If you lose a lawsuit, then you haven't prevailed. It's not going
24 in the direction that you want it to go.

25 Q And in the time period between the November 3rd election and the

1 December 14th meeting of the electoral college, did you view the court system as the
2 primary mechanism by which the President could challenge the results of the election?

3 A Yes, I suppose litigation is what I viewed as the primary means.

4 Q Were there other means?

5 A If there were, I wasn't aware of them.

6 Q Okay. If you look at exhibit 5, this appears to be a series of texts between
7 you and Evan Hollander.

8 Who is Evan Hollander?

9 A Congresswoman DeLauro's communications director.

10 Q Did he ever serve in the Trump administration?

11 A No.

12 Q Towards the bottom of the first page, there are two tweets in blue, which I
13 believe means --

14 A Texts.

15 Q I'm sorry.

16 [REDACTED] Not tweets, texts.

17 [REDACTED] Thank you.

18 I make that mistakes often. So anytime I just referred to tweets in the past
19 couple of moments should be references to texts.

20 BY [REDACTED]

21 Q There are a couple of texts that are in blue which I believe means that you
22 sent them to Mr. Hollander, and you wrote, I mean -- well, he asks, "How ya holding up?"

23 And you wrote, "I mean I've had better weeks but we are where we are. Losing
24 seems inevitable but we are going to exhaust legal options and then concede."

25 Then I'll have to figure out what's next.

1 So let's break that apart a little bit. When you say, I've had better weeks, what
2 did you mean by that?

3 A I expected us to win on Election Day. That did not certainly pan out as I
4 expected it to.

5 Q And I believe, although I don't think it's reflected here on the page, that
6 those two texts that I mentioned, that I just read, were from early morning November 7,
7 2020.

8 And then you wrote, Losing seems inevitable.

9 Why did you think losing was inevitable or seemed inevitable at that time?

10 A I was talking to a friend who is a Democrat. Maybe I softened my language.

11 Q Was it your view that you thought at that point losing was inevitable?

12 A I wouldn't say that I thought that it was inevitable. Maybe in my
13 conversation to Evan I was, again, softening my approach to him, but that certainly wasn't
14 how I felt personally at that moment.

15 Q Do you recall how you felt at that moment?

16 A Well, is there -- you said this is November 7th?

17 Q I believe so.

18 [REDACTED] That's correct.

19 The Witness. Yeah. I mean, on November 7th I -- I mean, as you mentioned
20 earlier, that may be the day that media outlets called the race for President Trump.
21 That was certainly a setback?

22 Mr. Field. Biden, for President Biden.

23 The Witness. Yeah, had called the race for President Biden.

24 [REDACTED] That would have been a significant development in our investigation,
25 by the way.

1 Mr. Field. For the sake of a clear transcript.

2 The Witness. But I still believed that the President had every right to exhaust
3 legal options, which is what my next part of the sentence says.

4 BY [REDACTED]

5 Q Okay. So let's go to the next part sentence where you wrote, "We're going
6 to exhaust legal options and then concede."

7 What did you base that on?

8 A My own gut feeling that we would do the right thing.

9 Q And what was the right thing?

10 A That we would recognize when we needed to concede.

11 Q And when, in your mind, would that have been?

12 A I don't know that I had a date in mind at that specific point in time. I felt
13 like we would exhaust all legal options and then we would concede.

14 Q Okay. So --

15 A I don't know that when I wrote this that I was thinking December 14th.

16 Q I understand.

17 Is it fair to say that the gist of what you were saying is that you thought litigation
18 was the available option for challenging the results of the election, but if the litigation
19 failed, then it would be time to concede?

20 A Yes.

21 Q Okay. Was that view -- well, you wrote here -- and I understand it was just
22 a text which may have been late at night or early in the morning, so I don't want to be too
23 literal about it. But you said, "We are going to exhaust legal options and then concede."

24 It seems like that was not just a view of what you thought should happen, but you
25 seemed to have some reason to think that that's what would happen. Is that correct?

1 A Well, I believe that the RNC was already pursuing several legal options at
2 that point in time in the Trump campaign.

3 Q Had anybody, whether in the White House or elsewhere, indicated that the
4 plan was that if the litigation failed, the President would concede?

5 A I don't recall a discussion on that.

6 [REDACTED] Anything else on that?

7 [REDACTED] No.

8 BY [REDACTED]

9 Q Mr. Deere, with respect to the retweets that [REDACTED] asked you about in
10 exhibit 4, are those still up on your personal Twitter account?

11 A To the best of my knowledge, they are. I conducted a search of my
12 personal Twitter account in preparation for this. I don't recall the retweets being in
13 what I provided, but it's also very difficult to search old tweets past a certain date.
14 Certainly page 6 is something that I believe I provided.

15 Q I think that's right. I will represent that you did produce that message to
16 us.

17 Is there -- you know, to the best of your recollection, did you ever delete retweets
18 or delete messages that you had previously tweeted?

19 A I don't recall if I did.

20 Q And is it fair to say you don't recall whether you deleted these
21 messages -- your retweets, I should say?

22 A To the best of my knowledge, I did not delete them.

23 [REDACTED] Okay.

24 BY [REDACTED]

25 Q Okay. So on November 7, 2020, Rudy Giuliani and some other people

1 hosted a press conference in Philadelphia, Pennsylvania, which was at the Four Seasons,
2 and, as has widely been reported, turned out not to be the fancy hotel, but instead a
3 landscaping business.

4 Did you have any involvement in that at all?

5 A No.

6 Q Did you watch it?

7 A I recall it being on the TV. I don't recall the audio being on.

8 Q Okay. Do you recall learning about what Mayor Giuliani said there?

9 A Certainly, yes.

10 Q And what was your reaction to it?

11 A Disbelief.

12 Q Why?

13 A It just seemed odd.

14 Q What was odd about it other than the locations being at the Four Seasons
15 Landscaping?

16 A Again, personally, the approach seemed odd. There was a track moving
17 with litigation being conducted by the RNC and the Trump campaign, and then there now
18 seemed to be this different branch beginning. Where that would lead, I had no idea.

19 Q Explain why you viewed it as a different branch, so different -- it sounds like
20 different from the litigation that you just mentioned?

21 A It just didn't seem to be affiliated with the litigation that had been
22 conducted thus far.

23 Q Do you recall whether you had conversations about that press conference
24 with anybody else at the White House?

25 A I don't recall.

1 [REDACTED] Are you going to move on from the Four Seasons?

2 [REDACTED] I was, but if you have more questions, go ahead.

3 [REDACTED] Yeah.

4 BY [REDACTED]

5 Q I guess before we get too deep into the chronology, I wanted to go back,
6 with respect to Mr. Giuliani, to election night. Do you remember seeing him at the
7 White House on election night?

8 A I don't.

9 Q Okay. Were you aware of any discussions that he or others had with the
10 President about what the President should say on election night, say to the Nation, I
11 mean, like a public statement?

12 A Not beyond what I have read in the media that was supposedly said to him
13 that night.

14 Q Yeah. And I don't need to ask you to recount the media. I just wondered
15 if you had any personal awareness, Mr. Deere, of any discussions about his first
16 statement after the election late at night or early morning on Wednesday?

17 A No.

18 [REDACTED] Okay. That's all.

19 Thank you.

20 BY [REDACTED]

21 Q On November 9, 2020, campaign manager Bill Stepien met with
22 Representative Scott Perry, Representative Jim Jordan, Chief of Staff Mark Meadows,
23 Stephen Miller, and Kayleigh McEnany.

24 According to public reporting, the group settled on a strategy that would become
25 a blueprint for Mr. Trump's supporters in Congress which is hammer home the idea that

1 the election was tainted, announce legal actions being taken by the campaign, and
2 bolster the case with allegations of fraud.

3 First of all, were you in that meeting?

4 A No.

5 Q Do you remember discussing that meeting with Ms. McEnany or anybody
6 else?

7 A Not that I recall.

8 Q Do you have any knowledge of that meeting other than what you may have
9 seen in the media?

10 A No.

11 Q Around that same time the campaign started pushing out messages making
12 claims of election fraud related to the use of Dominion voting systems machines.

13 Do you recall how you first heard about those allegations of fraud related to
14 Dominion voting machines?

15 A I don't recall when I first heard about the allegations.

16 Q Do you recall whether you learned about it through the media versus
17 somebody either on the campaign or in the White House?

18 A I don't recall.

19 Q Okay. On November 19, 2020, Rudy Giuliani, Sidney Powell, and Jenna Ellis
20 spoke at a press conference at the RNC headquarters in Washington, D.C. Ms. Powell
21 made a lot of claims about election fraud, including the Dominion voting system machine
22 issues that I just discussed, and she went even further and said that those machines were
23 created at the direction of Hugo Chavez and were used to flip votes from Trump to Biden.

24 First of all, did you attend that press conference?

25 A No.

1 Q Did you have any role in preparing for that press conference?

2 A No.

3 Q Okay. There has been a lot of news reporting about President Trump
4 allegedly putting pressure on the Department of Justice officials to conduct investigations
5 about election integrity.

6 Do you have any personal knowledge of that, other than what you may have seen
7 in the media?

8 A No.

9 Q So you didn't have any -- did you have any conversations with the President
10 about the Department of Justice's role in investigating election fraud?

11 A Not that I recall.

12 Q Did you have any conversations with Kayleigh McEnany about the
13 Department of Justice's role in investigating election fraud?

14 A Not that I recall.

15 Q Do you have any knowledge, other than what you may have seen in the
16 media about President Trump's consideration of appointing Jeffrey Clark as Acting
17 Attorney General?

18 A Could I ask for a clarification? Was that our Acting Attorney General or --

19 Q No, he did not become Acting Attorney General. So when Bill Barr left, Jeff
20 Rosen, who's the Deputy Attorney General, became acting Attorney General. As you
21 may have seen in news reports, an Assistant Attorney General named Jeffrey Clark had
22 communications with the President about taking additional action, being more
23 aggressive, which could have included things like sending letters to State officials saying
24 they should convene their State legislatures. And the news reports indicate that at
25 some point the President even went so far as to say to Jeff Clark that he was going to

1 appoint him Acting Attorney General, but he ultimately did not.

2 So to the extent that refreshes your recollection, do you have any knowledge of
3 that other than what you may have seen in the media?

4 A No.

5 Q And you don't remember discussing that with the President?

6 A No.

7 Q Do you remember discussing it ever with Kayleigh McEnany?

8 A No.

9 Q Were you involved in any discussions about the possibility of a special
10 prosecutor or a special counsel being appointed to investigate election fraud?

11 A Not that I recall.

12 Q Were you involved in any conversations about the Federal Government
13 potentially seizing voting machines from the States?

14 A Not that I recall.

15 Q Were you involved in any conversations about possibly using the
16 Department of Homeland Security or any other Federal agency to investigate allegations
17 of voter fraud?

18 A No.

19 Q Do you have any familiarity, other than what you might have seen in the
20 media, regarding any of President Trump's conversations with State officials in contested
21 States, I'll call them, regarding the outcome of the 2020 election?

22 A I'm sorry. Could you repeat the question?

23 Q Sure.

24 We understand that President Trump had numerous phone calls with State
25 officials, in some cases, Secretaries of State, or Governors, I mentioned the Brad

1 Raffensperger call, which you're familiar with, but also calls with leaders of State
2 legislatures.

3 Do you have any familiarity with any of those calls, other than what you may have
4 seen in the media?

5 A Nothing beyond what I have seen in the media.

6 Q Okay. If you can look at exhibit 8, this is an email from you on your White
7 House account, Thursday, December 10. It says, "President Trump will have lunch with
8 a dozen State attorneys general," and then lists them. After the list it says, "On
9 background, the attorneys general are in town for pre-planned meetings not associated
10 with the White House, and this luncheon was planned around that meeting several weeks
11 ago."

12 Do you recall what the purpose of the meeting was between the President and
13 State attorneys general?

14 A Exactly as I stated in this. It was to discuss shared interests between the
15 Federal Government and States attorneys general and continuing that partnership.

16 Q Did you attend the meeting?

17 A The meeting was a luncheon. I did not attend the luncheon, but I was in
18 the room, given that I used to work for one of the individuals, and I know many of the
19 other attendees, but I departed when the President came in, given that it was a private
20 luncheon.

21 Q Okay. And did the President give remarks?

22 A I wasn't in the room, so I -- but to the best of my knowledge, that was not
23 planned. He may have spoken in terms of conversation, but I don't know if he gave
24 remarks or not.

25 Q Do you know whether he had any conversation with any or all of those State

1 attorneys general regarding the 2020 election?

2 A I do not know. I wasn't in the room.

3 Q Do you know who was in the room?

4 A From a staff level?

5 Q Yes.

6 A I do not know.

7 Q Are you aware of any discussions with anyone in the White House, whether
8 the President or staff, about efforts to convene alternate slates of electors in certain
9 States that Joe Biden had won?

10 A I'm not aware of any of those conversations.

11 Q If you look at exhibit 28, so it looks like a tweet from your account dated
12 December 27, 2020.

13 My understanding is this tweet is part of a larger thread in which you're reposting
14 excerpts from the President's statements regarding the Coronavirus Relief Bill, and then it
15 says here, "Likewise, the House and Senate have agreed to focus strongly on the very
16 substantial voter fraud which took place in the November 3rd presidential election."

17 Mr. Bartolomucci. Hey, [REDACTED]?

18 [REDACTED] Yes.

19 Mr. Bartolomucci. Before he gets into your questions, I brought copies of the
20 longer thread --

21 [REDACTED] Oh, good.

22 Mr. Bartolomucci. -- since it's a document we produced. Could we talk about
23 this document at the same time that we talk about yours?

24 [REDACTED] Sure. And we can have it included in the record.

25 Mr. Bartolomucci. That would be great.

1 [REDACTED] Do we need to give it a new number?

2 [REDACTED] You can mark it as B.

3 [REDACTED] Okay. We'll just call it 28B.

4 Mr. Field. For the record, it's JPD0605 from our production.

5 [REDACTED] Thank you.

6 [Deere Exhibit No. 28B

7 Was marked for identification.]

8 BY [REDACTED]

9 Q So the document Mr. Bartolomucci just handed me may answer the
10 question, but that language I just read, so, "Likewise, the House and Senate have agreed
11 to focus strongly on the very substantial voter fraud which took place in the
12 November 3rd presidential election."

13 Are those your words or the President's?

14 A The President's.

15 Q Okay. But you were retweeting it?

1

2 [12:07 p.m.]

3 The Witness. I think, if you look at my official Twitter account, I routinely took
4 press statements or prepared statements that we released from the White House, be it
5 from the press secretary or from the President, and routinely created tweet threads off of
6 the language within that statement. And this is -- that's what this is.

7 BY [REDACTED]

8 Q Okay. And so this is -- is this your official Twitter account?

9 A Yes.

10 Q Okay. And --

11 A And, by official, meaning I had it because of my service at the White House.
12 I no longer have access to it.

13 Q I understand.

14 And so, then, did you retweet all of the President's tweets?

15 A No. No.

16 Q Okay. And is there any particular reason why you retweeted that particular
17 one that I just read?

18 A Well, I didn't retweet anything here. Again, I just took the words out of his
19 prepared statement and put them into a thread.

20 Q Did you have any concerns about putting that language into the thread?

21 A No. They were his words.

22 Q I understand these were the President's words, not yours. But at the time
23 that you put those into the thread, did you believe that the President there was referring
24 to the upcoming January 6th joint session of Congress?

25 A No.

1 Q Okay. What did you think he was referring to?

2 A I mean, the sentence is quite short. "The House and Senate have agreed to
3 focus strongly on the very substantial voter fraud which took place in the November 3rd
4 Presidential election." The House and Senate are going to focus on it.

5 Q Okay. And did you have any understanding of what that meant, for the
6 House and Senate to focus strongly on it?

7 A Nope. I'm not a member of either one of those bodies.

8 Q No. I meant more what -- did you have any understanding what the
9 President meant when he used those words?

10 A I do not. I can't tell you what was in his head at the time.

11 Q Do you know what he based that view on, that the House and Senate would,
12 in fact, focus strongly on the substantial voter fraud, to use his language?

13 A I do not.

14 Q Okay. Did you have any conversations with the President about that
15 particular language?

16 A No.

17 Q Did you have any conversations with anybody at the White House about it?

18 A I don't recall if I did.

19 Q Did you have any knowledge at the time that President Trump or others
20 were placing pressure on Vice President Pence to use his role as President of the Senate
21 to reject electoral votes from certain States?

22 A Did I have any knowledge of it?

23 Q Yes.

24 A No.

25 Q But surely you eventually learned about it in the media?

1 A Yes.

2 Q Did you have any conversations about the Vice President's role in the
3 January 6th joint session of Congress with the President?

4 A Not that I recall.

5 Q Did you have any conversations about the Vice President's role in the
6 January 6th joint session of Congress with anybody in the staff at the White House?

7 A Not that I recall.

8 Q Do you know John Eastman?

9 A No.

10 Q Did you hear anything other than through the media about Mr. Eastman's
11 role in advising the President?

12 A No.

13 Q Did you ever have a conversation with the President where, as far as you can
14 recall, John Eastman was even mentioned?

15 A A conversation with the President where Mr. Eastman was mentioned?

16 Q Yes.

17 A No.

18 Q Okay. Do you have any familiarity with a so-called war room that was set
19 up at the Willard Hotel in the days leading up to and including January 6th for
20 representatives of the President's campaign?

21 A Not beyond what's been reported in the media.

22 BY [REDACTED]

23 Q Before you leave the Vice President, let me just ask generally as a matter of
24 course, Mr. Deere, was there coordination between the Vice President's press team and
25 you and the others that worked for the President on those media matters?

1 A On media matters generally?

2 Q Yeah.

3 A Yes.

4 Q Would it be standard practice, if they were to put something out, they would
5 notify someone on your team and vice versa, if you were going to put something out,
6 you'd notify them? Was there that kind of coordination or communication?

7 A Yes.

8 Q Okay. Do you recall any coordination with the Vice President about things
9 the Vice President -- the Vice President's statement, for example, issued on January 6th.
10 You know, he issued a long letter, put that out by Twitter. Was there any heads-up or
11 coordination about that with the White House press office?

12 A If there was, I wasn't aware of it.

13 Q Okay. How about any other election-related statements, coordination that
14 you're aware of, if any, with the Vice President's communications people?

15 A I don't recall it if there was.

16 Q Okay. Not just about the statement, but generally about that issue?

17 A Not that I --

18 Q Okay.

19 A Not that I recall.

20 Q All right. Thank you.

21 ██████████ I need just a moment.

22 The Witness. Sure.

23 ██████████ Okay. I'm not trying to play any tricks here. There is a document
24 that you all produced that I'm now realizing I'd be interested in asking about. It might
25 take us a minute to bring it up. I'm just going to read what I know about it, and if you

1 want, we can pause and bring it up. I can also, you know, talk to your counsel if you
2 wanted to.

3 Mr. Bartolomucci. Do you know the Bates number?

4 [REDACTED] I do. The Bates number ends in 47229.

5 [REDACTED] From the Bates numbers that you produced, it would end on 286.
6 [REDACTED] 286.

7 Mr. Bartolomucci. 286. One sec.

8 [REDACTED] And I believe that's a fairly long produced document, and the
9 specific page number is 38.

10 [REDACTED] Yep.

11 So this is on the topic of the Willard Hotel. And my understanding is that a
12 reporter asked about --

13 Mr. Field. If we can just interject. If we can just find the page first for the
14 witness to look at.

15 [REDACTED] Sure.

16 Mr. Field. What's the specific Bates number of the page you're asking about?

17 [REDACTED] I will get it for you.

18 Mr. Field. Okay.

19 Mr. Bartolomucci. At first I thought you said 286, and then I heard 38.

20 [REDACTED] So the Bates number 286 is the first page of the document, but I
21 will pull up the specific Bates number of the exhibit [REDACTED] is interested in discussing.

22 [REDACTED] So hopefully we're -- if you want, I can just read to you what I think is
23 the relevant passage and you can tell me if that's --

24 Mr. Field. Is that the --

25 [REDACTED] I can't tell from my notes here if you're on the same page.

1 Mr. Field. Okay.

2 ██████████ But my understanding is that there was a text message from a
3 reporter asking about President Trump having called people at the Willard or people
4 reported to be at the Willard on the morning of January 6th, and you responded, "Yeah,
5 that -- IDK," which I assume means I don't know, "but I wouldn't be surprised."

6 ██████████ Just to confirm for the record, the Bates numbers of those two
7 pages end in 323 and 324.

8 Mr. Field. Got it.

9 BY █████

10 Q So it sounds like you were not familiar with that particular call, but do you
11 recall why you wrote, "I wouldn't be surprised," that the President called over to the
12 Willard Hotel room?

13 A Could you repeat the question?

14 Q Yes. So it looks like you got a question from a reporter about the President
15 having reportedly called people at the Willard or people reported to be at the Willard,
16 and then you responded, "Yeah, that -- IDK," which I assume is I don't know, "but I
17 wouldn't be surprised."

18 Do you recall why you said you wouldn't be surprised if the President had called
19 over to the Willard?

20 A The President called lots of people.

21 Q Did you have a general awareness of what was going on at the Willard?

22 A No.

23 Q Okay. Were you involved in any of the meetings or conversations about
24 planning or preparing for any of the events on January 6th, 2021, meaning the rally at the
25 Ellipse or the march to the Capitol?

1 A Yes.

2 Q Okay. Could you tell us about those?

3 A In my role as deputy press secretary and the primary point of contact in the
4 press office that managed access and movements of the President's protective press
5 pool, I was read in on his movement to the Ellipse and where the press and the protective
6 pool would be and their movement back to the White House.

7 Q Were you involved in any conversations about whether the President would
8 go to the Capitol on January 6th?

9 A Yes, but jokingly.

10 Q Tell us about those.

11 A Several days before January 6th, there were a handful -- a small handful of
12 conversations about whether or not the President would or would not walk, ride, march
13 to the Capitol, all of it -- all of them in a joking, laughed-off fashion.

14 Q What prompted you and others to have those conversations? Did you have
15 some reason to believe that the President was considering going to the Capitol?

16 A I had heard from individuals that he had expressed an interest in going to
17 the Capitol.

18 Q Who were the individuals who told you that?

19 A Individuals that work in outer Oval or the area directly outside the Oval
20 Office.

21 Q What are their names?

22 A Molly Michael and Nick Luna.

23 Q And were those separate conversations, or the three of you talking all at
24 once?

25 A I don't recall. Yeah, I don't recall if they were separate or all at once.

1 Q To the best of your recollection, what did Molly Michael tell you about the
2 possibility of the President going to the Capitol on January 6th?

3 A That he had expressed that he might like to march, walk to the Capitol.

4 Q Okay. Did she say whether the President had said that directly to her?

5 A She did not.

6 Q Okay. Was she joking about it, or did she appear as though she thought the
7 President might actually do it?

8 A It was lighthearted, in jest. It was, "He said this today. You won't believe
9 what he said today."

10 Q So would you describe it as somewhat dismissive?

11 A Yes.

12 Q Not that the President necessarily was joking, but that she thought it was
13 not realistic?

14 A Correct.

15 Q And what's your understanding of why it would not have been realistic for
16 the President to have gone to the Capitol?

17 A We're talking about the President marching to the Capitol.

18 Q Okay. So she said marching?

19 A Well, I mean --

20 Q Or walking?

21 A Yes. Yes. Marching, walking. I've never seen the man walk across a golf
22 course without a golf cart. I can't imagine him walking up Pennsylvania Avenue. But
23 also the security concerns.

24 Q Did she say anything about what the President intended to do when he got
25 to the Capitol?

1 A No.

2 Q Okay. Nothing about whether he was planning to give remarks, nothing
3 about whether he planned to actually go into the Capitol or anything like that?

4 A No, because it was never serious that he was going to go to the Capitol.

5 Q And do you recall roughly when that conversation with Molly Michael was?

6 A It was in the days leading up to January 6th. I don't recall the specific day.

7 Q Okay. Tell us what you can recall about your conversation with Nick Luna
8 about whether the President would go to the Capitol on January 6th.

9 A It was very similar to the conversation with Molly.

10 Q To the best of your recollection, what did Mr. Luna tell you about what the
11 President said?

12 A Just that the President had expressed an interest in going to the Capitol.

13 Q Okay. And did Mr. Luna say anything about whether the President said
14 what he wanted to do when he got to the Capitol?

15 A No.

16 Q Did Mr. Luna also seem dismissive of the possibility?

17 A Yes.

18 Q Do you recall having conversations with anybody else, besides Ms. Michael
19 and Mr. Luna, about whether the President would go to the Capitol on January 6th?

20 A Yes.

21 Q Who else?

22 A Hannah Salem.

23 Q And who is Hannah Salem?

24 A She was an outside contractor that the rally organizers had contracted with
25 to help coordinate advance and press advance.

1 Q Okay. And do you recall when you had that conversation with Ms. Salem?

2 A New Year's Day.

3 Q And, to the best of your recollection, what did she say?

4 A If I recall correctly, the conversation was, "And you've" -- me, to her -- "And
5 you've heard no mention of him actually walking or going to the Capitol?"

6 Q And what did she say?

7 A She laughed and said, "No, he's not going to the Capitol."

8 Q Okay. Did she indicate how she knew he wasn't going to the Capitol?

9 A No.

10 Q Did you have conversations with anybody else about the President
11 potentially going to the Capitol?

12 A Yes.

13 Q Who else?

14 A Tony Ornato.

15 Q Okay. Tell us about your conversation with Mr. Ornato.

16 A I reconfirmed with him again that there was no plan for the President to go
17 to the Capitol.

18 Q When was that?

19 A If I recall correctly, it was January 5th.

20 Q Okay. And what made you feel the need to confirm that with Mr. Ornato?

21 A As the deputy press secretary in charge of ensuring press pool access and
22 understanding the President's movements, I, again, just wanted to reconfirm that we
23 were not expecting an additional movement from the Ellipse.

24 Q Other than the comments that Molly Michael and Nick Luna made to you
25 about the President potentially going there, did you have any reason to think that the

1 President might go to the Capitol?

2 A No.

3 Q Okay. So this -- your conversation with Tony Ornato was based upon your
4 previous conversations with Molly Michael and Nick Luna. Is that correct?

5 A I don't know that it was based on them.

6 Q Uh-huh.

7 A This question to Tony probably would have been a standard question that I
8 would have asked about any movement off complex.

9 Q Okay.

10 A He's preparing to move off complex the following day. As the deputy chief
11 of staff for operations, are there any other movements that I need to know about to help
12 me prepare for the day?

13 Q And what did he say?

14 A No.

15 Q Okay. Did you specifically mention the possibility of the President going to
16 the Capitol, or did you specifically ask whether the President would go to the Capitol?

17 A I think, in that conversation, I did ask if we were expecting a movement to
18 the Capitol.

19 Q Okay. And he said no?

20 A He said no.

21 Q Okay. Did he say what he based that answer on?

22 A No.

23 Q Did you have any other conversations with Mr. Ornato about whether the
24 President would go to the Capitol?

25 A Not that I recall.

1 Q Okay. Did you have any conversations with anybody other than Molly
2 Michael, Nick Luna, Hannah Salem, and Tony Ornato about whether the President would
3 go to the Capitol?

4 A Not that I recall.

5 Q Did you have any conversations on January 6th --

6 A Well, sorry.

7 Q Yeah.

8 A Yes, to the press assistant who I managed, who was the press assistant
9 assigned to the movement on January 6th.

10 Q Okay. And who was that?

11 A I could not tell you who was assigned to that movement. I don't know.

12 Q What do you remember about that conversation with that person?

13 A I reiterated that the movement would be as we expected it to be -- off
14 complex, to the Ellipse, do the remarks, back to the White House.

15 Q And did that person indicate having any contrary knowledge?

16 A No.

17 Q Okay. On the 6th, the President, during his remarks at the Ellipse, made
18 reference to things like, "I'll go with you," a couple of things that he said that suggested
19 he was actually going to go to the Capitol.

20 After he said that, were you involved in any conversations with anybody at the
21 White House about whether the President might actually go?

22 A No. And I believe that if -- I don't have access to my official White House
23 emails anymore, but if you all looked at them, I would imagine that you would see that as
24 soon as the President said those things in his remarks, I immediately reiterated to several
25 reporters that he was not going to the Capitol.

1 Q Why did you do that?

2 A Because I was 100 percent confident that we were not doing an additional
3 movement.

4 Q How could you be confident of that after the President of the United States
5 had just suggested in front of thousands of people that he was going to go to the Capitol?

6 A Because if the deputy chief of staff for operations has told me we are not
7 doing an additional movement, we are not doing an additional movement.

8 Q Okay. Did you check with anybody to see whether there was going to be
9 an additional movement other than what you've already told us about -- I think it was the
10 previous day -- Mr. Ornato said it wasn't going to happen?

11 A I don't recall if I did or not.

12 Q Okay.

13 BY [REDACTED]

14 Q So it sounds like this kept coming up? It starts -- this first conversation, I
15 think you indicated, with Ms. Salem is January 1st, and we're still talking about it on
16 January 6th.

17 Is it fair to say that it was uncertain all the way through, that it was a live topic of
18 discussion all the way through, and that's why it kept coming up?

19 A No, I don't believe that it was a live topic. As I said, I think that it was a
20 joking topic.

21 Q We've developed evidence that it was much more than a joking topic, that
22 there were actual routes mapped out and planning done for a possible movement by the
23 President to the Capitol.

24 Did you ever hear of anything that had ripened beyond a joke, that there was
25 actual contemplation of a movement?

1 A No. But, again, having personal knowledge of movements of the President,
2 I'm well aware that Secret Service and White House operations and members of White
3 House military always had contingency plans should something be needed to move the
4 President in a different direction.

5 Q All right.

6 A But those would be the only other --

7 Q Yeah.

8 A -- plans that I know would be arranged, which would have also been done
9 for this movement as well.

10 Q I see. Are you familiar with the term OTR?

11 A Yes.

12 Q And what does that stand for?

13 A Off the record.

14 Q And what is an OTR?

15 A It's a commonly used phrase within the White House of -- outside of
16 communicating with press, it's a type of movement. It's an off-the-record movement
17 that is not listed on any public guidance or schedule.

18 Q Right. So if the President decides on the way from a planned speech to
19 another event to get a slice of pizza and stop, that that's an OTR, right? The motorcade
20 will stop, and that's not something that is announced or part of his official schedule. Is
21 that fair to say?

22 A Correct.

23 Q Okay. Was there any talk about an OTR on January 6th, that the President,
24 separate from the planned schedule, would do one of these off-the-record movements to
25 the Capitol?

1 A If there was, I was not a part of them.

2 Q Okay. Sounds like quite the opposite. You were consistently told by
3 everyone with whom you spoke that there were no such plans or contingencies.

4 A If there was an OTR movement planned, I would have had to have known
5 about it.

6 Q Yeah. Okay. We have developed evidence that the President, even after
7 he finished speaking, still raised the issue of going to the Capitol. Are you familiar with
8 that, with it continuing to be a possibility even after he completed his speech on the
9 Ellipse?

10 A I have heard rumor of that.

11 Q Tell me more what you've heard about that, and from whom?

12 A I don't recall with whom I've heard it from. But, yes, I have heard that
13 when he came off the stage, as well as even when he got back to the White House, he
14 wanted to make the movement.

15 Q Yeah. And is that rumor, when you say rumor, press reporting or stuff, the
16 sort of gossip that you referenced earlier, the inside-the-White-House chatter about that?

17 A I don't know that it's press reporting. Some of it, I've heard from reporters
18 telling me that they've heard this.

19 Q Okay. But do you remember any specific source of that information about
20 the President's desire either coming off the stage or back in the White House, continuing
21 to go to the Capitol?

22 A No.

23 Q Are you familiar with any communications between Members of Congress
24 and the White House about the President potentially coming there during the joint
25 session?

1 A Communication with the White House --

2 Q To -- I'm sorry.

3 A Communication between the White House and Members of Congress or the
4 President and Members of Congress saying that he's coming?

5 Q Or inquiring about whether he is coming, yes, exactly. Communications
6 between anyone sort of in Congress, Members or staff, and anyone at the White House
7 about a possible OTR or movement there?

8 A No. I'm not aware of any.

9 Q Okay.

10 Okay. And, just, again, this is a broader question. Were there times in your
11 experience traveling with the President where he would immediately go OTR, just decide,
12 spur of the moment, "I'm going to do this, I want to go here," and that the Secret Service
13 would have to accommodate those sort of sudden decisions? Was that common or
14 uncommon, I guess is my question.

15 A Very uncommon.

16 Q Generally, he would stick to the planned itinerary and not go get a slice of
17 pizza or do whatever off script?

18 A Yes. My understanding from my knowledge of White House operations is
19 that there were always contingencies for -- the best example I can give is, if the President
20 was in Miami for an event and the schedule was for him to depart said event and go to
21 the airport and leave, then there was always a contingency should he want to stop at
22 Doral, one of his properties, before leaving.

23 Q I see.

24 A It might not be on the schedule. It might not even be an OTR as planned.

25 Q Yeah.

1 A But it's one of his properties. And so the -- we were prepared for that.

2 Q Got it. Okay. But other than those kinds of things, like nearby a property,
3 it wasn't his standard practice to say, "Hey, pull over. Go here. Go there."

4 A No.

5 Q Yeah.

6 A That's not his practice.

7 Q I see. All right.

8 Last issue is, during these discussions of the President potentially going to the
9 Capitol, was it clear to you that people in the crowd were going to go to the Capitol?
10 Was that part of the contemplated expectation of the day?

11 A Yes. I had been made aware that the expectation was that the crowd
12 would walk, march to the Capitol.

13 Q Are you aware of any discussions about using the President's or the White
14 House official communications channels, Twitter or otherwise, to encourage people to
15 march to the Capitol on January 6th?

16 A I'm not aware of any discussion about that.

17 Q As a strategy or, like, we should move -- we should encourage a march,
18 anything like that being discussed in the White House?

19 A No, because the rally was an unofficial campaign-related event. It wasn't a
20 White House-affiliated event.

21 Q I see. Well, the President did actually tweet about a march or about going
22 to the Capitol in advance of January 6th?

23 A From @realdonaldtrump?

24 Q Yeah. I believe so.

25 A That is his personal account, not a White House official Federal Government

1 account.

2 Q I see. So to the extent there was any such promotion of a march, that was
3 him or others, campaign-related, not something that was part of your -- as far as you
4 know, the official White House --

5 A That's what I recall.

6 Q Okay. And do you remember any discussions about seeing that, or
7 discussions about that, the possibility of encouraging a march to the Capitol?

8 A Not that I was a part of.

9 Q Okay.

10 [REDACTED] Okay. Thanks.

11 [REDACTED] I'll pause here. I know Mr. Aguilar is on. Do you have any
12 questions at this time, Congressman?

13 Mr. Aguilar. I don't, guys. Thanks.

14 [REDACTED] Thank you.

15 BY [REDACTED]

16 Q So, Mr. Deere, I was asking you about, more generally, your involvement in
17 preparation for the events of January 6th, including the rally at the Ellipse. And then
18 [REDACTED] and I asked you a whole series of questions specifically about whether the
19 President ever considered going to the Capitol. So I want to go back to that line of
20 questioning.

21 So can you just describe for us your involvement in preparations or planning for
22 the events of January 6th?

23 A Again, my -- the only nature of my involvement was being aware of the
24 President's movements, as well as the overall press plan for the event and where the
25 protective pool would be placed, as well as where the other credentialed media would

1 be, which is standard for any on-complex and off-complex event.

2 Q Did you have any role in either drafting or editing the President's remarks for
3 the rally at the Ellipse?

4 A No.

5 Q Do you remember if they were even, like, sent to you in advance?

6 A I don't recall receiving them.

7 Q Were you involved in any discussions about what the President would say in
8 those remarks?

9 A No.

10 Q Were you involved in any discussions about, you know, early on, whether to
11 have such an event or what type of event or who would appear at the event? And I'm
12 referring to the rally at the Ellipse.

13 A No.

14 Q Other than --

15 A If I could, let me just --

16 Q Of course.

17 A I think, a while ago, you asked me if I had any discussions about what he
18 would say at the event. I do want to clarify.

19 At an informal gathering in the Oval Office on January 5th, as I indicated to Bob
20 Costa in a book interview, yes, he did ask me what he should say tomorrow.

21 Q Okay. So let's, since we've got about 20 minutes or so before lunch, let's go
22 through that in some detail.

23 So that was January 5th, the day before the rally. Tell us how this interaction
24 with the President, whether it was a meeting or an informal gathering, how did that come
25 about?

1 A I was in my office on the evening of January 5th and received a phone call
2 from one of the members of the team in outer Oval saying that the President wanted me
3 to -- had asked me to come up. I came up.

4 The door to the Oval Colonnade was open, and I could hear music, and there were
5 two individuals standing behind the desk. And he was seated, signing pieces of
6 legislation. There was another individual on the couch.

7 Q Okay. Do you remember who was in there at the time? And you're
8 welcome to look at exhibit 11, which has two photographs. And you can tell me
9 whether you think this is from that same interaction, but, you know, understanding this
10 may not have been the precise time.

11 So when you first went in, do you remember who was in the Oval Office?

12 A When I first went -- when I first got there?

13 Q Yes.

14 A When I first got there, there were three individuals -- well, there were four
15 individuals in there, including the President.

16 Q Okay. And who were they?

17 A The four in there when I arrived were the President, Douglas Sellers,
18 Madison Porter, and Dan Scavino. Nick Luna, who I mentioned earlier, was the
19 President's body man, and his desk was in the outer Oval space, was in and out.

20 Q Okay. And who is Madison Porter?

21 A She's a member of staff secretary.

22 Q Okay. We've already talked about Dan Scavino.

23 Who is Douglas Sellers? What was his position at the time?

24 A Also a member of staff secretary.

25 Q And were they in there because the President was signing legislation?

1 A Correct.

2 Q Okay. And what was your understanding of why you were called in there?

3 A I had been informed by whoever I spoke with in the outer Oval that the
4 President wanted me to come up and listen to music.

5 Q Now, is this music that was being played out at the Ellipse in preparation for
6 the next day's events?

7 A That's where he said it was coming from, so I assumed that that's where it
8 was coming from.

9 Q Okay. Any idea why you in particular?

10 A I have a relationship with the President, and I would imagine -- well, I -- no.
11 Outer Oval called and asked me to come up.

12 Q Okay. So what happened when you got there?

13 A He asked me if I could hear it.

14 Q Uh-huh.

15 A I said, "Yes. Sounds very exciting. Sounds cold. It's cold in here."

16 Q And the door was open?

17 A Yes.

18 Q Do you have any idea why the door was open? Was it so the President
19 could hear the music?

20 A Yes.

21 Q Okay.

22 A We listened to the music a little bit. He continued signing the pieces of
23 legislation. And he indicated that he would like me to invite other members of my team
24 to join.

25 Q For what purpose?

1 A To listen to music.

2 Q Okay. And so did you do so?

3 A I emailed and texted other members of my team as I was standing there, and
4 I asked whoever was sitting out -- directly outside the office if they could call Kayleigh as
5 well and see if she was around.

6 Q Okay. And what happened next?

7 A The result is what's in the photo in exhibit 11, page 1.

8 Q Okay. And what did the President say to you about the next day's events?

9 A The specific question I recall him asking me was what he should say
10 tomorrow, what the crowd wanted to hear from him.

11 Q Roughly what time was this?

12 A In the day?

13 Q Yes. I mean, if it helps, it looks like it's dark outside based on the open
14 door there.

15 A Yeah.

16 Q I mean, it's winter, so it gets dark early.

17 A Maybe 4 o'clock, 5 o'clock hour. Honestly, I felt like it was like 7, 8 o'clock,
18 but I've since refreshed my memory, so I think it's 4 or 5 o'clock hour.

19 Q But the President's remarks must have already been written by that point,
20 right?

21 A I have no knowledge of that.

22 Q Okay. So he asked you what he should say the next day?

23 A He did.

24 Q Okay. What did you say?

25 A That he should focus on the policy achievements and the accomplishments

1 of the last 4 years.

2 Q And did you say that he should not address the 2020 election?

3 A I didn't mention the 2020 election.

4 Q Okay. But was that implicit in your saying he should focus on policy
5 accomplishments?

6 A I said he should focus on policy accomplishments. I didn't mention the
7 2020 election.

8 Q Okay. What was his response?

9 A He acknowledged that and said, "We've had a lot," something along those
10 lines, but didn't -- he fairly quickly moved to how fired up the crowd is, or was going to
11 be.

12 Q Okay. What did he say about it?

13 A Just that they were -- they were fired up. They were angry. They feel like
14 the election's been stolen, that the election was rigged, that -- he went on and on about
15 that for a little bit.

16 Q Tell us as much as you can recall about what he said.

17 A That's the general nature of what I can recall.

18 Q Did he give you any indication of how he knew that the crowd was fired up
19 or angry?

20 A He continued to reference being able to hear them outside.

21 Q Okay. So in addition to the music being very loud, there was
22 already -- there was a crowd gathered at the Ellipse?

23 A That's what he said.

24 Q Well, could you hear a crowd?

25 A I could hear a crowd.

1 Q Were there events going on at the Ellipse at that point?

2 A Outside of the build-out and setup, no.

3 Q Okay. So he could hear the crowd outside. He indicated that the crowd
4 that he expected the next day would be angry and fired up. Is that correct?

5 A Uh-huh.

6 Q Did he appear to be pleased that the crowd would be fired up and angry, or
7 proud?

8 A I don't recall. I do recall him saying that he was hoping that everything
9 would remain peaceful, and I agreed with him. I remember verbally stating that I
10 agreed that I hope it remained peaceful.

11 Q Did he give any indication of what would prompt him to think there was the
12 possibility it would be otherwise?

13 A Well, again, he recognized that the crowd was fired up and angry, and he
14 was concerned about what had occurred over the previous several months with
15 counterprotesters that had interacted with his supporters around the RNC convention
16 that had taken place on the South Lawn, with other rallies that had occurred in and
17 around the D.C. area over the last several months.

18 Q Okay. What else can you recall him saying about the next day's events?

19 A Along the same line of hoping that the crowd remained peaceful. He also
20 reiterated to Dan Scavino a discussion that he had had, I take it earlier in the day, with
21 Mark Meadows to make sure that DOD, DOJ, ODNI, that all of the individuals responsible
22 for law enforcement in the administration be on standby, be ready. Not looking for
23 violence. Everything needs to be peaceful.

24 Q And do you recall what Mr. Scavino said in response?

25 A He indicated that it was being taken care of, as Meadows had indicated to

1 him earlier in the day, but Scavino said that he would reiterate that. I also think that
2 there may have been a tweet dictated to Scavino around that, but I don't recall if the
3 tweet ever was sent out.

4 Q What can you recall about the tweet?

5 A It was similar in nature, that DOJ, DOD, ODNI, all of our Federal law
6 enforcement, are on standby and ready should they be needed tomorrow to protect
7 people.

8 Q Did he say what people?

9 A His people.

10 Q Okay. Is that his language? Did he say, "My people"? What's the
11 best -- your best recollection of how he referred to the people?

12 A Yeah, his people.

13 Q All right. So as far as you can recall, was he only expressing concern about
14 the safety of his own supporters?

15 A No. He was expressing concern about making sure that everyone was safe.

16 Q But he mentioned his people?

17 A Yes, but in the vein of his people were the ones that had been attacked
18 when they left the South Lawn of the White House in August. It was his people who had
19 been attacked outside restaurants around the date of previous marches.

20 Q Did he say anything about security for the Capitol?

21 A I don't recall it if he did.

22 Q Do you remember if he mentioned the National Guard?

23 A I don't recall him mentioning the National Guard.

24 The other topic that I also recall from this conversation is that he mentioned,
25 if -- this was not directed to me, but just a toss-out question to the room. He asked if

1 Members of Congress would be with him tomorrow.

2 Q Okay. And what did you understand? Meaning voting in his favor, as
3 opposed to physically with him or anything like that?

4 A Yeah. I took that to mean not voting to certify the election.

5 Q Okay. To the best of your recollection, how did he say it?

6 A He said that -- or he asked -- he said -- he said, "We can count on some
7 Members of Congress to be with us, but I guess not everyone is going to be with us."

8 Q Okay. Did he refer to some Republicans who would not be with him?

9 A I don't recall him specifically mentioning people by name or giving them a
10 descriptive term.

11 Q Do you remember if he referred to RINOs?

12 A I don't remember him using that specific term.

13 Q Okay. So he asked that as a sort of a question?

14 A Yeah, kind of open ended.

15 Q Okay.

16 A Yes.

17 Q And then what happened?

18 A I don't recall anyone responding to it.

19 Q Was it awkward silence?

20 A There is never awkward silence with Donald Trump.

21 Q Okay. What does that mean? That he just kept going, or --

22 A Yes.

23 Q I mean, did he sort of pause to see if anybody had anything to say, or was it
24 more rhetorical and he just kept going?

25 A I mean, if I recall, he paused, but it was more rhetorical.

1 Q Okay. And you don't remember you or anybody else responding?

2 A I don't recall anyone else chiming in on that.

3 Q Do you recall whether you responded to his question on that?

4 A I did not.

5 [REDACTED] In the context of those remarks, did President Trump say
6 anything about Vice President Pence?

7 The Witness. Vice President Pence was never mentioned in this gathering.

8 [REDACTED] Did he ever say anything in your presence about Vice President
9 Pence's role on January 6th?

10 The Witness. Not that I recall.

11 BY [REDACTED]

12 Q We've talked to some other people that were at this same -- I don't want to
13 call it a meeting -- whatever it was -- gathering in the Oval Office. We've heard that he
14 was in a really good mood, that the President was excited, seemed animated.

15 Is that an accurate characterization of your observation of his mood?

16 A Yes. He was in a great mood.

17 Q Okay. Tell me more about that. What did he say or do that conveyed to
18 you that he was in a great mood?

19 A Again, he was animated. He was excited about the next day. He was
20 excited to do a rally with his supporters.

21 Q Uh-huh.

22 A If you've never been to a Trump Presidential campaign rally or a Trump
23 campaign rally, they're a lot of fun.

24 Q Uh-huh.

25 A And he was excited to get to do that. It's not something I had never seen

1 before.

2 Q Yeah. A lot of emotion at rallies, big speech, lots of response from the
3 crowd.

4 Was your sense -- and, again, maybe this is something you don't know -- that he
5 was excited about that rally, or he was excited about the possibility that something could
6 happen in Congress that would keep him in office?

7 A I mean, certainly I think, based on his comments about what Members of
8 Congress were going to do the next day and who would be with him and who wouldn't
9 be, I -- certainly he may -- I think he was optimistic.

10 Q Uh-huh. I'm sorry. I didn't mean to cut you off. Go ahead.

11 A Optimistic that Congress would take some sort of action in his favor.

12 Q Yeah. In his favor meaning potentially not certify the election for
13 President Biden or somehow delay it or something --

14 A I don't know. He didn't specifically say what that action was.

15 Q Yeah.

16 A But he indicated that he was optimistic that enough Republicans would be
17 with him the next day.

18 Q Yeah. Fair to say he was hopeful on January 5th that nothing was going to
19 happen the next day that was going to close the door to him remaining in office?

20 A He didn't say that specifically, but -- so I don't know that I can --

21 Q Yeah.

22 A I don't know that I can agree with you 100 percent on that, but certainly
23 that's --

24 Q Yeah. No. I appreciate that. I'm, again, just trying to shift -- he's excited
25 about a rally and a big speech, or, hey, there is a chance that something tomorrow is

1 going to happen in Congress that could be good news or, you know, keep this possibility
2 of another term alive.

3 A Sure.

4 Q Okay. Other people have said he basically said, "Tomorrow is going to be a
5 big day," something along those lines, sort of highlighting that the next day would be -- do
6 you remember him saying anything along those lines?

7 A I don't recall that specific phrase, but that would certainly meet with his
8 mood and the perception he was giving about the following day.

9 Q Okay. Did he comment that it's so cold, and they're out there by the
10 thousands, essentially sort of citing the fact that, despite the cold, all these people are
11 there, as a good thing?

12 A I don't recall him saying that specifically about January 6th, but he used
13 similar language when he would show up in Michigan or Wisconsin or Omaha, Nebraska.

14 Q Yeah. So people are out in the cold.

15 A Yes.

16 Q Must be enthusiastic.

17 A Yes.

18 Q Okay. The specific question that we have heard he asked the room, "What
19 are your ideas for getting the RINOs to do the right thing tomorrow?" [REDACTED] asked
20 you about the reference to RINOs.

21 But do you remember him sort of asking broadly, "What can we do to get the
22 RINOs to do the right thing or encourage Members of Congress to take some action?"

23 A I don't recall that specific question. What I recall was he said something
24 along the lines of, you know, "There's going to be Members of Congress with us
25 tomorrow. I sure do hope the other ones can be convinced or will be as well."

1 Q Okay. This other witness said that, when he asked that, you personally
2 responded, "Your speech will be enough," to do whatever he thought to get the RINOs to
3 do the right thing. Do you remember saying anything like that to him, "Your speech will
4 be enough"?

5 A I don't recall that specifically.

6 Q Okay. He also reportedly asked the room, "We have to convince Congress.
7 How do we do that?" Kind of, again, looking for comments from the staff as to how to
8 convince Congress.

9 Do you remember him saying something along those lines?

10 A I don't recall that.

11 Q Okay. All right.

12 And then, just lastly on this, so it sounds like he called you to come first, and you
13 then got everyone else. Is that right?

14 A Yes.

15 Q Was that -- with respect to Ms. McEnany, she was your boss, right, like
16 she -- he kind of leapt over her and called you directly? Was that unusual? Did he do
17 that frequently?

18 A I don't -- I don't know that he leapt over her. I was just the phone call that
19 outer Oval -- like, I received a phone call from outer Oval. "The President wants to see
20 you. He wants you to listen to music."

21 Q Okay.

22 A I don't know if they called Kayleigh first.

23 Q I see. You then called Kayleigh or notified her, either by text or a call, that
24 there was a gathering in the Oval. Is that right?

25 A It was my regular practice, if I was called to the Oval, to text Kayleigh and

1 say, "I've been called to the Oval."

2 Q Right. She's your boss, right?

3 A Yeah.

4 Q She should know if --

5 A And, if she wants to come join, that's her choice.

6 Q Right. Understood. Okay.

7 And she did eventually join. She's in that photograph. Is that right?

8 A Yes, she did.

9 Q Yeah. Okay. Was the gathering beyond just the press folks? Were
10 there others, other sort of divisions or offices? The staff secretary folks were there, you
11 indicated, as well.

12 A Yeah. The two staff secretary folks. The young woman who is standing in
13 the doorway that goes out to the Colonnade, the open doorway --

14 Q I don't mean to interrupt you, but it would be helpful if you could just go
15 around the photo and tell us. And Mr. Scavino is the one sitting on the couch, right?

16 A Yes. Mr. Scavino is on the couch. Then myself to the left of the lamp.

17 Q You're the one in the gray suit there standing straight on the far left of the
18 photo?

19 A Correct.

20 Q Okay. And, for the record, we're on exhibit 11.

21 A The man to the right of me in the doorway is Brian Morgenstern.

22 Q Okay.

23 A The African-American to his right is Jaylan Williams.

24 Q Okay.

25 A To the left of the grandfather clock is Sarah Matthews. In front of the

1 grandfather clock is Chad Gilmartin.

2 Q Okay.

3 A To his right -- or to his left is Lyndee Rose. To her left is Gaby Hurt. To her
4 left is Davis Ingle.

5 Q Okay.

6 A I do not recall the name of the young lady to his left other than that she is an
7 employee of the stenographers office.

8 Q Got it.

9 A So she likely still works in the White House.

10 Q Got it.

11 A I believe she does.

12 Q Okay. Keep going. And then there is the open door.

13 A Correct.

14 Q Which that's the door through which the sound was coming. Is that right?

15 A Correct. And the young lady in black in front of the Space Force flag is
16 Margo Martin.

17 Q Okay.

18 A And then Kayleigh McEnany.

19 Q Uh-huh.

20 A Douglas Sellers. Madison Porter.

21 Q Got it. Okay. So the staff secretary folks are immediately adjacent to the
22 Resolute Desk there in the Oval?

23 A Correct.

24 Q Got it. All right. And is there anyone who is there who is not depicted in
25 that picture that you can't see?

1 A As I mentioned earlier, Nick Luna, the President's body man, had popped in
2 and out. I don't recall if he was in the room just off camera for this photo or if he was
3 back in the outer Oval area.

4 Q Got it. The outer Oval is through that door that Mr. Morgen --

5 A Morgenstern and Jaylan Williams are in front of.

6 Q That's the door that leads to the outer Oval?

7 A Correct.

8 Q Coming -- generally come and go into the Oval Office through that door?

9 A Generally, yes.

10 Q Generally, yeah. Okay. The dining room is on the other -- you know, sort
11 of from where the picture was taken?

12 A The dining -- yeah. The dining room is where the photo was taken.

13 Q Yeah. And then outside of the door is -- you mentioned that was the
14 Colonnade -- Oval Office Colonnade?

15 A Yeah. It's the Oval Colonnade that goes down past the Cabinet Room, and
16 then take a right to go to the residence.

17 Q Got it. I see. Okay.

18 All right. Anybody else, Mr. Deere, come in and out during -- beyond those that
19 are -- you just went through in the photo during this sort of impromptu gathering, besides
20 Nick Luna? You mentioned him.

21 A And certainly the White House photographer.

22 Q Right. Okay. So this was taken by a White House photographer --

23 A Uh-huh.

24 Q -- as far as you can tell?

25 A Correct.

1 Q Yeah. All right. Anything else that you remember being discussed at that
2 meeting that we -- our questions haven't asked? Any other thing that he said or others
3 said that you recall?

4 A No, other than taking a group photo.

5 Q Yeah. The next picture is the sort of staged picture where everybody gets
6 together?

7 A [Nonverbal response.]

8 Q Yeah. What was your mood like coming out of that meeting? How did it
9 leave you feeling about the next day and what might happen?

10 A Indifferent. It was another rally. I mean, standard operating procedure.

11 Q Yeah. Did it change your view as to whether or not there was a chance of
12 another term or of the election results being forestalled or going in the direction of the
13 President?

14 A No.

15 Q Okay.

16 ████████ I think that's all I have of that.

17 ████████ All right. Why don't we --

18 ████████ Take our break?

19 ████████ -- take our lunch break?

20 So we'll go off the record now.

21 [Recess.]

1

2 [2:02 p.m.]

3 [REDACTED] With that, we will go on the record. We are back on the record.

4

BY [REDACTED]

5 Q Mr. Deere, before I begin with some more questions, is there anything about
6 your earlier testimony that you'd like to clarify or expand upon?

7 A Yeah, thanks. I just want to make clear I may have alluded that it was two
8 separate conversations between Molly Michael and Nick Luna. To the best of my
9 recollection, I believe it's one conversation with the two of them in the outer Oval.
10 Their desks are right beside each other. It's not two separate conversations individually.
11 I just wanted to make sure that was clear.

12 Q And is there anything else you remember about that conversation that we
13 have not already covered?

14 A No.

15 Q Okay. And how many desks are there in that outer Oval, as you referred to
16 it?

17 A Three.

18 Q Okay. So one is Molly Michael, and one is Nick Luna. Is the other Austin
19 Ferrer?

20 A Yes.

21 Q And what was Austin Ferrer's position?

22 A I don't recall a specific title, but he was just an assistant in the outer Oval.

23 Q Okay. Mr. Deere, I'm now going to ask you some questions from the book
24 "Peril" by Bob Woodward and Robert Costa. We have photographed or photocopied a
25 few pages of it, which we'll include in the record as exhibit 33.

1 And, if you look at that, starting on page 230 of the book, the authors describe
2 what appears to be the same conversation that we were just discussing at length from
3 January 5th, 2021. On page 231, they describe: The noise outside grew louder, almost
4 like a party. "Isn't that great," Trump exclaimed? "Tomorrow is going to be a big day.
5 It's so cold, and they're out there by the thousands," Trump said.

6 Does that sound like an accurate depiction of what happened at that meeting?

7 A Generally, yes. I don't recall those specific words, but -- which I indicated
8 earlier, but, generally, yes, that's the nature of what was discussed.

9 Q Okay. And according to the authors, it says: Judd Deere, Trump's loyal
10 press secretary, spoke up. "They are excited to hear you from, Mr. President," he said.

11 Then they write: Another staffer offered they hope Wednesday was peaceful.
12 Others nodded and said they agreed. Trump looked over and said, "Yes, but there's a
13 lot of anger out there right now."

14 Does that sound like an accurate description?

15 A Yes.

16 Q Okay. And then they write: Trump went around the room, asking for
17 advice about congressional Republicans. "How do we get them to do the right thing,"
18 he asked. No one offered an answer that satisfied him. "Republicans and the RINOs,"
19 Republicans in name only, "are weak," Trump fumed. "They need courage," Trump said,
20 "Courage."

21 Does that description sound accurate?

22 A Again, as I said earlier, I don't recall him mentioning RINOs or Republicans in
23 name only. He did talk about Republicans, the ones that were going to be with him and
24 the ones that should be or were not with him yet that he hoped would be.

25 Q Do you believe that this description is inaccurate, or you simply don't

1 remember the specific words that are used here?

2 A I'm not saying that this is inaccurate. I'm just giving you my best
3 recollection, and I don't recall that RINOs, or Republicans in name only, was something
4 that was said.

5 Q Okay. Then they write: "The Vice President, the Members of Congress,
6 all of them should do the right thing!" -- exclamation point -- Trump said. He warned he
7 would support primary challenges to those in Congress who supported Biden's
8 certification.

9 Does that sound like an accurate description to you?

10 A I do not recall him mentioning the Vice President. I do recall him
11 expressing that he would support primary challengers in the future to those who were
12 not with him.

13 Q And, by that, does that mean people who voted in favor of certification of
14 the election?

15 A I don't recall him mentioning Biden specifically, but he expressed that he
16 would support primary challengers to those who were not with him. So I take that to
17 mean -- I took that to mean those who would vote to certify the election results.

18 Q Okay. Then the authors write: Trump repeated his question. "How do
19 we get them to do the right thing?" He asked for suggestions on what he could tweet.
20 And Scavino had his laptop open, ready to type. Those there looked awkwardly at each
21 other, some with hands stuffed in their pockets for warmth. A few offered their
22 encouragement.

23 Does that sound like an accurate description?

24 A I think I indicated earlier I didn't recall it occurring quite that way, but --

25 Q Again, do you disagree with this description, or you just don't recall all of this

1 detail?

2 A I don't recall him asking for suggestions of what he could tweet. As I
3 indicated earlier, he dictated a tweet to Scavino, relating to law enforcement and
4 protecting attendees and suppressing any violence the following day.

5 Then, as I indicated earlier, he asked me what he should say in the -- what he
6 should say the next day. And I mentioned policy achievements. But I don't recall the
7 question of how do we get them to do the right thing specifically.

8 Q On the next page the authors write that: Trump later called Senator Ted
9 Cruz of Texas.

10 Were you still in the room when the President called Senator Ted Cruz?

11 A No.

12 Q Okay. We've also learned through our investigation that, around that time
13 on the 5th, so maybe shortly after the meeting that you've been telling us about, the
14 President with Dan Scavino in the room called Gary Coby. Were you in the room when
15 that happened?

16 A No.

17 [REDACTED] Do you know who that is? Gary Coby?

18 Mr. Deere. No.

19 [REDACTED] Ever heard the name?

20 Mr. Deere. No.

21 [REDACTED] Okay.

22 BY [REDACTED]

23 Q If you look at exhibit 9 in your binder, so this is an email exchange with
24 several people on it. The earliest one chronologically -- so the last one in terms of
25 pages -- is from Hannah Salem to you and several other people, January 1st, 2021, with a

1 media registration link. It refers to Trump March.

2 You responded it looks like January 4th: Do we know what we are calling this
3 event?

4 And then Ms. Salem responded: Good question. We are calling it the Save
5 America Rally BUT -- and "but" in all caps -- the link to register is March for Trump.

6 Do you know why it was called March for Trump rather than just a rally?

7 A I do not know. You would have to ask the rally organizers.

8 Q Were you involved in any conversations about whether it should be called a
9 march or a rally or anything else?

10 A No.

11 Q Okay.

12 A Other that I just needed a name picked.

13 Q Okay. And then, if you look on page 2 of this exhibit 9, in the middle of the
14 page, there's an email from Hannah Salem, January 4th, 2021.

15 Hi, Gaby. Katrina would like march to save America rally.

16 First of all, do you know who Katrina is in that?

17 A My understanding would be that would be Katrina Pierson.

18 Q Do you have any information about why she wanted it to be referred to as a
19 march?

20 A Why Katrina wanted it to be referred?

21 Q Yes.

22 A You'd have to ask Katrina.

23 Q But do you have any knowledge of --

24 A No.

25 Q -- why she wanted that? Okay. Thank you.

1 Okay. If you look at exhibit 12, there is a what appears to be a tweet from Dan
2 Scavino. Text says: Wow, we hear you from the West Wing. Thank you.

3 It looks like there's a speaker there, a little emoji of a speaker, suggesting that
4 there's audio link. But the implication being that, as you said earlier, the noise coming
5 The Ellipse was fairly loud and could be heard in the West Wing.

6 Do you recall whether this tweet was discussed between the President and Dan
7 Scavino and anybody else while you were in the Oval Office?

8 A I don't recall that it was.

9 Q Okay. If you look at exhibit 13, this is a text message that you sent. Looks
10 like it was on January 5th, 7:46 p.m., to Kayleigh McEnany.

11 You wrote: Good for public guidance tomorrow? Question mark. President
12 Trump will work from early in the morning until late in the evening. He will make many
13 calls and have many meetings. The President will depart for The Ellipse at 10:50 a.m. to
14 deliver remarks at a Save America Rally.

15 Ms. McEnany replies: Yes. That was great.

16 Can you describe what the purpose of your text to Ms. McEnany was?

17 A Every evening we prepared and released a daily guidance for the following
18 day of the President's public schedule. Beginning sometime around mid to late
19 December, the President discovered that, for the first time, my understanding, that we
20 released a public schedule of his to the public. He wanted to change the way we did
21 that.

22 And so what became the new version of the public schedule was basically a couple
23 of sentences about what his day would consist of rather than specific times and titles of
24 events in an outline form.

25 The first two sentences in this are the standard boilerplate language that we

1 began using every day, and then the third sentence is the item that's specific to the
2 January 5th guidance for January 6th. All I'm doing is clarifying with Kayleigh if the
3 updated third sentence meets her approval.

4 Q So, with regard to the first two sentences, the working from early in the
5 morning until late in the evening and making many calls and having many meetings, you
6 were describing that as standard language. So does that mean it was not based on any
7 specific knowledge you had of meetings or calls that he had planned for the day?

8 A Well, I mean, the President always had many calls and many meetings
9 throughout the day. But it was standard boiler language that he had -- he personally
10 had approved that we could disseminate about his public schedule, beginning around mid
11 to late December.

12 Q Did you know when you wrote this or around that time what, if any,
13 meetings or calls the President had planned for January 6th?

14 A No. But there are many -- I don't have -- I didn't have access to his full
15 internal schedule. So they were always many meetings that were on the books that I
16 wouldn't have been aware of.

17 [REDACTED] Who did maintain that schedule?

18 Mr. Deere. White House scheduling, as well as I'm sure others had access to it
19 but I did not have access to it.

20 [REDACTED] Was there any particular person in White House scheduling or --

21 Mr. Deere. The head of White House scheduling would have been Michael
22 Haidet.

23 [REDACTED] Thank you.

24 BY [REDACTED]

25 Q Do you know if the President had anything planned for after his remarks at

1 the rally?

2 A There was nothing else on the schedule that I was aware of.

3 Q What about before the rally? Do you know what, if anything, he had
4 planned for that morning?

5 A There was nothing on his schedule that I was aware of.

6 Q Now leaving aside what was on the schedule, do you know what the
7 President actually did on the morning of the 6th before the rally?

8 A Outside of press reports, no.

9 Q All right. Can you just walk us through your day on January 6th? So sort
10 of roughly what time did you get into the office? What did you do?

11 A It was a -- began as a normal day. I arrived at the office sometime between
12 8 and 8:30. I went about my normal routine of I checked in with Hannah at The Ellipse
13 side to make sure nothing had occurred overnight that I needed to be aware of, nothing
14 out of the ordinary. I made sure the press assistant who was going to make the
15 movement was ready to go. I don't recall anything specific other than that.

16 I had the rally pre -- I guess you'd call it the preprogram, on the TV. I wasn't
17 really listening to it, but it was on. So I could see what was going on. The only thing I
18 recall the President was supposed to speak at 10:50. I got notification from the press
19 assistant who was supposed to make the movement at around 11:30 that they were still
20 sitting on the driveway and that they hadn't left yet. Not necessarily out of the
21 ordinary.

22 Q Did you learn anything about why they hadn't left on time?

23 A No. But, again, that wasn't out of the ordinary.

24 I got notification at some point that they were -- that they were rolling toward The
25 Ellipse and within minutes the President came up on TV.

1 Q So you did not go to The Ellipse.

2 A No, I did not go to The Ellipse.

3 Q Okay. Did you watch the speech?

4 A As I said, the TV was on. I might have unmuted it at times. But, no, I did
5 not listen to the entire speech.

6 Q Okay. Do you remember if you listened to any of it?

7 A Yeah, I listened to parts of it. But I couldn't tell you what specific parts I
8 had unmuted or didn't unmute.

9 Q Do you remember whether you heard any of the times when the President
10 suggested that he was going to go to the Capitol?

11 A Yes, I do remember hearing that.

12 Q Okay. What was your reaction to that?

13 A My reaction was, well, this is going to cause a lot of reporters to reach out to
14 me. And, sure enough, they did.

15 Q And this is what you told us earlier where you responded that he was not
16 going to the Capitol, and, again, you were confident of that because Tony Ornato had said
17 that to you the day before?

18 A Correct.

19 Q Did you hear the parts where the President discussed the role of the Vice
20 President at the joint session of Congress?

21 A I don't recall hearing those specifically.

22 Q So, when did you first become aware that the protest at the Capitol became
23 a security incident? So, by that, I mean either that it became violent or that they began
24 breaching the outer security perimeter around the Capitol.

25 A I want to make sure we're talking about the same thing. Are we talking

1 about the U.S. Capitol Building or any of the other buildings around the complex?

2 Q Well, any of them. So did you first become aware of a security incident at
3 one of the Senate office buildings?

4 A I would say that around approximately 1:45, 1:30, 1:45 is when I started to
5 receive press inquiries alerting me to some type of incident at around the DNC, as well as
6 a group of individuals who had attempted to unlawfully or with force enter the Cannon
7 House Office Building.

8 Q Thank you. I guess it was a House office building. Okay.

9 And did you do anything with that information, meaning did you notify anybody
10 within the White House?

11 A I believe around, again, within that same timeframe, I sent a note to
12 Kayleigh, indicating the inquiries that I had started to receive. And I, if I recall correctly,
13 indicated that I thought that we should hold on responding at this moment.

14 Q Okay. If you look at exhibit 15, this may be what you are referring to.
15 This looks like a text message that you sent on the 6th, at 1:44 p.m., to Kayleigh McEnany:
16 Getting asked if we have any reaction to people storming Hill office buildings. I'm
17 inclined to let it go right now but flagging.

18 Is that what you're referring to?

19 A Yes.

20 Q Okay. And did you learn about the storming of Hill office buildings from
21 reporters?

22 A Yes. And I do want to be clear about the "I'm inclined to let it go right
23 now." The reason why I'm saying that is I had no verification that that was actually
24 happening.

25 Q Okay.

1 A There was no video evidence of it at that point. Yes, I had like -- I don't
2 know how many inquiries I had at that point, but it was probably no more than five.
3 And so I thought that we needed more information.

4 Q Okay. And then do you recall if, at some point either before or after that,
5 learning about a security breach at the Capitol itself? So I don't necessarily mean people
6 entering the Capitol Building but the, you know, bicycle fencing, as it's being referred to,
7 being breached or any violence there outside the Capitol.

8 A Well, shortly after I sent this text, I went up to find Kayleigh just to make
9 sure that she had seen this and to, again, make sure we were on the same page. She
10 was in her office. We briefly discussed this, agreed that we needed more information,
11 and it was best to hold right now. And so we held, and I went back down to my office.

12 A short time later was when video started to pop up on TV of, like you just said,
13 breaching of bike rack and individuals making their way toward the actual Capitol
14 Building.

15 Q And so what did you do at that point?

16 A If I recall, I went back up to Kayleigh's office and indicated that we now likely
17 needed to say something.

18 Q Okay. And why did you think it was necessary to say something?

19 A Well, I mean, it appears that individuals are storming the U.S. Capitol
20 building. They also appear to be supporters of Donald Trump, who may have been in
21 attendance at the rally. We're going to need to say something.

22 Q And did you have a view as to what should be said by the White House?

23 A If I recall, I told Kayleigh that I thought that we needed to encourage
24 individuals to stop, to respect law enforcement, and to go home.

25 Q And why did you think that was important? I'll clarify that. Not why is it

1 important for people to stop being violent and go home, but, more specifically, why did
2 you think it was important for the White House or the President to say "don't be violent,
3 go home"?

4 A Well, as I said, it appeared at this point that, I mean, these were supporters
5 of Donald Trump who may or may not have been at the rally. I can't speak for them
6 personally, but they had made the choice to breach the security perimeter around the
7 U.S. Capitol, which would be an unlawful attempt to enter. And it was -- it was
8 incumbent upon us to encourage those individuals, should they be supporters of ours, to
9 stop.

10 Q And is that because you thought that the statement by the President or
11 somebody at the White House could influence the actions of the people at the Capitol?

12 A I don't know that that's what went through my head. What went through
13 my head was the U.S. Capitol Building appears to be being invaded and the White House
14 should certainly respond to that.

15 Q Okay. And you said that to Ms. McEnany?

16 A Yes.

17 Q And what was her response?

18 A She agreed.

19 Q Okay. Do you remember what she said?

20 A She said that she agreed and that she thought that we needed to move
21 quickly and that maybe even the President needed to say something and that she would
22 discuss it with the chief of staff.

23 Q Okay. And do you know what she did next?

24 A Her and I parted ways, and she was going to go see the chief of staff. And I
25 went back to my office.

1 Q Okay. And did she tell you later about her conversation with the chief of
2 staff or the President or anybody else she talked to?

3 A I don't recall her -- well, she indicated to me the next time I saw her that the
4 chief -- that the chief of staff told her he was handling it.

5 Q Did she say whether she talked to the President?

6 A She did not indicate whether she talked to the President or not.

7 Q Did she say anything more beyond that the chief of staff was handling it?

8 A I don't recall if she did --

9 Q So --

10 A -- at that next moment that I saw her.

11 Q Okay. What happened next?

12 A Well, when she -- when we departed ways for her to go see the chief of staff,
13 I went back to my office, continued to receive inquiries, continued to watch the
14 television. At some point a little later on, I went back up to see Kayleigh to get an
15 update. That was when she told me that she had spoken with the chief of staff and that
16 he was handling it.

17 If I recall correctly, I said are we -- should we -- should I anticipate an on-camera
18 reaction from the President? Is that what we need to plan for? And if I recall, she
19 indicated that that was what she had recommended to the chief of staff. And she said
20 that she was going to go get another update, and I said okay.

21 Q Did Ms. McEnany say anything about what she recommended to the chief of
22 staff as far as the content of any message?

23 A Not beyond what her and I had discussed previously of what the message
24 should be.

25 Q Okay. Did she tell you whether she said to the chief of staff that the

1 message should include that people should stop and that they should go home?

2 A She didn't indicate that to me specifically.

3 Q So what happened next?

4 A If I recall, shortly thereafter, a tweet from the press secretary's account
5 came out about National Guard troops.

6 Q Okay.

7 BY [REDACTED]:

8 Q So when you keep saying it was in your view, Mr. Deere, we should say
9 something, we should say something, what were the -- what was your intention in terms
10 of who the "we" was? The President himself or we, the press office, or who at that
11 moment was it in your discussion with Ms. McEnany you thought should say something?

12 A Well, "we" collectively refers to the White House. The White House "we" is
13 certainly the President of the United States, but at that moment in time, I felt like anyone
14 should say something.

15 Q Yeah.

16 A It didn't necessarily have to be the President at that moment.

17 Q Uh-huh.

18 A Kayleigh and I both had jobs that spoke on behalf of the President.

19 Q Right.

20 A So --

21 Q And, at that point, the discussion that you described for [REDACTED], the
22 President hadn't said anything at this point, hadn't sent a tweet, hadn't said anything, he
23 had returned The Ellipse but hadn't yet issued his first tweet, was in that interim period of
24 time?

25 A Yes. If I recall correctly, there was a tweet from the President sometime in

1 the 2 o'clock-ish --

2 Q Right.

3 A -- hour that may have involved the Vice President. I'd have to look at the
4 tweet and the language in it, but there was something from him in the 2 o'clock hour.

5 Q And I think [REDACTED] going there. But I'm just trying to pinpoint the
6 discussion with Ms. McEnany, the first one, was that prior to the two --

7 A Certainly.

8 Q Yeah.

9 [REDACTED] Okay. Thanks.

10 BY [REDACTED] :

11 Q So let's turn to that tweet, if you look at exhibit 16. This is a tweet from
12 Donald J. Trump @realDonaldTrump, and this is time stamped 2:24 p.m. on January 6th.
13 He wrote: Mike Pence didn't have the courage to do what should have been done to
14 protect our country and our Constitution. Giving States a chance to certify a corrected
15 set of facts, not the fraudulent or inaccurate ones which they were asked to previously
16 certify. USA demands the truth! Exclamation point.

17 Is it your recollection -- I think you already just said this. But it's your recollection
18 that the conversation you had with Ms. McEnany and then Ms. McEnany going to talk to
19 Chief of Staff Mark Meadows, that that was before the President issued this tweet.

20 A That is my recollection.

21 Q Do you have any knowledge of whether Mr. Meadows then spoke to the
22 President?

23 A I have no knowledge.

24 Q Okay. Were you involved in any way in the drafting or reviewing of this
25 tweet?

1 A No.

2 Q What was your reaction when you saw that tweet?

3 A Extremely unhelpful.

4 Q Why?

5 A It wasn't the message that we needed at that time. It wasn't going to -- the
6 scenes at the U.S. Capitol were only getting worse at that point. This was not going to
7 help that.

8 Q Were you concerned it could make it worse?

9 A Certainly.

10 Q Why?

11 A Because I didn't think it was truthful.

12 Q Explain that.

13 A I didn't think that Mike Pence had -- I didn't think that he had that authority.

14 Q And were you aware at that time that some of the people attacking the
15 Capitol were chanting things like "hang Mike Pence"?

16 A No.

17 Q Do you know what the President was doing at that time?

18 A I do not.

19 Q Okay.

20 A Outside of press reports.

21 Q Okay. And by press reports, you mean things that were actually reported
22 in the press as opposed to reporters contacting you?

23 A Correct.

24 Q So, just to give you a little context, so that was at 2:24.

25 Between 2:39 and 2:42 p.m., Fox News reported the use of teargas in the Capitol,

1 that lawmakers were evacuating the House floor, and gas masks and about President
2 Trump's 2:38 p.m. tweet, which I will turn to in just a moment here. Actually, maybe I
3 won't.

4 Do I have that one?

5 Oh, so, at 2:38, the President tweeted: Please support our Capitol Police and law
6 enforcement. They are truly on the side of our country. Stay peaceful! Exclamation
7 point.

8 Do you remember seeing that tweet?

9 A Not specifically.

10 Q Do you remember seeing the -- in general, seeing the President's tweets
11 following his tweet about the Vice President?

12 A Generally.

13 Q Okay. Another one of those tweets is at exhibit 17, and that was a 3:13
14 p.m. tweet where President Trump wrote: I'm asking for everyone at the U.S. Capitol to
15 remain peaceful. No violence. Remember we are the party of law and order.
16 Respect the law and our great men and women in blue. Thank you.

17 So it looks like those tweets had one aspect of what you were saying earlier you
18 thought the message had to be, which is respect law enforcement. But they did not
19 include other aspects of what you said earlier, which is stop the violence and go home.

20 Do you remember having any reaction to seeing the President's tweets and
21 whether they were consistent with the advice you gave Ms. McEnany, the advice that
22 you, Mr. Deere, gave to Ms. McEnany?

23 A I'll acknowledge that I was pleased that we were moving in the right
24 direction in terms of the message, but it wasn't enough.

25 Q And is that because it didn't say stop the violence or go home?

1 A Correct. The attack on the Capitol Building was still continuing.

2 Q Do you know whether anybody told the President that he or recommended
3 to the President that he should issue a statement saying that people should stop the
4 violence or go home?

5 A I don't know if they did or not.

6 Q So let's go back to what you were doing. So I sort of lost that thread a little
7 bit. You talked about you had the conversation with Ms. McEnany. Ms. McEnany goes
8 in to see Mr. Meadows. She comes back and reports to you on or discusses with you, I
9 should say, that conversation. Tell us now, again, about what you were doing.

10 A I mean, as I've indicated, it's a lot of back and forth between my office and
11 Kayleigh's office. At some point after the 3:13 tweet is when I reiterated to Kayleigh
12 that I thought we needed the President on camera.

13 Q And what was her reaction?

14 A She agreed.

15 Q Okay. Why did you think it was important for the President to be on
16 camera?

17 A Because, again, the legislative seat of our government appeared to be under
18 attack at that point and the President, the head of the executive branch, should weigh in
19 on that.

20 Q And weigh in in a way that he had not yet done. Correct?

21 A Correct.

22 Q In addition to the fact that he had not yet been on camera, it sounds like you
23 think he should have said things that he had not yet said.

24 A Correct.

25 Q And what would that be?

1 A To stop the attack and go home.

2 Q And Ms. McEnany agreed?

3 A Yes.

4 Q Was anybody else in that conversation?

5 A I don't recall if they were.

6 Q Okay. And what happened next?

7 A If I recall correctly, the -- when I was back down in my office, Kayleigh's
8 tweet about the National Guard went out. I didn't have any awareness of that before it
9 went out.

10 Q Okay. And that's exhibit 18.

11 A Uh-huh.

12 Q So 3:36 p.m. Okay.

13 And then what?

14 A Sometime closer to the 4 o'clock hour, when I was checking in with Kayleigh
15 again, I was informed that there would be -- that I should expect a video statement of
16 some kind, not on-camera remarks with the press but a direct camera video statement
17 from the President.

18 Q Do you recall who told you that?

19 A Kayleigh.

20 Q And roughly what time do you think that was?

21 A Approximately 4 o'clock.

22 Q Were you involved in any way in preparation of the President's remarks for
23 that video statement?

24 A No.

25 Q Did Ms. McEnany tell you anything about what the President was going to

1 say in that statement?

2 A She indicated that it would -- that it would include the things that her and I
3 thought needed to be said.

4 Q Okay. And did she say what she based that belief on?

5 A She did not.

6 Q Okay. So you were not there when the video statement was filmed.

7 Correct?

8 A Correct.

9 Q Did you hear anything about either the preparation of the President's
10 remarks -- and I'm referring to the videotaped remarks -- or his delivery of the remarks?

11 A Not outside of what's been reported in the media.

12 Q Okay. Do you know who wrote his remarks?

13 A Not specifically.

14 Q Do you know whether there was more than one take of the videotape?

15 A Again, no personal knowledge outside of what's been reported in the media.

16 Q And no even secondhand information. Nobody came back and said
17 anything to you about what had happened.

18 A Not that I recall.

19 Q Did you hear anything other than through the media about whether the
20 President was resistant to telling his supporters to stop the violence and go home?

21 A Not that I recall.

22 Q Okay. And then did you see the statement as soon as it was released?

23 A I don't recall if I got a heads-up of what the specific statement would be
24 shortly before it went out or if I just saw it when the video went out.

25 Q Okay. What was your reaction to the statement?

1 A It was fine. I still thought it needed more and I was expecting something a
2 little -- something longer with a little bit more I guess we'll say meat to it.

3 Q What kind of meat?

4 A I felt like it was the absolute bare minimum of what could have been said at
5 that point for something on camera.

6 Q What else do you think should have been said?

7 A A more forceful -- a more forceful dismissal of the violence, a more forceful
8 command to go home, a more forceful respect for law enforcement, even a comparison
9 to the respect that we have given law enforcement as it relates to what was done to
10 them in the prior summer, and I thought it was important that an acknowledgment be
11 given to the U.S. Capitol Building itself, what it's a symbol of, what it means, not only to
12 the people that work there but to the American people generally and the work of
13 Congress that by law needed to be conducted that day.

14 Q If you look at exhibit 29, this is a document that we received from the
15 Archives. And the top says, "Remarks," underlined.

16 Do you know what that document is?

17 A Do you have a date?

18 Q I don't. But, if you see at the end, it says, last paragraph says: I'm asking
19 you to leave Capitol Hill region now and go home in a peaceful way.

20 So my assumption would be it was from January 6th.

21 A I can't tell you if it's from January 6th or not.

22 Q Okay. Do you recall ever seeing this?

23 A No.

24 Q Okay. So it starts: I urge all of my supporters to do exactly as 99.9
25 percent of them have already been doing, express their passions and opinions peacefully.

1 My supporters have a right to have their voices heard.

2 So these references to "my supporters" suggests that this was something drafted
3 for the President. Does that sound right to you?

4 A It sounds right but not knowing the drafter, the intention of it.

5 Q Right. But it would be unlikely for a staffer to be writing something
6 referring to "my supporters." Is that right?

7 A That's fair.

8 Q Okay. Do you have any idea who might have drafted this or what its
9 purpose was?

10 A Not specifically, and outside of a date, I would -- I wouldn't want to assume.

11 Q To your knowledge, these particular remarks were not actually given, were
12 they?

13 A To the best of my knowledge, I don't recall them.

14 Q So, while the attack was going on at the Capitol, did you hear any discussions
15 within the White House of the possibility of Members of Congress withdrawing their
16 objections to the certification of the election?

17 A Can you repeat the question?

18 Q Yeah. So, while the attack was going on at the Capitol, did you hear any
19 discussions within the White House about the possibility of Members of Congress
20 withdrawing their objections to the electors?

21 A Yes.

22 Q Okay. Tell us about those conversations.

23 A I would have been one of those people that would have raised that with
24 Kayleigh at some point that afternoon.

25 Q Okay. To the best of your recollection, what did you say to Ms. McEnany?

1 A I had received information from my soon-to-be employer, Senator Hagerty,
2 letting me know what he was hearing from his colleagues where he was secluded in a
3 secure location.

4 Q So what did Senator Hagerty tell you?

5 A That conversations had shifted from debating the certification of Arizona
6 and establishing a commission to audit Arizona to impeachment, talk of the 25th
7 Amendment, and that the Senators thought that any effort to mount a sustained
8 objection to any State had ended.

9 Q Because of the violence?

10 A Yes.

11 Q Roughly --

12 A And that that was not only his opinion but the opinion of many of his
13 colleagues.

14 Q Roughly what time was that conversation?

15 A Outside of looking at call logs, I couldn't tell you specifically but middle of the
16 afternoon maybe.

17 Q Do you have a recollection where it was before or after the President's
18 videotaped statement?

19 A Before.

20 Q Before. So sometime between when the President got back from The
21 Ellipse and when he did the statement. Correct?

22 A Correct.

23 Q And did Senator Hagerty tell you what he wanted you to do with this
24 information? So, for example, was this something he was asking you to convey to the
25 President or to anybody else at the White House?

1 A No. He didn't have any specific instruction, other than he was a
2 freshman U.S. Senator who had been on the job for 24 hours and his soon-to-be
3 communications director happened to have a full-time job elsewhere, and he was
4 reaching out to relay what he was hearing and was seeking my counsel.

5 Q Did he say what Senators he was with?

6 A All 99 of his colleagues.

7 Q Okay. So had all -- this was not on the Senate floor. This would have
8 been moved to a secure location within the Capitol. Is that correct?

9 A Correct.

10 Q Did he say anything about which Senators were considering dropping their
11 objections?

12 A I don't recall him mentioning specific names.

13 Q Okay. Did he say that all the Senators who were objecting were thinking of
14 dropping their objections?

15 A No.

16 Q Did he say anything about Senator Hawley?

17 A I don't recall him mentioning Senator Hawley.

18 Q Did he say anything about Senator Cruz?

19 A He likely heard -- he mentioned Senator Cruz as the Senator was the leader
20 of the group of approximately 10 Members who were seeking to establish the
21 commission that I mentioned. He mentioned Senator Cruz in that way. I don't recall
22 him mentioning if Senator Cruz was dropping his objection or if he had talked to Senator
23 Cruz or not.

24 Q Did he mention Senator Blackburn's views?

25 A We discussed Senator Blackburn's views.

1 Q And what did he say about that?

2 A He indicated to me or reminded me that he and Senator Blackburn had both
3 agreed to the objection of certain battleground States to attempt to establish a
4 commission and that whatever they ultimately decided to do later tonight, if they were
5 able to come back into session, that he and Senator Blackburn would need to be in sync.

6 Q And did he say where he and Senator Blackburn were on that issue at that
7 time when you talked to him?

8 A To the best of my recollection, he indicated that -- he reminded me where
9 the two of them had been on it, but he had not -- he said that he had not spoken with her
10 recently and would need to do so.

11 Q Did he say what Senator McConnell or others in the Republican leadership
12 were urging, if anything?

13 A I don't recall him mentioning anything about Leader McConnell.

14 He did express that several Members had expressed very strongly that this had
15 gotten out of hand and that, one, some expressed that they didn't know what to do or
16 where this would ultimately go; and, two, there was another group that were
17 hard-pressed to come back into session and to finish the work, whatever time of day that
18 ended up happening or how long it would take. He was basically expressing that
19 tempers were very high.

20 Q You mentioned impeachment. What did Senator Hagerty say about
21 impeachment during that call?

22 A That there -- had picked up a lot of chatter among his colleagues, even
23 among Republican colleagues, not just Democrats, that the conversation had, again, had
24 turned from establishing a commission and debating the certification of votes to the 25th
25 Amendment and impeachment articles.

1 Q Did he say which Senators were considering the 25th Amendment and
2 impeachment articles?

3 A He did not.

4 Q Did he state his own view regarding the use of the 25th Amendment or
5 impeachment?

6 A I don't recall him doing so.

7 Q Did you give him any advice?

8 A Yes.

9 Q What was that advice?

10 A That he needed to remain safe and that I didn't know where the day was
11 going to end up but that we would talk later and figure out a plan of action, particularly
12 after he had determined where Senator Blackburn was going to land as well.

13 Q Did you give him a recommendation on how he should vote on certification?

14 A He knew my personal feelings on certification before he elected to go that
15 route. But I don't recall if I indicated one way or the other what he was -- the choice
16 that he was going to be presented with later that night.

17 Q And did you talk to him again later that day?

18 A Yes.

19 Q Okay. Before we get to that, I know I just asked you a ton of questions
20 about that one call. But having done that, still in case there's anything I missed, can you
21 just walk us through that call and everything you can remember about it?

22 A I mean, the Senator reached out.

23 Q Was it your cell phone or a landline?

24 A Yes.

25 Q Cell phone?

1 A Cell phone.

2 Q Personal or --

3 A Personal.

4 Q Official?

5 A Personal. Again, he reached out not only as a checkpoint for himself but
6 also to check on my own safety. He wanted to know what I was hearing from inside the
7 building, which is nothing that I haven't shared with you all. He indicated to me what
8 we've discussed here. Other than him telling me that he was also checking in with our
9 other incoming staff members, two of which were with him in the secure location, I don't
10 recall anything else specific from the phone call.

1

2 [3:01 p.m.]

3 BY [REDACTED]:

4 Q And so I understand, he mentioned that Republican senators -- or senators,
5 including Republicans, were talking about the possibility of impeachment or/and
6 requesting invocation of the 25th Amendment?

7 A Yes.

8 [REDACTED] Do you have anything else on that?

9 BY [REDACTED]:

10 Q When you mentioned that Senator Hagerty described needing to be in sync
11 with Senator Blackburn, was that in sync with each other, meaning the two of them
12 needed to take the same position, or they needed to be in sync with the caucus, the
13 party, a broader strategy?

14 A In sync as in the two U.S. Senators from Tennessee needed to make sure
15 that they were aligned.

16 Q I see. They needed to, ideally, do the same thing when it came to the
17 reconvened session in terms of their vote on certification?

18 A Correct.

19 Q All right. And then was it your understanding, Mr. Deere, that he was going
20 to reach out to Senator Blackburn to see if they were, if their intentions at that moment
21 were aligned?

22 A I don't recall him specifically saying that he was going to reach out, but he
23 indicated that he would be speaking with her at some point --

24 Q Okay.

25 A -- as well as our staffs touching base.

1 Q Did you then take -- you're anticipating my question.

2 Did you make any effort to reach out to Senator Blackburn's staff -- I understand
3 you weren't Hagerty's staff yet, but to ascertain what she was thinking or what she was
4 doing?

5 A I did not, but I know that other members of our incoming staff did.

6 Q I see.

7 A And I was made aware of those phone calls later in the evening.

8 Q Tell us about that. What did you learn later in the evening?

9 A I was made aware that Senator Blackburn was likely not going to vote to
10 sustain the original objection and was no longer going to object to future States that were
11 going to come up.

12 Q I see.

13 So my understanding is that the plan going in that day before the speech and the
14 violence was that Senators Hagerty and Blackburn were part of that group that indicated
15 their intent to object to particular States, right?

16 A I don't want to speak too much for Senator Blackburn, but at least for
17 Senator Hagerty, he had indicated publicly that he would be -- that he intended to vote to
18 object to the certifications of Arizona and Pennsylvania --

19 Q Right.

20 A -- in an effort to try and establish a commission to audit those two States.

21 Q He was one of the group of 10 or 11 that Senator Cruz led --

22 A Yes.

23 Q -- that was essentially arguing for that outcome?

24 A Yes.

25 Q Okay. So Senator Hagerty, it sounds like over the course of the day,

1 changed his position and no longer believed that he should be part of that group or
2 should vote to object to Arizona or Pennsylvania?

3 A In a subsequent phone call later that evening, yes, the final decision was
4 made by him that he would no longer -- that he would join Senator Blackburn and no
5 longer vote to sustain the objection or to object to Pennsylvania later in the night.

6 Q And is that what ultimately happened when they did reconvene?

7 A That is correct.

8 Q And that sounds like, Mr. Deere, was consistent with your advice or your
9 personal view as to what the right thing to do was?

10 A It is consistent with my personal view. However, it is not consistent with
11 my professional advice to him.

12 Q Tell us more about that. What do you mean? What was your
13 professional advice to him?

14 A My professional advice was, You have stated publicly, sir, that you're going
15 to object to Arizona and to Pennsylvania.

16 Q Uh-huh.

17 A The amount of criticism that you will receive from conservatives, supporters
18 of the President, many in the Republican Party at large will be loud and vocal if you don't
19 do what you said you were going to do.

20 Q Yeah.

21 And what was his response?

22 A He acknowledged it.

23 Q But he, nonetheless, indicated that he felt like he couldn't vote to object in
24 the wake of the violence?

25 A Yes. The Senator was -- yes, the violence had an impact on the Senator,

1 and he -- yes, that was a factor, but also Senator Blackburn's decision no longer to sustain
2 her own objection was also --

3 Q Was influential? The desire to stay aligned with her was another part of
4 the calculus?

5 A Yes. And the -- yes, was the leading factor.

6 Q I see.

7 And was there some deference to her as sort of the senior Senator? He was
8 newly elected; she had been there previously. Is it -- I'm just trying to get a sense of
9 who was leading whom here.

10 A Um, Senator Hagerty is his own person, but -- he was fully prepared to do
11 what he had indicated publicly he was going to do even after the violence occurred. But
12 he and Senator Blackburn had a long conversation, and he elected to follow her lead.

13 Q And change his position?

14 A Yes.

15 Q So they both essentially started by declaring publicly they would object to
16 those States, and then over the course of the afternoon, including the conversation with
17 each other, changed that position, and when the Senate reconvened they did not object,
18 right?

19 A That is correct.

20 Q Okay. And it sounds like for you personally, that was inconsistent with your
21 professional advice, but consistent with your personal views about what should be done
22 or what should happen given the violence at the Capitol?

23 A Yes, that's a fair assessment.

24 Q Okay. I don't want to mischaracterize your position. But it sounds like
25 that's right.

1 A Yes. But as I expressed to the Senator, it would be an unpleasant --

2 Q Yeah.

3 A -- reaction.

4 Q Okay, all right. I appreciate that.

5 I just want to go back quickly now to discussions about what the President might
6 say.

7 ██████████ Actually before you do that, can I ask a little bit more about the
8 conversations with Senator Hagerty.

9 ██████████ Yes.

10 BY █████

11 Q So how many more times did you talk to Senator Hagerty --

12 Mr. Bartolomucci. Can I say something, █████?

13 ██████████ Yeah.

14 Mr. Bartolomucci. You know, the chairman's letter coming with the subpoena
15 said that this inquiry wouldn't be about Judd's Senate service. Now, Judd was still at the
16 White House on January 6th, but he also agreed to join Senator Hagerty's staff at the end
17 of the Trump administration. And, you know, frankly he's having conversations with the
18 Senator with an eye towards his future employment with the Senator.

19 So I feel like we're spending time on an area that really relates more to his, you
20 know, impending Senate service than it does to his White House job on January the 6th, if
21 you understand what I'm saying.

22 So we've spent a fair bit of time on this, and I'm just wondering if we're about to,
23 you know, wrap up this Hagerty piece.

24 ██████████ I would like to ask some more questions, but they relate to what
25 Senator Hagerty may have said about other Senators as opposed to his own vote.

1 BY [REDACTED]:

2 Q So what I'm interested in asking about is whether in your subsequent
3 conversation or conversations with Senator Hagerty, if he told you anything about those
4 who are leading the objection, particularly Senator Hawley and Senator Cruz, and what
5 position that they were going to continue to take.

6 A In subsequent phone calls with my own soon-to-be staff colleagues, as well
7 as Senator Hagerty, I was informed of what the plan would be later in the night, which
8 was that they would reconvene, finish the debate on the Arizona certification, take the
9 vote, which would fail because many of them, like Senator Hagerty and Senator Blackburn
10 and others who had voted to object, would no longer vote to sustain their objection, and
11 they would go back to the House Chamber and finish with -- or proceed with the joint
12 session, and that they would -- that whenever they would come to the next State that
13 was anticipated to be an objection -- I don't remember the next State in the list of
14 battlegrounds, but basically, the House Member needing a Senate member to also stand
15 up and object, that that would no longer be occurring as was the original plan until
16 Pennsylvania, when Hawley would still be the Senator that objected to give a House and a
17 Senate member, and they would break into the two Chambers again for 2 hours of
18 debate and then take votes again on whether or not to sustain the objection to
19 Pennsylvania.

20 Q Did you hear anything, whether from Senator Hagerty or anybody else,
21 including people at the White House, about why Senator Hawley was continuing with his
22 objection of Pennsylvania even after the violence at the Capitol?

23 A I think because Senator -- well, I can't speak for Senator Hawley.

24 Q No, I'm not asking you to try and infer what Senator Hawley's reasons were.
25 But did you hear anything about what Senator Hawley was planning to do and why?

1 A No.

2 BY [REDACTED] :

3 Q Now, putting back your White House hat, were you conveying this
4 information about what Senators were planning to anyone within the White House?
5 Were you serving as sort of a conduit of discussion about Senators' intentions to
6 Mr. Meadows or others in the White House?

7 A I made Kayleigh aware of the initial conversation that I had had with Senator
8 Hagerty in the middle of the afternoon about what he was hearing.

9 Q Uh-huh.

10 A Didn't do anything else with it.

11 Q Beyond that, telling your direct supervisor, Ms. McEnany, nothing else that
12 you did to sort of pass along current intentions of what you were hearing on the Hill?

13 A Correct.

14 Q The President actually made, the archives documents that we've received,
15 some phone calls to members of the Senate that afternoon, that evening. Actually, it's
16 more like the evening.

17 Do you have any personal knowledge about the content of those calls or the
18 purpose of those calls or did you hear anything about those discussions?

19 A Not beyond what's been reported in the media.

20 Q Okay.

21 Going backward, earlier [REDACTED] asked you some questions about the tweet -- the
22 early afternoon, mid-afternoon tweets and your view that they were kind of insufficient.

23 Did you ever hear from Ms. McEnany or any other source about the President's
24 resistance to using certain words or saying certain things in tweets as the violence was
25 occurring?

1 A I don't recall being a part of any conversation about that.

2 Q From any source, did you hear about him saying, I can't say that, or I don't
3 want to say that, or It's too early to say that, or anything along those -- about him actually
4 actively pushing back against the advice that at least you thought, Mr. Deere, was
5 appropriate to give?

6 A No, I don't recall that.

7 Q Any gossip or chatter about that, kind of like what you described?

8 A Not beyond what's been reported in the media.

9 Q Okay. At any time during the course of the afternoon or evening, did you
10 ever hear that the President didn't want to say certain things or was resistant to any
11 particular message?

12 A I don't -- certainly I was concerned personally that it was taking so long to
13 get him on camera.

14 Q Yeah.

15 A I didn't know why that was happening.

16 Q It took 187 minutes from his return to the White House to when he issued
17 that video statement, you know, 3 hours of time when there was an attack on the Capitol.

18 Did you ever hear anything from any source about why it took so long, or why he
19 didn't say anything more forceful sooner?

20 A Again, not outside of what's been reported in the media.

21 Q Okay.

22 Did you hear anything -- let me phrase it a different way -- about what his
23 intentions were, about affirmatively what he did over the course of the day, intend to do,
24 or want to do, not resistance, but things that got back to you as to what he thought was
25 important?

1 A I'm not sure I follow the question.

2 Q Yeah. I'm trying to ask it sort of the opposite, did you hear about
3 resistance. What did you hear about -- anything at all about what was on his mind or
4 what he said about what he should or shouldn't say?

5 A I don't recall if I heard anything along those lines.

6 Q Okay. Did you ever hear any comparisons that afternoon in the context of
7 discussions of his statement to what people said about the summer of 2020 in response
8 to the violence that occurred in the George Floyd protests?

9 A You talking about on January 6th?

10 Q Yes.

11 A Not on January 6th.

12 Q What did you hear about that afterwards?

13 A Certainly it was a topic of conversation on January 7th.

14 Q Tell us about that. What did you hear, or what did he say, or others on
15 January 7th about that?

16 A Kayleigh and I discussed it on January 7th in preparation for an on-camera
17 press statement that she was going to deliver --

18 Q Right.

19 A -- that afternoon.

20 Q Okay. And I think we'll get to that. I'll leave that alone.

21 Last question on this. Did you ever hear anybody in the White House talk about
22 letting the media win or feeding into some narrative by condemning the violence, that if
23 we said that, it would let them -- "them" whomever they are -- win? Did you ever hear
24 that view expressed?

25 A I don't recall ever hearing that view expressed.

1 [REDACTED] Yeah, okay. Okay.

2 Thanks.

3 That's all I have on this, [REDACTED]

4 Did you ask about a break?

5 Mr. Field. We're good. We're still good.

6 [REDACTED] You're okay.

7 [REDACTED] I'll just pause here. I think Congressman Aguilar is on.

8 Sir, did you have any questions at this time?

9 BY [REDACTED]:

10 Q So we understand from other witnesses that at some point during the day,
11 nonessential personnel at the White House were told to leave the White House. Is
12 that -- or to go home. Does that sound correct to you?

13 A On the 6th?

14 Q Yes, on the 6th.

15 A I don't recall that.

16 Q Okay. Do you recall there being a D.C. curfew?

17 A Not specifically, but I never paid attention to D.C. curfews because of where
18 I worked.

19 Q Okay. Roughly what time did you leave the White House on the 6th?

20 A 8-ish, if I recall.

21 Q Okay.

22 A Maybe a little later.

23 Q Okay. So we were going through a chronology of events. Let's pick up at
24 the 4:17 videotape statement. I think I already asked you about your reactions to that.

25 What did you do after that?

1 A Tried to respond to the inquiries that I had received from throughout the
2 day, to make sure reporters had seen the video, returned a whole bunch of phone calls
3 that I had received from reporters to friends and family, checked in with some of Senator
4 Hagerty's staff, talked with the three press assistants who report to me to make sure that
5 they were okay, did they need anything. That's all that I recall.

6 Q Other than Senator Hagerty, did you talk to any Members of Congress on
7 January 6th?

8 A No.

9 Q Did you talk to any members of the President's Cabinet on January 6th?

10 A Not that I recall.

11 Q Were there any discussions about the President issuing a second video
12 statement on the 6th?

13 A Not that I was a part of.

14 Q We may have asked you this earlier. Did you have any conversations with
15 President Trump at all on January 6th?

16 A No.

17 Q Okay. If you look at exhibit 19, this is a tweet from President Trump,
18 January 6, 6:01 p.m. These are the things and events that happen when a sacred
19 landslide election victory is so unceremoniously and viciously stripped away from great
20 patriots who have been badly and unfairly treated for so long. Go home with love and
21 in peace. Remember this day forever, exclamation point.

22 Were you involved in drafting or reviewing that tweet?

23 A No.

24 Q Do you remember seeing that tweet?

25 A Not specifically.

1 Q Okay. In general, do you recall having a reaction to any of the President's
2 communications later on the 6th after his 4:17 video statement?

3 A Yes, generally, but I don't recall specifically what all he may have tweeted
4 the rest of the evening. But certainly, if there are others beyond this one, I'm happy to
5 review them and recall if I had a reaction to it.

6 Q Okay. Do you have just sort of a general reaction to the President's
7 communications after the video statement and whether they were appropriate or
8 sufficient?

9 A Well, just looking at this specific one that's in front of me, I mean the first
10 sentence of the tweet I just thought was unhelpful at that point. It --

11 Q And why do you think it was unhelpful?

12 A Because we didn't win. There was no victory.

13 Q If you look at exhibit 20, an email exchange. The earliest one
14 chronologically is on the second page. It's from Jonathan Hoffman, Assistant Secretary
15 of Defense for Public Affairs, on January 6th at 5:36 p.m. to you and several other people:
16 "Can we set up an 1800 call on the messaging on our response to events at the Capitol.

17 Please include others from DOI as necessary."

18 Do you recall whether that phone call ended up taking place?

19 A I do not know if the phone call took place.

20 Q Okay. Were you involved in -- other than what's, you know, in the email
21 itself, were you involved in any coordination of media statements by executive branch
22 agencies?

23 A I don't recall reviewing any other statements from executive branch
24 agencies; but if I had, then those would be on my official email.

25 Q Okay. So we understand that President Trump spoke with your immediate

1 supervisor, Kayleigh McEnany, on the evening of January 6th at or around 9:42 p.m. Did
2 Ms. McEnany ever tell you anything about that conversation?

3 A I don't recall if she did.

4 Q Okay. If you look at exhibit 21, this is a text from you to Kayleigh McEnany,
5 January 6th, 10:48 p.m. "Have had several reporters ask if POTUS issues something
6 once Congress finishes tonight. I guess some have heard rumors."

7 What were the rumors that some of the reporters had heard?

8 A As I mentioned previously, Kayleigh and I were regularly kept up to speed
9 with what the campaign was going to be doing or not doing in terms of messaging, not
10 that we were coordinating, but just so we were aware.

11 Kayleigh and I were both aware that the campaign planned to release a statement
12 from the President later that night once Congress finished its activities, that nothing
13 would be released from the White House about the action of Congress.

14 Q And why is that, that it would be from the campaign rather than the White
15 House?

16 A Because the actions of Congress that night involved a candidate, not a sitting
17 President.

18 Q And did the campaign coordinate at all with you, either directly or indirectly,
19 regarding what they were going to say?

20 A I was aware of what they were going to say, but I wasn't -- I didn't approve
21 anything or -- I just was aware of what they would be putting out.

22 Q Did you offer any comments?

23 A No.

24 Q Did you have any concerns about what they were saying?

25 A I don't recall if I did or not.

1 [REDACTED] Do you have anything else on January 6th?

2 [REDACTED] I don't.

3 BY [REDACTED]:

4 Q In your understanding, what was the video going to say?

5 A The --

6 Q From the campaign, the one that you're referring to in this message.

7 A Oh, this message with Kayleigh at 10:48?

8 Q Correct.

9 A Well it was going to be a prepared statement. It wasn't a video.

10 Q And what was the substance of the statement?

11 A I don't recall. Yeah, I don't recall what it was going to be, but it -- I'm sure it
12 would be available on the campaign's website or is somewhere in the public eye right
13 now.

14 BY [REDACTED]:

15 Q I do have one thing.

16 Ms. McEnany left a lot earlier than you, right, that evening? Do you remember?

17 A I do not recall when she left.

18 Q I see. So it wasn't a decision about you're going to stay and she's going to
19 go. Her daughter was in town. She needed to attend to her, get home. And do you
20 recall any specific discussion about whether one of you needed to stay in the White
21 House if the other left?

22 A No, there was no discussion about that.

23 Q Okay. There was a curfew, and there was apparently a directive from the
24 Chief of Staff that everyone should leave the White House complex at 6-ish. And it
25 sounds like you either didn't get it or didn't heed that. I'm just curious about why you

1 stayed after the directive to leave.

2 A I regularly stayed late. I don't have any --

3 Q Yeah. I mean, it was a pretty big day, right, a lot going on?

4 A Lot going on, lot to process.

5 Q Yeah.

6 A Probably, subconsciously, I didn't know if I left if I would come back.

7 Q Tell us more about that.

8 A Sometime that evening, that afternoon, I typed up a resignation note.

9 Q Uh-huh.

10 A I have no idea if I saved it or what I did with it.

11 Q Uh-huh. What generally did it say, the best that you can recall?

12 A What generated it?

13 Q Generally did it say?

14 A Oh, generally?

15 Q Yeah.

16 A If I recall, it said that I had had the highest honor of my life and had served in
17 my dream job for the last 2.5 years. Still to this day is my dream job. But after the
18 events of today, I don't feel that I can -- I don't feel that I can best serve the needs of the
19 country and the President, something -- generally that's -- it was very short.

20 Q I see.

21 And just tell us more, Mr. Deere, about what was in your heart, in your mind at
22 that time. What -- how did you feel to the point where you considered resigning?

23 A Well, I think that if you look at a tweet that I put out on my personal account
24 the following day, the U.S. Capitol means a lot to me. I worked there for 4 years, was an
25 intern there in 2009. January 6th was a sad and frustrating day, and I was hurt.

1 And, yeah, that's probably -- that's probably why I didn't leave as early as I
2 probably should have.

3 Q Yeah. Did you feel like the President had failed to meet the moment or
4 didn't react as fast or strong enough to try to minimize or prevent that violence?

5 A Yes. But I also didn't know if we as staff had failed him and --

6 Q Tell me more about that. What do you mean?

7 A Well, a President, like any elected official, relies on good staff and good
8 advice to make sound decisions and sound judgments.

9 Q Uh-huh.

10 A It's ultimately up to them whether they choose to take advice.

11 Q Right.

12 A But after a day like January 6th, of course, you second guess.

13 Q Yeah.

14 A Maybe I should have pushed harder.

15 Q Mr. Deere, it sounds like you gave him really candid advice at multiple points
16 along the way. You told us about several times where you told him directly
17 about -- good advice about what you thought he should do. And it sounds like over the
18 course of the afternoon, you conveyed that to Ms. McEnany, that he needed to issue
19 something more quickly.

20 Did you have any concern that that hadn't reached him or somehow he had been
21 underserved by his staff?

22 A Concerned, yes, but, you know, as I've already indicated, I didn't see the
23 President on January 6th.

24 Q Uh-huh.

25 A Maybe I should have.

1 BY [REDACTED]:

2 Q Did you have walk-in privileges at the Oval Office?

3 A Yes.

4 BY [REDACTED]:

5 Q Other people did resign. Did any of them discuss with you their respective
6 decisions, or even thoughts about resignation?

7 A Yes.

8 Q Who?

9 A Sarah Matthews.

10 Q Tell us about the conversation you had with Ms. Matthews. She was on the
11 press staff with you, correct?

12 A Uh-huh.

13 Q Presumably a close associate, close friend even?

14 A Professional relationship.

15 Q Yeah.

16 A I wouldn't say that they were close. I had only worked with her for
17 6 months or so. Competent, qualified, young, wanted to learn. She was hurt. I
18 talked to her that afternoon and tried my best to console her, to be not a supervisor, not
19 a manager, but someone who's been here longer than you and try to pick you up.

20 Q Uh-huh.

21 A But I was hurt, too.

22 Q Yeah.

23 A The -- I don't recall the term "resignation" or "taking action" ever coming up.

24 Q Okay.

25 A But I knew that she was hurt.

1 Q So it was more of her expressing her frustration, her disappointment, not to
2 the point of saying, I'm going to quit or I'm going to resign?

3 A I don't recall that ever coming up.

4 Q Okay.

5 A But, again, I could tell that she was crying. She was very upset.

6 Q Yeah. Who else was in that category, people that expressed to you or that
7 you're aware had that similar feeling of being hurt, being disappointed over the course of
8 that afternoon or evening?

9 A I don't recall disappointment from the three press assistants that worked for
10 me, but certainly shock. I don't recall speaking with anybody else.

11 Q Okay.

12 Matt Pottinger resigned. Did you ever speak to him about frustration or his
13 decision to resign?

14 A I know Matt, but I didn't speak to him that day or haven't since either.

15 Q Okay. How about Stephanie Grisham? She resigned that day. Did you
16 ever have any -- she was your boss at one point. Did you ever talk to her about that
17 decision?

18 A Yes, we have talked since then.

19 Q Yeah.

20 A And I -- if I recall, I reached out to her that day after she announced her
21 resignation.

22 Q Uh-huh.

23 A Just expressing my support, no judgment on anyone's decision. That
24 decision is theirs alone to make, and I still don't judge anyone for the decision to leave.

25 Q Yeah.

1 A Stephanie is a friend.

2 Q Yeah. You ultimately decided not to resign. I'm curious as to why.

3 Sounds like you wrestled with it, but ultimately decided to stay. Tell us what informed
4 that decision.

5 A A number of things. Before I sent my three press assistants home, I asked
6 all three of them if I could expect to see them the next morning, and all three of them
7 indicated yes; some long and difficult conversations with Mom and Dad; conversations
8 with a boyfriend that is not a supporter of Donald Trump and him telling me it was time
9 to resign, which, of course, just made me want to stay longer; and just the gut feeling of
10 going to bed and sleeping on it if I need to finish what I started.

11 And I made a commitment to several people right after the election, right after
12 the race was called that from the press office standpoint, that I would lead the transition
13 efforts, and I woke up with the mentality of transitions don't happen because of a
14 President, they happen because of staff. And in order to make sure that the Biden team
15 was as successful as they could be when they came in, that would take staff, not the
16 President.

17 Q Uh-huh.

18 A And so I elected to stay.

19 Q In part, to facilitate that effective transition to the next administration?

20 A Correct.

21 Q So it sounds like you didn't make up your mind until the next day, until the
22 7th. Is that right?

23 A I was in a better spot when I went to bed than when I left. But, no, you
24 would be correct that I didn't make that final decision until the next morning when I got
25 up.

1 Q I see. Okay.

2 Did you talk to Ms. McEnany about this, your then-supervisor?

3 A No.

4 Q Why not?

5 A Kayleigh and I didn't always have a close relationship. She was my third
6 press secretary. I wasn't all that pleased with how the -- with how Ms. Grisham was
7 treated when she went back to the East Wing. All that aside, as with any new person, I
8 didn't want the job of press secretary. That's not my dream job.

9 Q The deputy is a better job?

10 A The deputy is a better job. All I wanted to do was be helpful to Kayleigh
11 and to help her succeed, and she didn't always take my advice in the early days. She's
12 since apologized for that, and we're at a much better place. But, no, I did not reach out
13 to Kayleigh.

14 Q Since you're in a better place, has she ever talked with you about her
15 reaction to the events of the 6th, whether she considered resignation or not?

16 A We've never discussed it.

17 [REDACTED]. Okay.

18 Okay. I think that's all I have on that.

19 [REDACTED]. Mr. Aguilar, did you have any questions at this time?

20 Mr. Aguilar. No, I don't. Thank you.

21 [REDACTED]. Do you want to take a break? We've been going for a while.

22 The Witness. Yeah.

23 [REDACTED]. Want to take a 10-minute break?

24 The Witness. Yeah.

25 [REDACTED]. Okay. Great.

1 We'll go off the record now.

2 [Recess.]

3 ██████████ Okay. Back on the record.

4 ██████████ Sorry, ██████████

5 BY ██████████:

6 Q I just had a chance to look at notes over the break, and I just had two quick
7 things to ask you about just based on some other evidence we have uncovered, Mr.
8 Deere.

9 So one involves the President watching television that afternoon. Do you have
10 any sense from anyone that he was in the dining room watching news coverage of the
11 riot as it happened? Do you have any idea about whether that's accurate?

12 A Not beyond what's been reported in the media.

13 Q Okay. So during the discussions with Ms. McEnany or anyone else, the
14 President is watching, the President is in the dining room, anything about where he was
15 or what he was doing?

16 A I didn't ask specifically where he was or what he was doing.

17 Q Okay.

18 I'm trying to remember the second thing to ask. That was one.

19 ██████████ What would you ask if you were asking questions?

20 ██████████ Yeah, keep going.

21 The Witness. I do that game with reporters all the time.

22 BY ██████████:

23 Q Is there anything else you can recall about January 6th that we haven't
24 covered that's relevant to the topics that we're asking about?

25 A I mean, the other item that solidified that I had made the right decision to go

1 back to work that day was a phone call from my sister as I was walking back into work on
2 the morning of January 7th. My sister is [REDACTED] and it was just
3 that phone call that I knew I had made the right decision.

4 BY [REDACTED]:

5 Q I think I do remember now.

6 There was some indication -- or did you hear from any source that Mr. Meadows
7 had suggested not responding to reporters for a period of time in the early hours of the
8 afternoon, because it was somehow unclear who was responsible or what was
9 happening? Do you remember any instruction or guidance like that coming from him or
10 others?

11 A I don't recall that guidance from him. But, again, based on the text that I
12 had sent to Kayleigh early that afternoon, before we did anything, I wanted to make sure
13 that we had verified information of what was going on.

14 Q Right.

15 A But I don't recall a specific instruction from the Chief of Staff on that.

16 Q Okay. Or from anyone? Anyone saying, Hey, don't respond, or don't
17 make a comment, or don't engage even off the record because we don't know what's
18 going on?

19 A I don't recall that. If there was that direction, I certainly didn't follow it.

20 Q Yeah. Okay.

21 Sounds like there was a fair amount of back and forth. It's your job, right, with
22 reporters over the course of the afternoon, trying to gain information from them or
23 provide what you can. Is that -- did you spend a lot of your time that afternoon doing
24 that?

25 A Certainly. There was a lot of off-the-record discussions with reporters also

1 trying to find out what they were hearing as well.

2 [REDACTED] Yeah. Understood.

3 Yeah. That's all I have. [REDACTED]

4 Thanks.

5 BY [REDACTED]:

6 Q I'll turn to January 7th. Did you have any conversations with the President
7 on January 7th?

8 A I don't recall having conversations with the President on the 7th.

9 Q Now, the President did issue a public statement on the 7th regarding what
10 had happened the previous day, correct?

11 A He issued a more lengthy direct-to-camera video statement, yes.

12 Q Were you involved in drafting the remarks for that, or there when he
13 recorded it?

14 A I was not involved in the drafting of the remarks, but I was -- I did see a copy
15 of them before we disseminated the video and the text publicly.

16 Q Were you involved in any discussions with Kayleigh McEnany or anybody
17 else about message strategy for the day in light of what had happened the day before?

18 A Yes. Kayleigh and I spent a significant portion of the day together. In the
19 early part of the day, it was going to be just a press statement from her at the podium
20 with nothing else, just to make sure the White House was visible in some way, again, the
21 following day, being January 7th. But what then came about was an additional
22 direct-to-camera video statement from the President that we would have Kayleigh
23 preview at the podium and we would release it after she was finished.

24 Q So at the time that Ms. McEnany gave her statement, the plan already was in
25 place that the President would issue a videotaped statement later?

1 A Correct. And if I recall correctly, the video statement was already done, or
2 was in the process of being filmed around the time Kayleigh was at the podium.

3 Q So in that case, what was the reason for Ms. McEnany to do her own
4 statement rather than just relying on what the President said?

5 A Again, in the early part of the day, we didn't know that we were going to do
6 another direct-to-camera video statement from the President, and Kayleigh and I felt that
7 it was important on that day, again, for the White House to, again, acknowledge the
8 events of the previous day. And we thought the best way to do that was for Kayleigh to
9 give an on-camera statement.

10 When we learned that an additional video was going to be coming from the
11 President, we didn't see the harm in getting two bites at the apple, per se.

12 Q Did Ms. McEnany indicate in any way that she wanted to distance herself
13 from what had happened the day before?

14 A I don't recall that being the reason for the statement from Kayleigh, other
15 than we both acknowledged that the video statement that had been released the night
16 before, that we needed to give more meat to it, more legs to it. And so, we made the
17 conscious decision among the two of us to draft a statement for her, which her and I
18 predominantly worked on the draft of throughout the early part of the afternoon, and
19 then involved Chad Gilmartin also in the drafting of that, and then the President's
20 additional direct-to-camera statement was added to it later in the day.

21 Q Do you know what the approval process was for Ms. McEnany's press
22 statement?

23 A On a normal day or that day specifically?

24 Q That statement specifically. And feel free to explain if it differed from the
25 normal process.

1 A If Kayleigh wanted to give a briefing, she gave a briefing. I don't -- I'm not
2 aware of any approval process for that. I don't recall us ever discussing if she told
3 anyone that we were -- that she was going to do this press statement that afternoon.

4 In terms of review process, my understanding is that White House counsel had
5 eyes on the statement. Staff secretary may have had eyes on it. That's what I was
6 told, but I -- I don't know if there was any other approval of her statement given by other
7 components.

8 Q Do you know whether she told the President that she was going to make a
9 statement?

10 A I do not know if she told the President that she was going to make a
11 statement or not.

12 Q Do you know whether she told Mark Meadows that she was going to make a
13 statement?

14 A Based on an interaction that I had while she was delivering the statement at
15 the podium, I do not believe that the chief of staff knew that she was going to deliver a
16 statement.

17 Q What was that interaction?

18 A While she was at the podium, I was watching on television from her office,
19 and Ben Williamson, who is an aid to Mark Meadows -- was then an aid to Mark
20 Meadows, came in her office and asked pretty forcefully if the Chief of Staff knew
21 that -- knew what was going on, knew that she was out at the podium. And I said I
22 didn't know. He clearly knows now since it's on television. And he -- Ben indicated
23 that nobody had told him. I didn't know if him meant Ben, or if he was referring to him
24 as the Chief of Staff. And I said, I don't know what to tell you, Ben. She's at the
25 podium now. It's -- you know, it is what it is. And he said, Okay. Well, I'm sure that

1 Mark will take this up with her later.

1

2 [4:05 p.m.]

3 BY [REDACTED]:

4 Q And do you know if Mr. Meadows discussed it with Ms. McEnany later?

5 A I do not know.

6 Q Did Ms. McEnany ever discuss with you why she didn't tell Mr. Meadows she
7 was doing it?

8 A I informed Kayleigh of the interaction that I had with Ben after she got back,
9 and she didn't provide any response to it.

10 Q If you look at exhibit 22, entitled "Remarks on National Healing," do you
11 know whether this is a draft of the President's video statement from January 7th?

12 A And I'll tell you, it seems clear that this was written on the 7th, because, as you
13 can see there in the first line, it refers to "the heinous attack yesterday on the United
14 States Capitol." So that gives you a sense of the timing.

15 But do you know whether that's some form of draft of the statement the
16 President ultimately gave?

17 A It appears to be a draft form.

18 Q Do you recognize the handwriting?

19 A The Sharpie handwriting?

20 Q Yes.

21 A Yes.

22 Q Whose handwriting is that?

23 A It appears to be President Trump's.

24 Q Okay. Had you seen this document prior to preparation for this
25 deposition?

1 A I've seen a version of this document, but not this specific one with the
2 Sharpie on it.

3 Q So, by that, do you mean that you saw a draft of it, but not one that
4 appeared to have the President's handwritten comments?

5 A I saw the final version.

6 Q Okay. Did you have any conversations with anybody about the President's
7 edits to this statement?

8 A No. I wasn't aware that he had edited the statement.

9 Q Okay. If you look at exhibit 23, this is a text exchange -- or actually just a
10 single text, I guess -- from Jason Miller to you and Kayleigh McEnany.

11 "Kayleigh, Judd -- please see below note I just sent to Campaign Comms.

12 Team -- just spoke with POTUS. Our strategy here is to go pick a fight with Big Tech to
13 rally people, and when it happens on Monday, to use impeachment to galvanize our GOP
14 base."

15 And I may not have mentioned that this is dated January 9th, 2021, 9:42 a.m.

16 So, first of all, so Jason Miller, at that time was he still working for the campaign?

17 A As far as I know.

18 Q Okay. Was it unusual, given what you've talked about before about the
19 campaign communications being separate from White House communications, was it
20 unusual for Jason Miller to coordinate message strategy like this with you and others at
21 the White House?

22 A Again, I don't -- this isn't coordination. He's just alerting Kayleigh and I to
23 what he has sent to campaign comms.

24 Q Okay.

25 A Not coordinating.

1 Q So what's your understanding of why the campaign would want to pick a
2 fight with big tech to rally people?

3 A You'd have to ask Jason Miller or the campaign.

4 Q Okay. He later writes, "We do not want to be out there talking election
5 fraud, recounts, or anything related to that."

6 Other than what we talked about at the beginning of this whole deposition, did
7 you have any conversations with the President about whether or not to talk about
8 election fraud and recounts and things like that?

9 A Not beyond what we've already discussed.

10 Q Okay. And did you have any communication with Jason Miller about his
11 proposal that they not be out there talking election fraud, recounts, or anything related
12 to that?

13 A I don't recall anything beyond the text that you've shown.

14 Q Okay. Did you -- do you remember discussing this proposed -- or this
15 strategy with Kayleigh McEnany?

16 A I don't recall.

17 Q Do you have any knowledge of the President's interactions with the Vice
18 President after January 6th, 2021?

19 A I'm aware of, I guess, their first interaction after January 6th.

20 Q Okay. Do you remember what that first interaction was?

21 A I don't remember when it was. But, if I recall correctly, it was in the dining
22 room.

23 Q Okay. Do you know why they had no interaction between then, meaning
24 January 6th, and what I believe was a meeting on January 11th?

25 And I'm basing that on exhibit 24. It's a text message. If you look at the

1 bottom of this page, January 11th. "Ugh. I was optimistic it would. Was gonna hit
2 you up this afternoon and then Chad Wolf got fired and POTUS/VPOTUS met."

3 Is that the meeting you were referring to that you think was in the dining room?

4 A I don't want to speculate that this is the first time that they met or that's the
5 meeting I'm referring to. But I am aware of the meeting when they first met after the
6 January 6th episode. I just don't recall if it was January 11th.

7 Q That's fine. What do you know about that first meeting that they had after
8 January 6th?

9 A I recall seeing the Vice President and Jared in the hallway
10 after -- Jared Kushner -- after the meeting.

11 Q Did you talk to them?

12 A No.

13 Q Okay.

14 A I asked somebody who worked for Jared later in the day how the meeting
15 had gone, and the only feedback I got was, "Well."

16 Q Okay. Who was that?

17 A I don't recall who it was.

18 Q It's a person who works for Jared Kushner?

19 A Jared has several people that work for him, and I don't recall who I spoke to.

20 Q Okay. Did that person say anything other than that the meeting went well?

21 A No.

22 Q So, again, going back to the same text, you said, "Then Chad Wolf got fired."

23 How do you know Chad Wolf got fired?

24 A Because I dealt with inquiries on it.

25 Q From the media?

1 A Uh-huh. Yes.

2 Q But the public reporting, I believe, was that he was stepping down. Do you
3 know that he was, in fact, fired?

4 A I think that he was asked to resign.

5 Q How do you know that?

6 A Because that's what I was told internally.

7 Q By whom?

8 A I don't recall.

9 Q Okay. Do you know the reason why he was asked to resign?

10 A I don't. I don't know the reason.

11 [REDACTED] Before you leave the text.

12 [REDACTED] Yeah.

13 BY [REDACTED]:

14 Q Yeah. I'm just curious if you have any information about Mr. Kushner's role
15 in facilitating, brokering that initial meeting between the President and the Vice President
16 after January 6th.

17 A I don't have any information on his role. I just know that Jared was with
18 the Vice President after the meeting took place.

19 Q Have you heard anything from anyone inside the White House about
20 Mr. Kushner is the person who encouraged such a meeting to take place or tried to bring
21 the President and the Vice President sort of back together after the 6th?

22 A I had not heard that specifically.

23 Q Okay. Did Mr. Kushner generally have a role in the White House of
24 someone close to the President who was sort of a gatekeeper or someone who could
25 arrange access or, because he was family, had sort of increased access to the President?

1 A Not -- I would say not any more than other assistants to the President, other
2 members of the senior staff.

3 Q Yeah. You sort of anticipated my --

4 A And certainly Jared and Ivanka are family.

5 Q Right.

6 A But they're also assistants to the President. And all assistants to the
7 President had walk-in privileges.

8 Q You're going exactly where I intended to go.

9 Did Ivanka and Jared, who are both related to the President, but also official staff,
10 have any different level of access or influence or role because of that sort of dual nature
11 of their relationship that you could see or that you heard from others?

12 A If they did, I wasn't aware of it.

13 Q Yeah. Okay. Same for both, for Ivanka and Jared, similar?

14 A The only distinction I could give there is Jared's office was feet from the Oval
15 Office. Ivanka's was upstairs.

16 Q Okay. When you say walk-in privileges, tell me sort of practically what that
17 means.

18 A My understanding of walk-in privileges is, if there is an unclassified meeting
19 happening in the Oval and you believe that you should be in it, you can join the meeting.

20 Or if there is something that you need to bring to the President's attention, and
21 he's in the dining room in what's called executive time, then, as long as outer Oval has
22 said that he's not on the phone or in the middle of something, then you have walk-in
23 privileges.

24 Q I see. So you don't need an appointment. You can just go to the outer
25 Oval and say, "Hey, I need to see the President about something," and you would,

1 presumably, if he weren't otherwise occupied, just get in and see him?

2 A Correct.

3 Q Was that something explicit that you were given, like you were told you
4 have -- "Judd, you have walk-in privileges"? Or how do you get that status, and how is it
5 manifested?

6 A I don't -- I don't know that -- I don't know that anyone's ever given it.

7 Assistants to the President certainly had the capability to see him or talk to him when
8 they needed to. And then a few select deputy assistants, such as myself, also had a
9 similar level of access.

10 Q I see.

11 A I would also say it's about the President's level of interaction with you, like
12 has he interacted with you before, does he know you.

13 Q So you sort of grow or earn into that status based on your prior service or
14 interaction with the President.

15 A Sure. Or on your job duties' needs.

16 Q Yeah. Is assistant to the President, with that job title, does that sort of
17 come part and parcel with walk-in privileges?

18 A Yes.

19 Q Okay.

20 A I mean, assistants to the President are the most senior staff of the White
21 House.

22 Q And you said some deputy assistants to the President, of which you were
23 one, had that access as well?

24 A Yes.

25 Q Yeah. Who else besides you, as far as you know, had walk-in privileges at

1 the deputy level?

2 A Cassidy Luna.

3 Q Cassidy Luna?

4 A Uh-huh.

5 Q Okay.

6 A Or Dumbauld.

7 Q Uh-huh. So there's a Cassidy Hutchinson, right?

8 A Cassidy Hutchinson worked for Mark Meadows.

9 Q Right. I'm just trying -- is Cassidy Hutchinson a different person from
10 Cassidy Luna?

11 A Correct.

12 Q I see.

13 A Cassidy Luna is Nick Luna's wife --

14 Q Okay.

15 A -- who works for -- who worked -- works for Jared Kushner.

16 Q I understand. Okay. Thank you.

17 So Cassidy Luna had it. Did Cassidy Hutchinson also have it? You don't know?

18 A I don't know.

19 Q I understand. Anybody else who you know did have it?

20 A I don't know his name, but he was National Security Advisor O'Brien's
21 deputy. I don't recall his name, though.

22 Q Not Matt Pottinger?

23 A Matt Pottinger may have had it as well, but there is a -- there was another
24 aide that worked for O'Brien that also did as well.

25 Q All right. Did you ever take advantage of that, Mr. Deere, go just directly to

1 the outer Oval to see the President about something?

2 A Just because I wanted to chat?

3 Q Well, for any reason, either just because you wanted -- you wanted to talk
4 about music, apparently one of the subjects you had in common. Anything.

5 A No.

6 Q Okay. If you did, would it be necessary to alert Ms. McEnany or whomever
7 at the time was the press -- the -- your boss?

8 A That would have been my -- that would have been my practice. But, again,
9 I only went in the Oval if I needed to go in the Oval. I viewed the Oval and conversations
10 with the President as a sacred space, and I didn't want to abuse the privileges just
11 because I had them.

12 Q Got you. So you didn't go in there just to talk about the football game
13 yesterday or to make small talk, it was for a professional reason?

14 A Not unless he asked me to.

15 Q Unless he asked. I understand. Okay. Appreciate that.

16 BY [REDACTED]

17 Q We understand that you met with President Trump, Kayleigh McEnany, and
18 Ivanka Trump in the Oval Office on January 13th, 2021. Do you remember that?

19 A January 13th?

20 Q Yes. And I think this was about remarks that the President was going to
21 give that day.

22 A Is that the -- is that also the day he went to the border, or is that a different
23 day?

24 Q I don't know.

25 A I recall being in the Oval Office with Ivanka, Kayleigh, and the President, but I

1 don't recall the specific day that it was. It was toward the end of the administration.

2 Q Do you remember whether you talked about January 6th?

3 A I don't recall.

4 Q Do you remember whether you talked about the 2020 election?

5 A I don't recall.

6 Q Do you remember the purpose of the meeting?

7 A Maybe if I had a specific date and gave it some thought.

8 Q Okay.

9 A But I remember being in there with the three of them, but I don't recall what
10 we discussed.

11 Q Okay. If you look at exhibit 25, this looks like a text exchange with
12 someone named Adam Green.

13 Did Mr. Green work in the government?

14 A No.

15 Q Okay. So just a social friend?

16 A I would -- not even a friend. An acquaintance.

17 Q An acquaintance? Okay.

18 So on the first page, so in blue, so a text from you, you wrote, "Evil on both sides,
19 but we looked like hypocrites yesterday."

20 This is dated January 7th, so "yesterday" being January 6th.

21 What did you mean, "We looked like hypocrites yesterday"?

22 A That we had claimed for the better part of a year that we were the party of
23 law and order and that we supported law enforcement. And I was specifically
24 comparing the events of the BLM riots and violence that had occurred across the country
25 in the summer of 2020.

1 Q Okay. But when you wrote, "We looked like hypocrites yesterday," who is
2 the "we"? Does that mean, like, the White House or the administration or is that Trump
3 supporters generally?

4 A I believe that the "we" I'm referring to there is the Republican Party in
5 general, as well as Trump supporters.

6 Q Okay. Then, a couple of texts later, you wrote, "Every fucking achievement
7 and legacy we worked to build over the last 4 years (and they were damn good) went up
8 in smoke over the last two months because he couldn't bear to lose and kept pouring fuel
9 on the fire."

10 So I assume there the "he" in "he couldn't bear to lose" was President Trump. Is
11 that correct?

12 A Yes.

13 Q So what do you mean -- what did you mean when you wrote that all the
14 achievements went up in smoke because he couldn't bear to lose and kept pouring fuel
15 on the fire? How did his not being able to bear to lose cause the achievements to go up
16 in smoke?

17 A What I believe I'm saying there is, because he couldn't bear to lose, the
18 events of January 6th took place. And I am making the point that all of the work over
19 the last 4 years had been deafened.

20 Q When you wrote that "he", meaning the President, "kept pouring fuel on the
21 fire," how did the President pour fuel on the fire?

22 A With his rhetoric, in my view, particularly after the electoral college had met,
23 and his belief that January 6th offered an opportunity for a different outcome.

24 Q Okay. If you look on the third page -- so this is Bates number 263 -- again,
25 it looks like you're still texting to Adam Green. You wrote, this time near the top of the

1 page, "Those people that created anarchy at the Capitol yesterday don't love a country.
2 They love a man. A man I think did a great job until election day, but a country is bigger
3 than a man."

4 So when you wrote, "A man I think did a great job until election day," the
5 implication being that he didn't do such a great job after election day, what did you mean
6 by that?

7 A I believe what I'm articulating is that, since election day, he hasn't seen the
8 inevitable, the inevitable writing on the wall, that we lost. And rather than figuring out
9 a way to dial down the rhetoric, particularly after December 14th, it only increased.

10 Q And how do you think that contributed to the attack on the Capitol?

11 A I certainly think that, based on things that he said, the President said, that
12 some of his supporters expected a certain outcome was a possibility on January 6th.

13 Q And they thought that because of the President's own words?

14 A I suppose. I don't know that specifically from any one individual who
15 stormed the Capitol Building, but --

16 Q You wrote, "A country is bigger than a man." What did you mean by that?

17 A A country is bigger than a man.

18 Q Okay.

19 A Countries -- this country survived two world wars, a civil war, defeated the
20 Soviet Union. The actions of one person don't determine a country's fate, especially the
21 greatest country on the face of the Earth.

22 Q Okay. If you look at the page with Bates number 265, again texting with
23 Adam Green, you wrote, "So the GOP is prepared to start a revolution simply because we
24 lost an election? I can't be a part of that. I didn't come to the Trump White House to
25 burn down institutions. I came to make the country better."

1 What was your reference to burning down institutions?

2 A For 4 years, I think that the American media and some in Washington tried
3 to portray Donald Trump as the person who came to Washington to burn everything
4 down and to destroy institutions, and they particularly used the "drain the swamp"
5 rhetoric.

6 Drain the swamp has nothing to do with burning down and ending institutions.

7 It has to do with returning power to the people, and particularly Donald Trump's use of
8 the term "forgotten man and woman."

9 And so the point I'm making here is that point, that I've made to reporters
10 publicly, that it wasn't Donald Trump who came here to burn down institutions. He's
11 not the one who wants to destroy the U.S. Supreme Court by packing it with additional
12 Justices or, when you can't get your way in the U.S. Senate, burning up the filibuster, even
13 though he would like to change the filibuster.

14 But the point that I'm making is that -- is he didn't come to D.C. to blow it up. He
15 came to take the power that had been cultivated here and return it back to the American
16 people who sent it here -- sent him here -- is the point that I'm making.

17 Q If you look at exhibit 27, a text exchange with Nick Davis, middle of the page
18 ending in Bates number 219. So January 9th, 2021, you wrote, "It does suck, but after
19 this week I feel like it's time. I feel strongly we did significant lasting damage to the
20 legacy and accomplishments this week, which is so sad."

21 First of all, who's Nick Davis?

22 A An acquaintance. I believe he's running for office in Ohio State -- legislative
23 office in Ohio right now and may have been a former White House intern or campaign
24 intern.

25 Q What did you mean when you wrote, "I feel strongly we did significant

1 lasting damage to the legacy and accomplishments this week, which is so sad"?

2 A I think, as I've already stated, that the attack on the U.S. Capitol had
3 cheapened, lessened the work and accomplishments of the previous 4 years.

4 Q Is there anything that the committee should know that we have not covered
5 already during this deposition?

6 A Not that I can surmise at the moment.

7 Q Okay. Other than the conversation with Senator Hagerty that you already
8 told us about, were you involved in any conversations about the possible invocation of
9 the 25th Amendment regarding President Trump?

10 A Not that I can recall.

11 BY [REDACTED]:

12 Q Just to follow up on that last. We understand that there were some
13 discussions among members of the Cabinet or others about the 25th Amendment.

14 Were you ever -- did you ever express a view, either inside or outside the White
15 House, about whether or not the President could be -- there were facts that would give
16 rise to the invocation of the 25th Amendment and he'd be removed from office on that
17 basis?

18 A I'm sure that I reiterated to reporters off the record that I thought that that
19 would be counterproductive and would only sow further division among the American
20 people.

21 Q Okay. I appreciate that. There are two different questions, though.
22 There is, what would the impact of it be? But there is also, is there a basis to do it,
23 right? In other words, is there sufficient evidence of mental instability that would give
24 rise to the 25th Amendment that's different from what impact it would have?

25 Did you ever have a view, expressed or in your own head, about that first

1 question, the substantive question?

2 A No, but I don't believe the former President's mentally unstable.

3 Q Yeah. That's sort of my question. It sounds like your opinion is that the
4 predicate wasn't there, not that you saw?

5 A No, I don't believe the President's mentally unstable.

6 Q Got it. Okay. Not only that, but it would, in your view, and you advised
7 reporters of this, cause more division at a time when we're already divided?

8 A It would have made it incredibly worse.

9 Q Yeah. Did you get any information from reporters about where that was
10 coming from or who had been talking about that or the predicate for their question?

11 A Reporters had -- I had picked up chatter that Mnuchin and Pompeo -- those
12 are the two names that I can recall -- might have potentially had conversations about it.
13 Again, they were looking for confirmation from me, but I had no information to provide.

14 Q When you got that question about Secretaries Mnuchin and Pompeo, did
15 you do any effort to reach out to their staffs to find out if there was any accuracy, if there
16 were such discussions going on, to inform your response to reporters?

17 A I don't recall if I did.

18 Q All right. And did you ever hear from any source about whether or not
19 there had been those discussions with those two or other members of the Cabinet?

20 A Not that I can recall.

21 Q Okay. All right.

22 Anything else about the 25th Amendment? Any other conversation or anything
23 at all that you can recall?

24 A No.

25 Q Okay. Did you, in fact, after January 6th, turn your attention to the

1 transition, spend a lot of time on sort of preparing to pass things off to the incoming press
2 team or broader White House staff?

3 A Yes, but it's not something I turned my attention to after January 6th. It's
4 something I had been working on since --

5 Q I see.

6 A -- after I arrived back after my sister's [REDACTED]

7 Q I see. I didn't mean to imply that you just started, but you continued to
8 focus on that and facilitated such a transition.

9 A Uh-huh.

10 Q Did you literally walk out of there on January 20th at noon or thereabouts,
11 like serve to the end?

12 A January 20th at 10:27 a.m. I had to be off property at 10:30.

13 Q Wow. Okay. So 3 minutes to spare? Yeah.

14 How did it feel walking out of there?

15 A The same way it did the day -- the first day I walked there -- walked through
16 the gate -- humbling, proud, excited -- with one different feeling than the one I had going
17 in -- exhausted.

18 [Laughter.]

19 But, no, the feeling was always the same.

20 Q Yeah. Excited about looking backward at what you'd done, or excited
21 about looking forward to what you were about to do with Senator Hagerty, or a little bit
22 of both?

23 A Both.

24 Q Yeah.

25 A There is no other place like it in the world, the White House. It was my

1 dream job.

2 Q Yeah. I understand.

3 [REDACTED] Okay. Mr. Aguilar, did you have any questions before we wrap up?

4 Mr. Aguilar. No, guys. Thank you.

5 [REDACTED] Okay.

6 Mr. Deere, is there anything else we should know before we go off the record?

7 The Witness. I don't believe so.

8 [REDACTED] Okay. Thank you very much for your time. We greatly appreciate
9 it.

10 And, with that, we'll go off the record?

11 Mr. Field. So --

12 [REDACTED] I'm sorry.

13 Mr. Field. We'll read and sign. We'll review the deposition transcript.

14 [REDACTED] Okay.

15 Mr. Bartolomucci. And that page out of the production that we shared with you,
16 that will become an exhibit -- an extra exhibit?

17 [REDACTED] Yes.

18 Mr. Bartolomucci. Okay.

19 [REDACTED] Okay. Then we'll go off the record.

20 [Whereupon, at 4:42 p.m., the deposition was concluded.]

1 Certificate of Deponent/Interviewee

2

3

4 I have read the foregoing ____ pages, which contain the correct transcript of the
5 answers made by me to the questions therein recorded.

6

7

8

9

10 Witness Name

11

12

13

14 Date

15