

1

2

3

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.

8

9

10

11 DEPOSITION OF: JOHN MATZE

12

13

14

15 Wednesday, May 25, 2022

16

17 Washington, D.C.

18

19

20

20 The deposition in the above matter was held via Zoom, commencing at 2:05 p.m.

1

2 Appearances:

3

4

5 For the SELECT COMMITTEE TO INVESTIGATE

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

7

8 [REDACTED], SENIOR ADMINISTRATIVE ASSISTANT

9 [REDACTED], PROFESSIONAL STAFF MEMBER

10 [REDACTED], INVESTIGATIVE COUNSEL

11 [REDACTED] INVESTIGATIVE ANALYST

12 [REDACTED], CHIEF CLERK

13

14

15 For THE WITNESS:

16

17 BRIAN KELLY

18 LAUREN MAYNARD

1

2 [REDACTED] Good afternoon, everyone. We can go on the record at 2:05 p.m.

3 This is a deposition of John Matze conducted by the House Select Committee to
4 Investigate the January 6th Attack on the United States Capitol pursuant to House
5 Resolution 503.

6 At this time, Mr. Matze, can you please state your full name and spell your last
7 name for the record?

8 The Witness. Yes. John Edward Gerard Matze, and the last name is spelled
9 M-a-t-z-e.

10 [REDACTED] Thank you for the pronunciation, too.

11 At this time, Mr. Matze, can you please raise your right hand to be sworn by the
12 official reporter?

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

16 The Witness. I do.

17 [REDACTED] Thank you.

18 So this is going to be a staff-led deposition, although members of the select
19 committee may, of course, choose to enter and ask questions. I'll note at the time that
20 we are starting the deposition there are no members in the Zoom, although some may
21 join.

22 My name is [REDACTED] investigative counsel. Other select committee staff
23 joining today are [REDACTED] investigative analyst; [REDACTED] professional staff
24 member; and [REDACTED] senior administrative assistant. And as I said, there are
25 currently no members in attendance.

1 I would like to note for the record that what has been previously marked as
2 exhibit 1 is the subpoena for Mr. John Matze, which is dated April 29, 2022. The House
3 deposition rules are included in this exhibit and were provided to you upon service of the
4 subpoena.

5 Under House deposition rules you are permitted to have an attorney present.

6 So at this time, I would like to ask counsel for the witness to state their names for
7 the record.

8 Mr. Kelly. Sure. Brian Kelly and Lauren Maynard of Nixon Peabody on behalf of
9 Mr. Matze.

10 Great. Thank you.

11 I also want to remind you, as we do with all witnesses, that it's unlawful to
12 deliberately provide false information to Congress. Providing false information to
13 Congress could result in a criminal penalty, including for perjury and/or providing false
14 statements.

15 Under House deposition rules, you may only refuse to answer a question to
16 preserve a privilege recognized by the select committee. If you refuse to answer a
17 question based on a privilege, staff may either proceed with the deposition or seek a
18 ruling from the chairman on the objection. If the chairman overrules your objection,
19 you will be required to answer the question.

20 I'll note for the record that we received a letter from your attorney on Monday
21 regarding your objections based on the Fifth Amendment. The letter has been marked
22 as exhibit 7, and will be entered into the record.

23 I've noted in correspondence with your counsel, Mr. Kelly, that the select
24 committee still expects you to appear for this deposition today, and invoke the Fifth
25 Amendment for any questions that you believe implicate potential self-incrimination

1 concerns. And we thank you for appearing for the deposition today.

2 My goal today is to ask you questions relevant to the select committee's
3 investigation with the hope that you will answer. If you have an objection or privilege
4 assertion, we will ask that you or your counsel assert it for the record. I may seek to
5 clarify the basis for each objection. I understand from your letter that you may be
6 invoking the Fifth Amendment to many of our questions today. But be that as it may, I
7 will say that our goal remains to understand the basis for your objection and fairly
8 evaluate it.

9 Ultimately, the more detail that you can provide, or your counsel can provide
10 about the basis for the objection, the easier it will be for the select committee to consider
11 the objection in full.

12 In addition, under the House deposition rules, select committee members and
13 select committee staff may not discuss the substance of the testimony you provide today
14 unless the committee approves release of the transcript that is being created. You and
15 your attorney will have the opportunity to review the transcript. You are free to discuss
16 this deposition as much or as little as you like. No other recordings of this proceeding
17 are permitted.

18 So with that in mind, Mr. Matze, can you please confirm that you are not making
19 an audio or video recording of this deposition?

20 The Witness. I am not.

21 ████████ Great. Thank you.

22 All right. So before we begin, I would just like to describe a few logistics.

23 There is an official congressional reporter on the Zoom who is recording the
24 deposition. Please wait until each question is completed before you begin your
25 response, and we will try to wait until your response is complete before we ask our next

1 question. The reporter cannot record any nonverbal responses, such as shaking your
2 head or nodding your head, so it's important you answer each question with an audible or
3 verbal response. For the benefit of the reporter and for the record, there may be times
4 when I spell a name or a word we are using or ask you to do the same.

5 We ask that you provide complete answers based on your best recollection of
6 events. If the question is not clear, please ask for clarification. If you don't know the
7 answer, please simply say so.

8 And please let us know if you need any breaks. As I mentioned before we went
9 on the record, I'll try to take a break about every hour if we need it.

10 Throughout the deposition we'll also be directing your attention to exhibits which
11 were provided to you before the beginning of this call. They will also be displayed on
12 your screen here on the Zoom. So when we refer to a document, you can take time to
13 familiarize yourself with it on the screen, or if you have a copy with you before we discuss
14 it.

15 So on that note, [REDACTED] can we pull up exhibit 1?

16 The Witness. In the meantime, I do have a question. Am I permitted to take
17 notes on questions asked?

18 [REDACTED] I believe that's all right, so long as you are keeping that for your own
19 use during the deposition, yes.

20 The Witness. Understood.

21 [REDACTED] But I can also get back to you on that.

22 The Witness. Okay.

23 [REDACTED] Indeed, my intuition was correct. You are able to take notes, just
24 cannot record.

25 The Witness. Got it. Thank you.

1 [REDACTED] And I want to note on that [REDACTED] chief clerk, is also in the
2 Zoom today.

3 So this exhibit 1, on this exhibit, Mr. Matze, do you recognize this subpoena that
4 the select committee has issued to you?

5 The Witness. Yes, I do.

6 Mr. Kelly. That's okay to answer that, John.

7 [REDACTED] And do you understand that you're appearing for this deposition
8 pursuant to the subpoena?

9 The Witness. Yes, I do.

10 [REDACTED] Thank you.

11 So I will be leading the deposition today, but [REDACTED] and [REDACTED] may
12 chime in with questions, and others may join later on as well, but I will be asking the
13 majority of questions.

14 On that note, do you have any questions before we begin?

15 The Witness. No.

16 Mr. Kelly. My question is, did you say our letter to the chairman on May 23rd is
17 exhibit 7 in this --

18 [REDACTED] Yes, it is.

19 Mr. Kelly. Okay. So I'll tell you at the outset that the basis of our objections
20 going forward is predicated on that letter, exhibit 7, both the factual and legal citations
21 that we put in that letter.

22 [REDACTED] Great. Thank you, Mr. Kelly.

23 EXAMINATION

24 BY [REDACTED]

25 Q So to start off, Mr. Matze, I would like to start off with some basic

1 background questions before we move into a more substantive conversation.

2 First, what is your age?

3 A I'm currently 29 years old.

4 Q Great. Where did you grow up?

5 A I grew up in Southern California in a town called Poway.

6 Q And what's your educational history?

7 A Um, well, so I went to high school in Poway, and I went to college at the
8 University of Denver, where I received a Bachelor of Science in computer science.

9 Q Great. Thank you.

10 Where do you live now?

11 Mr. Kelly. I'm going to object to that. Given the public nature of this
12 proceeding, I don't want his address out in public.

13 [REDACTED] So is that a First Amendment objection, Fifth Amendment objection?

14 The Witness. Brian, would it be okay just to say the general city that I'm
15 currently in and/or living in rather than my exact address?

16 Mr. Kelly. General city is fine, general city is fine.

17 The Witness. Is that okay with the committee?

18 [REDACTED] Of course.

19 The Witness. Okay. Henderson, Nevada, is both where I reside and where I
20 currently am?

21 BY [REDACTED]:

22 Q Thank you. Have you ever served in the military or law enforcement?

23 A I have not.

24 Q And where are you currently employed?

25 A I am currently self-employed.

1 Q Doing what?

2 A I am a software engineer -- well, it's hard to kind of say. It's a really unique
3 position, but I would say a software engineering manager of sorts and a product manager.

4 Q I've got a law degree, so it's all above my head, but thank you.

5 Have you ever been employed by the Federal Government?

6 A Not directly. Um, I worked for a government contractor at one point doing
7 software engineering.

8 Q Okay. Where and when was that?

9 A That was -- oh, gosh, right after I graduated college.

10 Q 2015-ish?

11 A Yes, I would assume. I'm bad with dates and specifics, all that kind of stuff,
12 but, yes, that's kind of -- right of after college, whenever that was.

13 Q Okay. Thank you.

14 And last question on this, could you give me a general sense of your employment
15 history over the last decade or so?

16 A Um, yeah. It's -- so, I mean, I started kind of working when I was in high
17 school as an engineer. That was more mechanical engineering-focused, where I was
18 running a lot of -- I was part of a lot of robotics programs.

19 And so from there, I went to college. I worked as a -- pivoted and worked as a
20 software engineer doing website development during my college years. Then I worked
21 for General Atomics doing software engineering work on the MQ-9B weapon system.

22 After being there for about some time, I decided I would try to start my own
23 consultant company, did relatively poorly for quite some time. And then managed to
24 finally land a contract where I was doing iPhone app development, which kind of started
25 my career in application development and product and managing businesses, and did that

1 for a number of years, tried to work at Amazon Web Services for a while. Did -- didn't
2 like it, didn't like the structure, so after 3 months, I quit.

3 And then from there I continued to do software development as a consultant for
4 people and management services, and at some point, I founded Parler. So that was kind
5 of the history.

6 Q Thank you. That was very helpful.

7 And that brings me right to our next question because in 2018, I believe, you
8 founded Parler. So is it correct you were the founder, one of the founders, and full-time
9 CEO of Parler?

10 Mr. Kelly. Okay. I'm going to object to all questions going forward that pertain
11 to Parler and Mr. Matze based upon the Fifth Amendment.

12 And John --

13 [REDACTED] Thank you, Mr. Kelly.

14 So I'm understanding that you're going to refuse to answer any questions
15 pertaining to Parler on Fifth Amendment grounds. And, obviously, the Fifth Amendment
16 relates to self-incrimination, and we're seeking to better understand the circumstances
17 leading up to the attack on the Capitol pursuant to H. Res. 503, and that includes a
18 mandate to examine the facts and circumstances and causes of the attack related to the
19 peaceful transfer of power in order to identify and evaluate lessons learned.

20 So I am struggling to see -- and I know you mentioned your letter. I'm struggling
21 to see how the Fifth Amendment relates to a question about Mr. Matze's status as CEO of
22 Parler, which is an extremely public fact, and --

23 Mr. Kelly. Any questions related to Parler that you're trying to elicit from him,
24 the answers may link him, provide a link in the chain that could be used to prosecute him
25 when, in fact, your cover letter, as we stated in exhibit 7, talks about how Parler helped

1 fuel the spread of election-related disinformation, violent context in the weeks and
2 months prior to the attack on the Capitol, as well as January 6th itself.

3 And as we also explained in our letter, Congresswoman Maloney has referred to
4 the FBI a letter which said that Parler, you know, should be investigated as a potential
5 facilitator of planning and incitement relating to violence.

6 So in that context, in light of the uncertainties of where this is all headed, Mr.
7 Matze most definitely has a Fifth Amendment privilege, and he intends to rely upon it
8 going forward in this deposition.

9 [REDACTED] Thank you for that explanation.

10 And I would still ask you to -- if you could explain more fully the specific grounds
11 for a Fifth Amendment claim that relates to basic questions about Mr. Matze's
12 employment at Parler, general questions, but --

13 Mr. Kelly. Well, Parler is under investigation. Parler is clearly under
14 investigation by your committee. He was the CEO of Parler. Under a Supreme Court
15 precedent, I think it's Ohio v. Reiner, you know, if his answers might tend to incriminate
16 him in your probe, that's a problem. And you have refused to give him immunity. He
17 would be more than willing to testify here if he was immunized and he was told whatever
18 he said would not be used against him, but your committee has refused to do that,
19 maybe because you don't have the authority to do that. But be that as it may, he finds
20 himself here being questioned about a company that's apparently viewed as facilitating
21 an attack on the United States.

22 So as the former CEO of that company at that time, that raises Fifth Amendment
23 concerns for me as his counsel, and that's why he's going to -- one of many reasons why
24 he's going to invoke right now.

25 [REDACTED] Understood. So we'll note that objection for the record, and we can

1 return to it at the end of the deposition.

2 But for now we do have several questions we would like to ask Mr. Matze, and if
3 the objection is the same as you've just laid out, then I would ask that you state that, and
4 you can say it briefly. If you would like, Mr. Matze, or you, Mr. Kelly, could simply state
5 "Fifth" as a shorthand for Fifth Amendment, and we'll understand that to mean that
6 everything you just said applies to that question and the objections to that particular
7 question, and we can proceed like that.

8 Is that all right?

9 Mr. Kelly. Yes. I'll say, Same objection; Fifth Amendment, and that will
10 encompass what I just said, as well as exhibit 7 what I said there as well.

11 [REDACTED] That sounds great.

12 So I'm just going to keep going through these questions, and if at any point, you
13 do see a Fifth Amendment objection, please say so.

14 BY [REDACTED]

15 Q All right. Well, so is it true, Mr. Matze, that you were one of the
16 cofounders and CEO of the social media website Parler?

17 Mr. Kelly. Same objection; Fifth Amendment.

18 BY [REDACTED]

19 Q When did you found Parler and with whom?

20 Mr. Kelly. Same objection; Fifth Amendment.

21 BY [REDACTED]

22 Q What was your hope for the website when you founded it?

23 Mr. Kelly. Same objection; Fifth Amendment.

24 BY [REDACTED]

25 Q What was your role in Parler? Did you have any formal titles or

1 responsibilities?

2 Mr. Kelly. Same objection; Fifth Amendment.

3 BY [REDACTED]:

4 Q Do you intend to assert the Fifth Amendment in response to all questions
5 the committee would ask on the topic of the founding of Parler?

6 Mr. Kelly. Yes, he does.

7 BY [REDACTED]:

8 Q All right. Let's move on then.

9 Can you describe the leadership structure at Parler's team while you were CEO?

10 Mr. Kelly. Same objection; Fifth Amendment.

11 BY [REDACTED]:

12 Q Who oversaw content moderation at Parler?

13 Mr. Kelly. Same objection; Fifth Amendment.

14 BY [REDACTED]:

15 Q How about government and law enforcement liaisons?

16 Mr. Kelly. Same objection; Fifth Amendment.

17 BY [REDACTED]

18 Q How many employees were there at Parler while you were CEO?

19 Mr. Kelly. Same objection; Fifth Amendment.

20 BY [REDACTED]:

21 Q What was Jared Thompson's role?

22 Mr. Kelly. Same objection; Fifth Amendment.

23 BY [REDACTED]:

24 Q How about Amy Peikoff?

25 Mr. Kelly. I'm sorry? What was the name?

1 [REDACTED] Amy Peikoff or Peikoff?

2 Mr. Kelly. Same objection; Fifth Amendment.

3 BY [REDACTED]:

4 Q Rebekah Mercer?

5 Mr. Kelly. Same objection; Fifth Amendment.

6 BY [REDACTED]:

7 Q Jeffrey Wernick?

8 Mr. Kelly. Same objection; Fifth Amendment.

9 BY [REDACTED]

10 Q Is it true that it is your intention to raise the First and Fifth Amendments in
11 response to all questions the committee would ask about the general structure and
12 management of Parler?

13 Mr. Kelly. Yes, it is.

14 [REDACTED] Thank you.

15 BY [REDACTED]

16 Q I have some questions about content moderation practices at Parler now
17 that I'm going to turn to.

18 Generally speaking, how does content moderation at Parler work?

19 Mr. Kelly. Same objection; Fifth Amendment.

20 BY [REDACTED]

21 Q How many individuals were tasked with content moderation?

22 Mr. Kelly. Same objection; Fifth Amendment.

23 BY [REDACTED]:

24 Q Can you explain to us the community jury system and how that works?

25 Mr. Kelly. Same objection; Fifth Amendment.

1 BY [REDACTED]:

2 Q What were the major changes made to Parler's community guidelines in
3 July 2020 and November 2020?

4 Mr. Kelly. Same objection; Fifth Amendment.

5 BY [REDACTED]

6 Q Was Amy Peikoff in charge of making those changes?

7 Mr. Kelly. Same objection; Fifth Amendment.

8 BY [REDACTED]:

9 Q Did Parler typically rely on user reports to flag dangerous or illegal content,
10 or were there proactive tools available to search for content that violated community
11 guidelines as well?

12 Mr. Kelly. Same objection; Fifth Amendment.

13 BY [REDACTED]:

14 Q What was your personal role in content moderation?

15 Mr. Kelly. Same objection; Fifth Amendment.

16 BY [REDACTED]:

17 Q How about Amy Peikoff's?

18 Mr. Kelly. Same objection; Fifth Amendment.

19 [REDACTED]. So I'm taking that it's your intention to invoke the Fifth Amendment in
20 response to all questions the committee might ask about the general content moderation
21 practices of Parler?

22 Mr. Kelly. It is, yes.

23 [REDACTED] Thank you.

24 BY [REDACTED]

25 Q How does Parler make money?

1 Mr. Kelly. Same objection; Fifth Amendment.

2 BY [REDACTED]:

3 Q What is Parler's process for screening advertisements that might contain
4 violent or illegal content?

5 Mr. Kelly. Same objection; Fifth Amendment.

6 [REDACTED] Is it your intention to raise the Fifth Amendment in response to all
7 questions that the committee would ask about the finances and fundraising practices at
8 Parler?

9 Mr. Kelly. Yes, it is.

10 [REDACTED]. Thank you.

11 BY [REDACTED]:

12 Q I would now like to move on to the months before the 2020 American
13 elections.

14 Is it true that Parler saw an increase in users throughout 2020? About how big
15 an increase did Parler see?

16 Mr. Kelly. Same objection; Fifth Amendment.

17 BY [REDACTED]:

18 Q Following the murders of George Floyd and Breonna Taylor, did Parler
19 implement any additional content moderation strategies or guidelines to prevent the
20 spread of violent racist behavior on the platform?

21 Mr. Kelly. Same objection; Fifth Amendment.

22 BY [REDACTED]:

23 Q What was your posture towards combating disinformation related to the
24 2020 election?

25 Mr. Kelly. Same objection; Fifth Amendment.

1 BY [REDACTED]:

2 Q How about your posture related to the spread of violent conspiracy theories
3 such as QAnon?

4 Mr. Kelly. Same objection; Fifth Amendment.

5 [REDACTED] Is it your intention to raise the Fifth Amendment in response to all
6 questions the committee would ask about Parler's content moderation posture in 2020?

7 Mr. Kelly. Yes, it is.

8 [REDACTED]. Okay. Thanks.

9 BY [REDACTED]:

10 Q In the immediate run-up to the elections, did Parler receive any
11 communications from law enforcement about potential threats?

12 Mr. Kelly. Same objection; Fifth Amendment.

13 BY [REDACTED]:

14 Q Was Parler informing law enforcement about concerning content on its
15 platform in the run-ups to the election?

16 Mr. Kelly. Same objection; Fifth Amendment.

17 BY [REDACTED]:

18 Q Did Parler implement any heightened security or content moderation
19 measures during the election itself?

20 Mr. Kelly. Same objection; Fifth Amendment.

21 [REDACTED] Is it your intention to raise the Fifth Amendment in response to all
22 questions the committee might ask about Parler's actions during the 2020 election?

23 Mr. Kelly. Yes, it is.

24 [REDACTED] Okay. Thank you.

25 BY [REDACTED]

1 Q Was it Parler's posture -- or excuse me.

2 What was Parler's posture towards the use of its platform by individuals affiliated
3 with violent extremist organization, including militia, White supremacists, and neo-Nazi
4 groups?

5 Mr. Kelly. Same objection; Fifth Amendment.

6 BY [REDACTED]

7 Q Did Parler see an increase in coordinated calls to violence by extremists on
8 its platform in the run-up to 2020 presidential election?

9 Mr. Kelly. Same objection; Fifth Amendment.

10 BY [REDACTED]:

11 Q How about a spike in activity specifically after President Trump instructed
12 the Proud Boys to, quote/unquote, "stand back and stand by" during the first presidential
13 debate in late September 2020?

14 Mr. Kelly. Same objection, Fifth Amendment?

15 [REDACTED] Is it your intention to raise the Fifth Amendment in response to all
16 questions the committee would ask about any attempts by Parler to limit the use of its
17 platform by militia extremists, White supremacists, and other violent actors in advance of
18 the 2020 election?

19 Mr. Kelly. Yes, it is.

20 [REDACTED] Okay. Thank you.

21 BY [REDACTED]:

22 Q In the period after the 2020 election, did you or anyone at Parler implement
23 policies to deal with coordinated calls to violence that were meant to protest the election
24 results?

25 Mr. Kelly. Same objection; Fifth Amendment.

1 BY [REDACTED]:

2 Q Did you increase, perhaps, the monitoring of content that was encouraging
3 violence or spreading disinformation related to the election results?

4 Mr. Kelly. Same objection; Fifth Amendment.

5 BY [REDACTED]:

6 Q Did you perceive a spike in that sort of content following the election?

7 Mr. Kelly. Same objection; Fifth Amendment.

8 [REDACTED] Is it your intention to raise the Fifth Amendment in response to all
9 questions about Parler's general action in the aftermath of the 2020 presidential
10 election?

11 Mr. Kelly. Yes, it is.

12 [REDACTED] Okay. Thanks.

13 BY [REDACTED]:

14 Q Following the election, there were several reports by anti-hate watchdog
15 groups that criticized Parler's willingness to platform far right extremist groups, like the
16 Proud Boys, the Oath Keepers, and the Three Percenters, as well as host anti-Semitic,
17 White supremacist, racist, and Holocaust-denying speech?

18 Can we pull up exhibit 8, please, [REDACTED]?

19 So this is a -- this will be a report from the Anti-Defamation League that was
20 published on November 11, 2020, that warned about the large followings that extreme
21 actors had garnered on Parler and its use to organize early events in the Stop the Steal
22 movement.

23 Mr. Matze, were you or others at Parler familiar with this report?

24 Mr. Kelly. Same objection; Fifth Amendment.

25 BY [REDACTED]:

1 Q What were the reactions of Parler staff to this report?

2 Mr. Kelly. Same objection; Fifth Amendment.

3 BY [REDACTED]

4 Q Were Parler staff aware of the trends, activities in this report before its
5 publication?

6 Mr. Kelly. Same objection; Fifth Amendment.

7 BY [REDACTED] :

8 Q Following this report, was there any reaction or attempt to correct course
9 within Parler?

10 Mr. Kelly. Same objection; Fifth Amendment.

11 BY [REDACTED]

12 Q In that case, we can pull up exhibit 9, [REDACTED]

13 This is another report from the Simon Wiesenthal Center, also from November
14 2020, that showcases instances in which Parler has allowed anti-Semitic, anti-Muslim,
15 anti-immigrant, anti-Black, and anti-LGBTQ content to remain on the platform, as well as
16 conspiracy theories related to COVID-19, inciting of violence, and content from violent far
17 right groups, including neo-Nazis.

18 Were you or others at Parler familiar with this report, Mr. Matze?

19 Mr. Kelly. Same objection; Fifth Amendment.

20 BY [REDACTED] :

21 Q What was the reaction to this report among Parler staff?

22 Mr. Kelly. Same objection; Fifth Amendment.

23 BY [REDACTED] :

24 Q Was there any attempt to change course within Parler because of this
25 report?

1 Mr. Kelly. Same objection; Fifth Amendment.

2 BY [REDACTED]:

3 Q On page 4, this report details how a November 2020 update to Parler's
4 community guidelines explicitly noted that, quote/unquote, fighting words would no
5 longer be considered a violation of the company's policies.

6 Is this an accurate description of the policy change?

7 Mr. Kelly. Same objection; Fifth Amendment.

8 BY [REDACTED]:

9 Q What was the impetus for the policy change?

10 Mr. Kelly. Same objection; Fifth Amendment.

11 BY [REDACTED]:

12 Q When did Parler begin discussing or developing the need for this policy
13 change?

14 Mr. Kelly. Same objection; Fifth Amendment.

15 BY [REDACTED]:

16 Q Was it related to rhetoric surrounding the election at all?

17 Mr. Kelly. Same objection; Fifth Amendment.

18 BY [REDACTED]:

19 Q Was Amy Peikoff in charge of formulating this exchange -- this change, and
20 what was your role?

21 Mr. Kelly. Same objection; Fifth Amendment.

22 BY [REDACTED]:

23 Q Under Supreme Court precedent, fighting words are actually not protected
24 by the First Amendment, so I was curious to ask, how does allowing fighting words on the
25 platform fit with Parler's goals to be a social media platform that operates in the spirit of

1 the First Amendment?

2 Mr. Kelly. Same objection; Fifth Amendment.

3 BY [REDACTED]:

4 Q Did this policy change make it more difficult to police coordinated cause to
5 violence on the platform between the election and January 6th?

6 Mr. Kelly. Same objection; Fifth Amendment.

7 BY [REDACTED]:

8 Q What is the line between permissible fighting words and infamous calls to
9 incitement on Parler? Who makes that call?

10 Mr. Kelly. Same objection; Fifth Amendment.

11 BY [REDACTED]:

12 Q Reflecting on the events of January 6th, would you advocate for a different
13 policy today?

14 Mr. Kelly. Same objection; Fifth Amendment.

15 [REDACTED] Is it then your attention to raise the Fifth Amendment in response to
16 all or any questions the committee might raise about these reports and Parler's response
17 to them?

18 Mr. Kelly. Yes, it is.

19 [REDACTED] Okay. Thank you.

20 And thank you, [REDACTED]

21 BY [REDACTED]

22 Q Prior to January 6th, there were several events that featured violent activity
23 by groups that still had a platform on Parler, such as skirmishes involving the Proud Boys
24 in Washington, D.C., on November 14 and December 12, 2020. In addition, on
25 December 12, Stewart Rhodes, leader of the Oath Keepers, called for President Trump to,

1 quote/unquote, "drop the hammer" on traitors and invoke the Insurrection Act, calling up
2 veterans as a militia to head off a much more desperate and bloody civil war, and this led
3 to the Jericho March in December 2020, December 12th, in Washington, D.C.

4 As rhetorics run and the election grew more violent in November and December,
5 did Parler consider any additional changes to its community guidelines or content
6 moderation operations to prevent such content from spreading?

7 Mr. Kelly. Same objection; Fifth Amendment.

1

2 BY [REDACTED]

3 Q Did militia groups such as the Oath Keepers, Fifth Amendment Praetorian,
4 Proud Boys, or Three Percenters maintain a presence on Parler?

5 Mr. Kelly. Same objection; Fifth Amendment.

6 BY [REDACTED]:

7 Q Was this in violation of Parler's community standards or terms of service?

8 Mr. Kelly. Same objection; Fifth Amendment.

9 BY [REDACTED]:

10 Q Was there ever any discussion of restricting the use of the platform by
11 extremist groups, including leaders like Stewart Rhodes and Enrique Tarrio of the Proud
12 Boys?

13 Mr. Kelly. Same objection; Fifth Amendment.

14 BY [REDACTED]

15 Q How about any other efforts to proactively search for inciteful content?

16 Mr. Kelly. Same objection; Fifth Amendment.

17 BY [REDACTED]:

18 Q What standards did Parler use to identify implicit threats or calls to violence?

19 Mr. Kelly. Same objection; Fifth Amendment.

20 BY [REDACTED]:

21 Q What were the policies for removing this kind of content?

22 Mr. Kelly. Same objection; Fifth Amendment.

23 BY [REDACTED]:

24 Q When did Parler start to see a shift towards more violative content that was
25 focused on President Trump's event in Washington, D.C., on January 6th?

1 Mr. Kelly. Same objection; Fifth Amendment.

2 [REDACTED] Could we go off the record for one moment at 2:34.

3 Are we off the record?

4 The Reporter. We are off the record.

5 [Discussion off the record.]

6 [REDACTED] So we can go back on the record now at 2:36.

7 BY [REDACTED]:

8 Q And, Mr. Matze, I believe the last question we asked was about the policies,
9 Parler's policies for removing content that might be in violation.

10 Mr. Kelly. Same objection; Fifth Amendment.

11 The Witness. Upon advice of counsel and based on my Fifth Amendment
12 privilege, I respectfully decline to answer.

13 BY [REDACTED]:

14 Q And, Mr. Matze, to be clear, is your response to all questions we've asked
15 since your counsel began advising you to invoke the Fifth Amendment that you would
16 indeed invoke the Fifth Amendment?

17 A If I understand that correctly, yes, upon advice of counsel and based on my
18 Fifth Amendment privilege, I respectfully decline to answer.

19 Q Thank you.

20 Based on the best of your recollection, Mr. Matze, was there a noticeable shift in
21 content on Parler after President Trump's December 19, 2020 tweet advertising his
22 January 6th rally for the first time and saying, "Be there, will be wild"?

23 Mr. Kelly. Same objection; Fifth Amendment.

24 The Witness. On advice of my counsel and based on my Fifth Amendment
25 privilege, I respectfully decline to answer.

1 BY [REDACTED]:

2 Q Is it your intention to raise the Fifth Amendment in response to all questions
3 the committee would ask about potentially violent or inciteful content seen on Parler in
4 the run-up to the January 6th attack, and any of Parler's attempts to proactively respond
5 to that content?

6 A Yes. Yes, it is.

7 Q Thank you.

8 Now I would like to ask about Parler's cooperation with law enforcement leading
9 up to January 6th.

10 Mr. Matze, can you describe Parler's efforts to transmit potentially violent or
11 inciteful content to law enforcement?

12 Mr. Kelly. Same objection; Fifth Amendment.

13 The Witness. I share that objection. So Fifth, if I may shorten to say Fifth?

14 BY [REDACTED]:

15 Q Sure. So if you just want to say Fifth, I will take that to mean that you are
16 invoking the Fifth Amendment based on advice of counsel.

17 A Thank you.

18 Q Did Parler rely solely on user reports to identify content that was potentially
19 in violation during these months?

20 Mr. Kelly. Same objection, Fifth Amendment.

21 The Witness. Fifth.

22 BY [REDACTED]:

23 Q During this time period, who was typically the point of contact at Parler with
24 law enforcement?

25 Mr. Kelly. Same objection; Fifth Amendment.

1 The Witness. Fifth.

2 BY [REDACTED]:

3 Q Who else may have been communicating with the FBI?

4 Mr. Kelly. Same objection; Fifth Amendment.

5 The Witness. Fifth.

6 BY [REDACTED]:

7 Q What were the protocols for deciding what content to elevate to the FBI?

8 Mr. Kelly. Same objection; Fifth Amendment.

9 The Witness. Fifth.

10 BY [REDACTED]

11 Q What role did you have -- oh, sorry. Go ahead, Mr. Matze.

12 A I just said Fifth.

13 Q Thanks.

14 What role did you have in determining whether content was elevated?

15 Mr. Kelly. Same objection; Fifth Amendment.

16 The Witness. Fifth.

17 BY [REDACTED]:

18 Q Were you satisfied with the amount of content that Parler was escalating to
19 law enforcement, or did you think that Parler was missing some content?

20 Mr. Kelly. Same objection; Fifth Amendment.

21 The Witness. Fifth.

22 BY [REDACTED]:

23 Q Is it your intention to raise the Fifth Amendment in response to any and all
24 questions the committee would ask about the methods and nature of its cooperation
25 with law enforcement in their run-up to January 6th?

1 A Yes.

2 Q All right. Thank you.

3 [REDACTED], can we pull up exhibit 2?

4 So, Mr. Matze, this is a Parler post that begins with the quote: "We need to mass
5 an armed force of American patriots 150,000 on the Virginia side of the Potomac River
6 prepared to react to the congressional events of January 6th."

7 It goes on to say towards the bottom that it is a right and a duty of the people to,
8 quote, "throw off an abusive government."

9 This post was referred to law enforcement by Parler, correct?

10 Mr. Kelly. Same objection; Fifth Amendment.

11 The Witness. Fifth.

12 BY [REDACTED]

13 Q Why did this post merit referral to the FBI when Parler allows fighting words
14 on its platform?

15 Mr. Kelly. Same objection; Fifth.

16 The Witness. Fifth.

17 BY

18 Q Would you say this is typical of content you would see on Parler in the
19 run-up to January 6th?

20 Mr. Kelly. Same objection; Fifth.

21 BY

22 Q Would you have been able to identify the user who posted this message if
23 law enforcement had requested that information?

25 The Witness. Fifth.

1 BY [REDACTED]:

2 Q Were there any steps taken by Parler employees to actively -- oh, wait. Mr.
3 Matze, I want to make sure that you're also saying Fifth as well.

4 A I did, I did. I said Fifth in response.

5 Q Okay. Thank you.

6 A I think we missed one, but otherwise, yes.

7 Q Were there any steps taken by Parler employees to actively search for more
8 content that was similar to this?

9 Mr. Kelly. Same objection; Fifth.

10 The Witness. Fifth.

11 [REDACTED] And, Mr. Kelly, if you want to say "Same objection" so that we don't
12 have the two Fifths in a row to make things go a little faster, I'll understand that to mean
13 what you have cited at the beginning of the deposition.

14 Mr. Kelly. That makes sense, yes.

15 [REDACTED] Thank you.

16 BY [REDACTED]

17 Q Was there any other similar content referred to law enforcement?

18 Mr. Kelly. Same objection.

19 The Witness. Fifth.

20 BY [REDACTED]

21 Q Is it your intention to raise the Fifth Amendment in response to any and all
22 questions the committee would ask about this post or other kinds of posts prior to
23 January 6th?

24 A Yes.

25 Q [REDACTED] in that case, could we pull up exhibit 5?

1 So this is an email sent from a Parler employee to the FBI on January 2, 2021,
2 apparently referring to another post that Parler had sent to the FBI. In the email, the
3 employee writes: "More where this came from. Concerned about Wednesday."

4 Of course, that Wednesday was January 6th.

5 Are you familiar with this email?

6 Mr. Kelly. So just so I'm clear, this is an email from Parler warning the FBI days in
7 advance of the attack? Is that right?

8 ████████ Yes. This is an email saying concerned about Wednesday on
9 January 2nd.

10 Mr. Kelly. Okay. Same objection.

11 The Witness. Fifth.

12 BY █████:

13 Q Can you describe the concerns of Parler about January 6th in the days before
14 the attack?

15 Mr. Kelly. Same objection.

16 The Witness. Fifth.

17 BY █████:

18 Q Does the fact that there is, quote, "More where this came from," suggest
19 that Parler was unable to keep up with the violent content proliferating on its platform
20 prior to the attack?

21 Mr. Kelly. Same objection.

22 The Witness. Fifth.

23 BY █████:

24 Q What steps were you taking to more quickly react to the violent trends you
25 were seeing on the platform?

1 Mr. Kelly. Same objection.

2 The Witness. Fifth.

3 BY [REDACTED]:

4 Q How did violent content like what's referenced here come to the attention of
5 Parler employees? Were there reports from individuals and users concerned with the
6 violence, or did Parler staff proactively identify concerning posts?

7 Mr. Kelly. Same objection.

8 The Witness. Fifth.

9 BY [REDACTED]:

10 Q Thank you.

11 Did Parler remove this and other content over to the FBI after it had broad
12 concerns of violence?

13 Mr. Kelly. Same objection.

14 The Witness. Fifth.

15 BY [REDACTED]

16 Q What were the procedures for removing this kind of content?

17 Mr. Kelly. Same objection.

18 The Witness. Fifth.

19 BY [REDACTED]:

20 Q Is it your intention to raise the Fifth Amendment in response to all questions
21 the committee would ask about this email?

22 A Yes.

23 Mr. Kelly. And my question for you, if you will answer it, did the FBI require us to
24 do anything when they were warned?

25 [REDACTED] So, unfortunately, you're unable to ask me questions during the

1 deposition.

2 Mr. Kelly. Okay.

3 [REDACTED] So I can't speak to that.

4 BY [REDACTED]:

5 Q Now I would like --

6 A That would be -- sorry. That would be an interesting thing to know.

7 Sorry.

8 Mr. Kelly. Yeah. John, cut it off here.

9 BY [REDACTED]:

10 Q So now, I would like to ask about what was happening at Parler on
11 January 6th itself.

12 Were there any emergency operational procedures in place on January 6th to help
13 Parler manage potential violence on that day?

14 Mr. Kelly. Same objection.

15 The Witness. Fifth.

16 BY [REDACTED]:

17 Q Did you see calls to violence on the platform throughout the day?

18 Mr. Kelly. Same objection.

19 The Witness. Fifth.

20 BY [REDACTED]:

21 Q What was your immediate response to the news the Capitol had been
22 breached?

23 Mr. Kelly. Same objection.

24 The Witness. Fifth.

25 BY [REDACTED]:

1 Q What actions were you taking to coordinate with law enforcement and
2 remove content during the attack itself?

3 Mr. Kelly. Same objection.

4 The Witness. Fifth.

5 BY [REDACTED]:

6 Q What was Amy Peikoff's role and Parler's response to January 6th?

7 Mr. Kelly. Same objection.

8 The Witness. Fifth.

9 BY [REDACTED]:

10 Q Were there any actions Parler took to remove numbers of accounts that had
11 been involved in the violence on January 6th?

12 Mr. Kelly. Same objection.

13 The Witness. Fifth.

14 BY [REDACTED]:

15 Q So I take it it's your intention to raise the Fifth Amendment in response to all
16 questions the committee would ask about Parler's response to January 6th?

17 A That is correct.

18 Q All right. [REDACTED] at this point could we pull up exhibit 3?

19 So this is a post that was also apparently referred to the FBI by Parler which calls
20 for individuals to, quote, "shoot their way into D.C. if they blockade" -- "they" being
21 nebulous and in quotes -- "the city on Inauguration Day."

22 It seems like this post is made after January 6th. So, Mr. Matze, I want to ask
23 you, did calls for coordinated violence, like this one, continue to proliferate on Parler
24 after the attack on the Capitol?

25 Mr. Kelly. Same objection.

1 The Witness. Fifth.

2 BY [REDACTED]:

3 Q What steps did Parler take to ban users who were engaged in this content or
4 proactively sweep the platform for calls to violence after the attack on the Capitol?

5 Mr. Kelly. Same objection.

6 The Witness. Fifth.

7 BY [REDACTED]

8 Q Was there a concern within Parler, in the wake of the January 6th attack,
9 that your content moderation procedures had not captured the full extent of violative or
10 inciteful content on the platform?

11 Mr. Kelly. Same objection.

12 The Witness. Fifth.

13 BY [REDACTED]:

14 Q Did you take action against militia networks or other organizations, like the
15 Proud Boys, who had been implicated in the attack?

16 Mr. Kelly. Same objection.

17 The Witness. Fifth.

18 BY [REDACTED]:

19 Q Were there any efforts to change any content moderation policies in the
20 wake of January 6th?

21 Mr. Kelly. Same objection.

22 The Witness. Fifth.

23 BY [REDACTED]:

24 Q Is it your intention, Mr. Matze, to raise the Fifth Amendment in response to
25 all questions the committee would ask about Parler's content moderation efforts after

1 January 6th?

2 A That is correct.

3 Q Thank you. Getting through this.

4 The next thing I wanted to ask you about is the deplatforming of Parler. So a few
5 days after the attack on the Capitol, Parler was removed from the Apple and Google App
6 Stores for failure to adequately police violent content on the platform. And then on
7 January 10, 2021, Parler went offline altogether after Amazon Web Services banned it
8 from its servers.

9 So I want to ask you, Mr. Matze, what was your reaction to these actions by Apple,
10 Google, and Amazon?

11 Mr. Kelly. Same objection.

12 The Witness. Fifth.

13 BY [REDACTED] :

14 Q What justification or reasoning did those providers give to you and Parler
15 leadership about their decision?

16 Mr. Kelly. Same objection.

17 The Witness. Fifth.

18 BY [REDACTED] :

19 Q What was the reaction among Parler employees and leadership after this
20 decision?

21 Mr. Kelly. Same objection.

22 The Witness. Fifth.

23 BY [REDACTED] :

24 Q Did you feel -- thank you. Sorry, Mr. Matze. Can you restate that?

25 A Fifth.

1 Q Did you feel that the action was fair?

2 Mr. Kelly. Same objection.

3 The Witness. Fifth.

4 BY [REDACTED]:

5 Q At the time, did you believe that Parler should have been doing more to
6 remove violent content and coordinated calls to harm on its platform?

7 Mr. Kelly. Same objection.

8 The Witness. Fifth.

9 BY [REDACTED]:

10 Q Is it your intention to raise the Fifth Amendment in response to all questions
11 the committee might ask about Parler's deplatforming after January 6th?

12 A Yes, that's correct.

13 Q Thank you, Mr. Matze.

14 So at the end of January 2021, you were removed as CEO of Parler while the sites
15 still offline. After your removal, you claimed in public interviews that you were
16 terminated because you had been advocating for more effective content moderation
17 policies on the platform, and that you had been unsuccessfully lobbying Parler's board to
18 crack down on domestic terrorists, White supremacists, and other groups, like QAnon.
19 In fact, you claimed in interviews following your termination that you had argued to
20 others at Parler that January 6th was a clear indication of what could happen absent
21 further content moderation changes at Parler.

22 So, Mr. Matze, in your opinion, is it true that you were terminated from Parler
23 because you were pushing for more effective content moderation policies in the wake of
24 January 6th?

25 Mr. Kelly. Same objection.

1 The Witness. Fifth.

2 BY [REDACTED]:

3 Q Would you be able to walk us through your arguments for why you believed
4 changes were needed?

5 Mr. Kelly. Same objection.

6 The Witness. Fifth.

7 BY [REDACTED]:

8 Q What kind of changes did you recommend to the board? What was their
9 reaction?

10 Mr. Kelly. Same objection.

11 The Witness. Fifth.

12 BY [REDACTED]:

13 Q Why did you feel, in particular, it was necessary to moderate QAnon content
14 more strongly?

15 Mr. Kelly. Same objection.

16 The Witness. Fifth.

17 BY [REDACTED]:

18 Q In your mind, what was the link between QAnon and January 6th?

19 Mr. Kelly. Same objection.

20 The Witness. Fifth.

21 BY [REDACTED]

22 Q When you made these suggestions, what did Rebekah Mercer, who then
23 controlled the board of Parler, say in response?

24 Mr. Kelly. Same objection.

25 The Witness. Fifth.

1 BY [REDACTED]:

2 Q What about other board members?

3 Mr. Kelly. Same objection.

4 The Witness. Fifth.

5 BY [REDACTED]:

6 Q Did Ms. Mercer or anyone else ever communicate to you that you were
7 being terminated because of your push for more effective content moderation policies?

8 Mr. Kelly. Same objection.

9 The Witness. Fifth.

10 BY [REDACTED]:

11 Q What did other employees at Parler think of your proposals?

12 Mr. Kelly. Same objection.

13 The Witness. Fifth.

14 BY [REDACTED]:

15 Q What about Amy Peikoff?

16 Mr. Kelly. Same objection.

17 The Witness. Fifth.

18 BY [REDACTED]:

19 Q Is it your understanding that Parler implemented any of your suggestions
20 prior to coming back online with a different server in February 2021?

21 Mr. Kelly. Same objection.

22 The Witness. Fifth.

23 BY [REDACTED]:

24 Q Is it your intention to raise the Fifth Amendment in response to all questions
25 the committee would ask about your termination as CEO of Parler?

1 A Yes, that's correct.

2 Q Thank you, Mr. Matze.

3 I would now like to ask briefly about negotiations between Parler and the Trump
4 organization in 2020 about Donald Trump's potential acquisition of Parler, which has
5 been, of course, publicly reported.

6 Were you involved in these negotiations?

7 Mr. Kelly. Same objection.

8 The Witness. Fifth.

9 BY [REDACTED]:

10 Q Who else at Parler was involved?

11 Mr. Kelly. Same objection.

12 The Witness. Fifth.

13 BY [REDACTED]:

14 Q During the course of these negotiations, who did you interact with in the
15 Trump organization?

16 Mr. Kelly. Same objection.

17 The Witness. Fifth.

18 BY [REDACTED]:

19 Q Were any of the President's children involved in these negotiations?

20 Mr. Kelly. Same objection.

21 The Witness. Fifth.

22 BY [REDACTED]:

23 Q Did you ever have any indication that the President himself was interested in
24 these negotiations or any contact with the President?

25 Mr. Kelly. Same objection.

1 The Witness. Fifth.

2 BY [REDACTED] :

3 Q What were the contours of this potential acquisition?

4 Mr. Kelly. Same objection.

5 The Witness. Fifth.

6 BY [REDACTED] :

7 Q [REDACTED], at this point can we pull up exhibit 4?

8 So this appears to be a term sheet you signed on December 28, 2020. If we scroll
9 down to the bottom, we can see your signature.

10 Is that an accurate description of this document, Mr. Matze?

11 Mr. Kelly. Same objection.

12 The Witness. Fifth.

13 BY [REDACTED] :

14 Q Why, to your knowledge, did the Trump organization express interest in
15 acquiring Parler? Did they give you any rationale?

16 Mr. Kelly. Same objection.

17 The Witness. Fifth.

18 BY [REDACTED] :

19 Q When did you first become aware of the Trump organization's interest in
20 acquiring Parler?

21 Mr. Kelly. Same objection.

22 The Witness. Fifth.

23 BY [REDACTED] :

24 Q When did negotiation begin?

25 Mr. Kelly. Same objection.

1 The Witness. Fifth.

2 BY [REDACTED]:

3 Q Did negotiations for the potential purchase of Parler continue through
4 January 6, 2021?

5 Mr. Kelly. Same objection.

6 The Witness. Fifth.

7 BY [REDACTED]:

8 Q If they did not continue, when and under what circumstances did they end?

9 Mr. Kelly. Same objection.

10 The Witness. Fifth.

11 BY [REDACTED]:

12 Q What was the status of negotiations when you departed as CEO?

13 Mr. Kelly. Same objection.

14 The Witness. Fifth.

15 BY [REDACTED]:

16 Q At any point, did representatives at the Trump organization express concern
17 about violent or inciteful content on Parler as a barrier to this potential acquisition?

18 Mr. Kelly. Same objection.

19 The Witness. Fifth.

20 BY [REDACTED]:

21 Q Did they ever inquire about Parler's content moderation policies one way or
22 another?

23 Mr. Kelly. Same objection.

24 The Witness. Fifth.

25 BY [REDACTED]:

1 Q What plans or potential changes to the service did the Trump organization
2 discuss during these negotiations?

3 Mr. Kelly. Same objection.

4 The Witness. Fifth.

5 BY [REDACTED]:

6 Q How about discussions after January 6th?

7 Mr. Kelly. Same objection.

8 The Witness. Fifth.

9 BY [REDACTED]:

10 Q At this point, [REDACTED], could we pull up exhibit 6?

11 So this is an email regarding these negotiations, and the chain includes you,
12 Jeffrey Wernick, and Amy Peikoff, dated in late November 2020 as well.

13 Was Mr. Wernick involved in these negotiations and in what capacity?

14 Mr. Kelly. Same objection.

15 The Witness. Fifth.

16 BY [REDACTED]:

17 Q What about Ms. Peikoff?

18 Mr. Kelly. Same objection.

19 The Witness. Fifth.

20 BY [REDACTED]:

21 Q Is it your intention to invoke the Fifth Amendment in response to all
22 questions that the committee would ask about Parler's negotiations with the Trump
23 organization?

24 A That is correct.

25 Q Okay. Thank you.

1 As CEO of Parler, did you have any other contacts with the Trump administration
2 or Trump campaign officials?

3 Mr. Kelly. Same objection.

4 The Witness. Fifth.

5 BY [REDACTED]:

6 Q What were the nature of those contacts?

7 Mr. Kelly. Same objection.

8 The Witness. Fifth.

9 BY [REDACTED]:

10 Q Did you have any communications in particular with Dan Scavino?

11 Mr. Kelly. Same objection.

12 The Witness. Fifth.

13 BY [REDACTED]:

14 Q How about Bill Stepien?

15 Mr. Kelly. Same objection.

16 The Witness. Fifth.

17 BY [REDACTED]:

18 Q And Brad Parscale?

19 Mr. Kelly. Same objection.

20 The Witness. Fifth.

21 BY [REDACTED]:

22 Q And now I would like to ask about any contacts you may have had with other
23 organizations.

24 Did you have any contacts with members of the Proud Boys?

25 Mr. Kelly. Same objection.

1 The Witness. Fifth.

2 BY [REDACTED]

3 Q What about members of the Oath Keepers?

4 Mr. Kelly. Same objection.

5 The Witness. Fifth.

6 BY [REDACTED]

7 Q Is it your intention to invoke the Fifth Amendment in response to all
8 questions the committee would ask about your contacts with the Trump campaign or
9 Trump administration, as well as other groups?

10 A That is correct.

11 Q Thanks.

12 At this point, I'm going to run through a list of individuals, and if you can let me
13 know if you had any contact with them regarding events that occurred between Election
14 Day 2020, and January 6th, that would be helpful.

15 So Ali Alexander?

16 Mr. Kelly. Same objection.

17 The Witness. Fifth.

18 BY [REDACTED]

19 Q Alex Jones?

20 Mr. Kelly. Same objection.

21 The Witness. Fifth.

22 BY [REDACTED]:

23 Q Roger Stone?

24 Mr. Kelly. Same objection.

25 The Witness. Fifth.

1 BY [REDACTED]:

2 Q Michael Flynn?

3 Mr. Kelly. Same objection.

4 The Witness. Fifth.

5 BY [REDACTED]:

6 Q Sidney Powell?

7 Mr. Kelly. Same objection.

8 The Witness. Fifth.

9 BY [REDACTED]:

10 Q Michael Lindell?

11 Mr. Kelly. Same objection.

12 The Witness. Fifth.

13 BY [REDACTED]:

14 Q Andrew Torba?

15 Mr. Kelly. Same objection.

16 The Witness. Fifth.

17 BY [REDACTED]:

18 Q James Watkins?

19 Mr. Kelly. Same objection.

20 The Witness. Fifth.

21 BY [REDACTED]:

22 Q Ron Watkins?

23 Mr. Kelly. Same objection.

24 The Witness. Fifth.

25 BY [REDACTED]:

1 Q Rudy Giuliani?

2 Mr. Kelly. Same objection.

3 The Witness. Fifth.

4 BY [REDACTED]:

5 Q Donald Trump Jr.?

6 Mr. Kelly. Same objection.

7 The Witness. Fifth.

8 BY [REDACTED]

9 Q Eric Trump?

10 Mr. Kelly. Same objection.

11 The Witness. Fifth.

12 BY [REDACTED]:

13 Q Jared Kushner?

14 Mr. Kelly. Same objection.

15 The Witness. Fifth.

16 BY [REDACTED]:

17 Q Ivanka Trump?

18 Mr. Kelly. Same objection.

19 The Witness. Fifth.

20 BY [REDACTED]:

21 Q Mark Meadows?

22 Mr. Kelly. Same objection.

23 The Witness. Fifth.

24 BY [REDACTED]:

25 Q Enrique Tarrio?

1 Mr. Kelly. Same objection.

2 The Witness. Fifth.

3 BY [REDACTED] :

4 Q Stewart Rhodes?

5 Mr. Kelly. Same objection.

6 The Witness. Fifth.

7 BY [REDACTED] :

8 Q And Donald Trump?

9 Mr. Kelly. Same objection.

10 The Witness. Fifth.

11 BY [REDACTED]

12 Q All right. We're almost done here, Mr. Matze. Just a few questions more,
13 and then some closing matters.

14 What was your understanding of what happened at the Capitol on January 6,
15 2021?

16 Mr. Kelly. Same objection.

17 The Witness. Fifth.

18 BY [REDACTED] :

19 Q What responsibility do social media companies hold for the content on their
20 services?

21 Mr. Kelly. Same objection.

22 The Witness. Fifth.

23 BY [REDACTED] :

24 Q Do you believe that social media companies have an obligation to prevent
25 coordinated calls to violent actions from spreading on their platforms?

1 Mr. Kelly. Same objection.

2 The Witness. Fifth.

3 BY [REDACTED]

4 Q Did your experience at Parler change your views on this matter?

5 Mr. Kelly. Same objection.

6 The Witness. Fifth.

7 BY [REDACTED]:

8 Q What do you think was Parler's role in the spread of disinformation and
9 violent content in the weeks leading up to January 6th?

10 Mr. Kelly. Same objection.

11 The Witness. Fifth.

12 [REDACTED] Can we go off the record briefly?

13 Mr. Kelly. Sure.

14 [Discussion off the record.]

1

2 [3:01 p.m.]

3 BY [REDACTED]

4 Q Do you think Parler is at all responsible for what happened on January 6th,

5 Mr. Matze?

6 Mr. Kelly. Same objection.

7 The Witness. Fifth.

8 BY [REDACTED]

9 Q What do you think Parler should have and could still do better?

10 Mr. Kelly. Same objection.

11 The Witness. Fifth.

12 BY [REDACTED]:

13 Q Is it a form of censorship for corporations or private businesses to remove
14 calls for violence against civilians from their services?

15 Mr. Kelly. Same objection.

16 The Witness. Fifth.

17 BY [REDACTED]:

18 Q What about calls for violence against law enforcement?

19 Mr. Kelly. Same objection.

20 The Witness. Fifth.

21 BY [REDACTED]:

22 Q What about calls of violence against elected officials?

23 Mr. Kelly. Same objection.

24 The Witness. Fifth.

25 BY [REDACTED]:

1 Q Do you believe that social media companies have a responsibility to allow
2 Holocaust denialism, White supremacy, xenophobia, bigotry, inciting words by militias
3 and other extremists on their platform and why?

4 Mr. Kelly. Same objection.

5 The Witness. Fifth.

6 Moving along.

7 BY [REDACTED]

8 Q Have you been interviewed or contacted by law enforcement regarding
9 events surrounding January 6th?

10 Mr. Kelly. Same objection.

11 The Witness. Fifth.

12 BY [REDACTED]:

13 Q Following January 6th, have you been contacted by any attorneys
14 representing individuals who have been charged with criminal conduct from that day?

15 Mr. Kelly. Same objection.

16 The Witness. Fifth.

17 BY [REDACTED]

18 Q Have you been in contact with attorneys for President Trump or any of the
19 individuals mentioned above regarding the events of January 6th, 2021?

20 Mr. Kelly. Same objection.

21 The Witness. Fifth.

22 BY [REDACTED]:

23 Q What about attorneys for Parler?

24 Mr. Kelly. Same objection.

25 The Witness. Fifth.

1 BY [REDACTED]:

2 Q Is it your intention to assert a Fifth Amendment privilege to all questions we
3 ask about -- with regards to contacts made by law enforcement or others regarding the
4 events of January 6th, 2021?

5 A That is correct.

6 Q Thank you. So on the issue of productions pursuant to the subpoena, Mr.
7 Matze, I've been in discussions with Mr. Kelly about your efforts to comply with requests
8 for documents contained in the subpoena.

9 In an email on Monday, your counsel indicated that you will not produce
10 documents that are subject to a privilege held by Parler.

11 However, can you confirm that you will still be producing documents that your
12 attorney has indicated attorney are in your possession and are not covered by a privilege
13 controlled by Parler?

14 Mr. Kelly. Well, if they're not privileged, whether it's Fifth Amendment privilege
15 or Parler's privilege, and they're responsive as indicated, we'll produce them. But we
16 still have -- going through them now.

17 [REDACTED] I just wanted to confirm that.

18 The Witness. Yeah. And I will note that they should have them in their
19 possession. Albeit, it may take a while to download because they're quite large.

20 [REDACTED] You mean Parler?

21 The Witness. No. I meant my attorneys have the documents.

22 [REDACTED] Got it. Thank you, Mr. Matze, for the update.

23 Mr. Kelly, we can keep in touch about that understanding the privileges.

24 Mr. Kelly. I'm sorry, [REDACTED] You're fading there.

25 [REDACTED] We can keep in touch on that --

1 Mr. Kelly. Yes.

2 ████████ -- and the issues at play.

3 Mr. Kelly. Yes.

4 ████████ I just want to make it clear that failure to produce the proper
5 documents, your ability to produce, will be considered a failure to comply with select
6 committee's subpoena, but seems like Mr. Kelly and I can continue discussing all that.

7 BY █████

8 Q Have you been in discussion with Parler about your compliance with this
9 subpoena?

10 Mr. Kelly. Same objection.

11 The Witness. Fifth.

12 Mr. Kelly. Are you directing that to me or John?

13 ████████ Mr. Matze.

14 Mr. Kelly. Well then, I'm objecting.

15 The Witness. Fifth.

16 BY █████

17 Q Has anyone at Parler discouraged you from producing documents or
18 providing information to the select committee today?

19 Mr. Kelly. Same objection.

20 The Witness. Fifth.

21 ████████ So at this point, Mr. Matze has asserted his Fifth Amendment privilege
22 as a basis to refuse to answer virtually all of the select committee's questions today.
23 Under these circumstances, we will not close the record on the deposition to let the
24 Select Committee determine the appropriate course of action to move forward.

25 Before we go off the record, I would just ask for a five-minute break, could be

1 shorter, but let's go off the record because I need to talk about something with Mr. Kelly
2 and Mr. Matze.

3 Let's go off the record at 3:06.

4 [Discussion off the record.]

5 BY ████████:

6 Q Pursuant to our conversation, I'm just going to, again, ask Mr. Matze to
7 invoke the privilege to clarify that he indeed wanted to invoke his Fifth Amendment
8 privilege for categories of questions that we discussed at the beginning of our deposition.

9 So I will start, sort of, where we began earlier this afternoon. And I'll ask you,
10 Mr. Matze, was it your intention to assert the Fifth Amendment in response to all
11 questions the Committee would ask on the topic of the founding of Parler?

12 A Yes, it is.

13 Q How about your role as CEO of Parler?

14 A Yes, it is.

15 Q And was it your intention to assert the Fifth Amendment in response to all
16 questions about the general structure of Parler?

17 A Yes, it is.

18 Q And what about all questions in response to the general content moderation
19 strategies at Parler? Was it your intention to invoke the Fifth Amendment to all
20 questions in that topic area?

21 A Yes, it is.

22 Q And is it your intention to invoke the Fifth Amendment in response to all
23 questions the committee has about the finances and fundraising practices of Parler?

24 A Yes, it is.

25 Q And is it your -- was it your intention and is it your intention to raise the Fifth

1 Amendment in response to all questions the committee would ask about Parler's content
2 moderation posture in 2020?

3 A Yes, it is.

4 Q And is it your intention to raise the Fifth Amendment in response to all
5 questions the committee would ask about Parler's actions during the 2020 election itself?

6 A Yes, it is.

7 Q And is it your intention to raise the Fifth Amendment in response to all
8 questions the committee would ask about any attempts by Parler to limit the use of the
9 platform by militia extremists, White supremacists, and other violent actors in advance of
10 the 2020 election?

11 A Yes, it is.

12 Q And was it and is it your intention to raise the Fifth Amendment in response
13 to all questions about Parler's general actions in the aftermath of the 2020 election?

14 A Yes, it is. Sorry. I had to think about it twice.

15 Q Thanks. And under the next category, was it your intention to raise the
16 Fifth Amendment in response to all questions about the reports that we discussed earlier
17 and Parler's response to them?

18 A Yes. Yes, it is.

19 Q And I think the last category this applies to is it and was it your intention to
20 raise the Fifth Amendment in response to all questions the Committee would ask about
21 potentially violent or inciteful content seen on Parler in the run-up to January 6th, and
22 any of Parler's attempts to proactively respond to that content?

23 A Yes, it is.

24 Q Thank you for clarifying all those for the record, Mr. Matze. I appreciate it.

25 [REDACTED] So as I noted, we're going to keep the record open so that the

1 chairman will have the opportunity to review any of these objections, and the select
2 committee can determine the best course of action moving forward.

3 Before we go off the record, I wanted to pause to see if any of my colleagues,
4 [REDACTED], [REDACTED] had anything they wanted to offer?

5 Seeing nothing, I wanted to give Mr. Matze or Mr. Kelly the opportunity to say
6 something.

7 Mr. Kelly. We're all set here.

8 [REDACTED] Okay. In that case, the deposition will stand in recess subject to call
9 of the chair.

10 [Whereupon, at 3:12 p.m., the deposition was recessed, subject to the call of the
11 Chair.]

12

13 Certificate of Deponent/Interviewee

14

15

16 I have read the foregoing ____ pages, which contain the correct transcript of the
17 answers made by me to the questions therein recorded.

18

19

20

21

22

Witness Name

23

24

25

1

Date

2