

1 Q. Put it aside, yes.

2 Have you personally met with any Commonwealth
3 attorneys regarding Alien Invasion II?

4 A. I don't believe I have.

5 Q. Have you met with any federal prosecutors
6 with regard to Alien Invasion II?

7 A. Yes.

8 Q. What --

9 A. Well, I'm not sure, since you've
10 compressed it to II, I don't know if it's just II or
11 I or ... perhaps. I mean, maybe you can rephrase the
12 question.

13 Q. Have you met with any federal prosecutors
14 with regard to Alien Invasion II?

15 A. Okay. I cannot recall if it was related
16 to II, but it might have been II and it might have
17 been I and II.

18 (PILF Exhibit 31 marked for
19 identification: Email correspondence
20 from (topmost) M Lytle sent
21 5/30/2017
22 PILF-ADAMS-0052723 - 0052724)

23 Q. What's been marked as Exhibit 31 is a
24 document with the Bates number 52721. For the
25 record, this document was produced to us last night.

1 This is an email from you dated May 30th, at
2 the beginning of the chain, to Mark Lytle; is that
3 right?

4 A. The pronunciation is Lytle.

5 Q. Lytle, L-Y-T-L-E. Who is Mark Lytle?

6 A. I -- I cannot remember what the state is
7 regarding the privilege agreement and whether or not
8 this was in the agreement.

9 Q. Yes, it was.

10 MR. DAVIS: This is okay.

11 A. Right. Okay. And your question was?

12 Q. You emailed Mark Lytle on May 30th,
13 correct?

14 A. May 30th, that's what the document says.

15 Q. And the subject line is "Report"?

16 A. It is.

17 Q. And there's a link to PJ Media article
18 that you drafted about the Alien Invasion II report,
19 correct?

20 A. Well, in my personal capacity I drafted a
21 PJ Media article. So the use of the word "you" would
22 bleed into corporate issues, but, yes, that is an
23 article that I in my personal capacity drafted.

24 Q. Okay. And then Mr. Lytle asked, "When are
25 you free for lunch?" And then you set, basically, a

1 date and location, correct?

2 A. Well, we set a date. To answer your
3 question about location, I'm not sure we actually --

4 Q. Okay. Did you --

5 A. -- did.

6 Q. Did you meet with Mr. Lytle and talk about
7 the Alien Invasion II report?

8 A. Well, again, you keep asking about
9 Alien II.

10 Q. Well, this is -- this is May 30th.

11 A. Right, but it could have also been
12 Alien I. I just don't remember. It could have been
13 both.

14 Q. Okay.

15 A. But so --

16 Q. Did you meet with him and discuss your
17 Alien Invasion reports?

18 A. Yes.

19 Q. Did you provide him lists of individuals
20 that were included in either of the Alien Invasion
21 reports?

22 A. Could I talk to my attorney for two
23 minutes?

24 Q. Go off the record?

25 A. Go off the record?

1 Q. Actually --

2 A. I don't have an answer for you.

3 Q. I have a question that's pending.

4 A. I know you do, but I don't have an answer
5 for you.

6 Q. Okay. You can talk to your attorney.

7 We'll go off the record.

8 VIDEO SPECIALIST: We are off the record,
9 5:24.

10 (Proceedings recessed)

11 VIDEO SPECIALIST: We are on the record,
12 5:28.

13 BY MR. TEPE:

14 Q. Mr. Adams, the question pending before you
15 asked to go talk to your attorney was, did you
16 provide Mr. Lytle lists of individuals that were
17 included in either of the invasion reports?

18 A. The answer is yes. And the reason I asked
19 to talk to my attorneys is I was unaware of the
20 particulars of the privilege agreement that you had.

21 Q. Fair enough. What else did you discuss
22 with Mr. Lytle?

23 A. Well, we discussed a wide range of things,
24 including how people get on the voter rolls who are
25 not citizens, my analysis of what the defects are in

1 the system, as we currently understood them at that
2 time, avenues that could be explored at the DOJ to
3 enforce federal laws related to noncitizen voting,
4 the investigative procedures that would be utilized
5 by the department to look into these issues, the
6 nature of the administrative procedures that resulted
7 in noncitizens getting on the rolls. There was a
8 wide variety of issues.

9 Q. And you advocated to him that some of the
10 individuals listed in Alien Invasion reports be
11 prosecuted.

12 A. No. What I advocated -- no. See you --
13 there's a recurring mischaracterization of the
14 evidence in your question.

15 Q. It's a question. You can dispute it, if
16 you want.

17 A. Well, it's an incorrect one. What I
18 advocated to him was the department undertake a
19 thorough review of this information, considering the
20 fact that they were well-placed to overcome the
21 shortcomings that a private organization faced in
22 trying to get to the bottom of this problem.

23 The department and the administration broadly
24 had access to immigration records, citizenship
25 applications, DHS files, INS files. They could

1 quickly and easily obtain voter records from the
2 Commonwealth election officials, all done relatively
3 surreptitiously without the voters even being aware
4 of the process.

5 And, frankly, I was somewhat relieved that --
6 I believed that there is a genuine way to do this
7 that protects voting rights and protects everybody
8 involved.

9 Q. Did you tell Mr. Lytle that, despite your
10 report saying there's 5,556 noncitizens, that
11 actually some number of them are actually citizens?

12 A. Right. What I said to him is that the
13 usual suspects who don't want anybody talking about
14 noncitizens on the voter rolls are very incensed and
15 animated about this report. It's in -- responsive to
16 your question.

17 Q. No, it's not. It's totally not
18 responsive.

19 A. Well, if I might have the opportunity to
20 get to it.

21 And I said, so what you're going to find is
22 there may be some people who are ultimately citizens,
23 but you will have the ability to determine that in
24 ways that nobody else will. And I explained why it
25 was that people dislike this report because it was

1 the first step at trying to analyze what the problem
2 is.

3 Q. Right, because the individuals listed in
4 Exhibit 1 are not actual lists of noncitizens; it's a
5 list of people who were canceled from voter rolls for
6 potentially not being noncitizens.

7 A. No, you're --

8 MR. DAVIS: Stop a second. I'm going to
9 object. It's argumentative and repetitive.

10 A. And also inaccurate. That is not
11 accurate. The list of people in Exhibit 1 are
12 declared noncitizens by the Commonwealth and for all
13 the other reasons that I testified throughout this
14 deposition could be relied on as declared
15 noncitizens.

16 Q. So the answer is yes, you did tell Mr.
17 Lytle that some of the people listed are likely
18 citizens, correct?

19 A. No, that's not what I said nor did I
20 testify to that. What I said was --

21 Q. Okay. Let me ask you --

22 A. Can I answer the question? I'm sorry.

23 What I said was that there were potential of
24 noncitizens here, but they would be able to easily
25 overcome false-positives because of the vast array of

1 data they had available.

2 Q. So you told Mr. Lytle that the individuals
3 listed in Alien Invasion II, Exhibit 1, are
4 potentially -- includes potentially citizens.

5 A. But more likely they are noncitizens.

6 Q. Did you also tell him that you've --
7 strike that.

8 Did you meet with any other federal
9 prosecutors besides Mr. Lytle?

10 A. I did not have a meeting with other
11 federal prosecutors, at least none that I remember
12 sitting here right now.

13 (PILF Exhibit 32 marked for
14 identification: Email correspondence
15 from (topmost) C Adams sent
16 11/3/2016 PILF-ADAMS-0046297)

17 Q. This is a document marked as Exhibit 32,
18 Bates number 46297. It's an email you sent on
19 November 3rd, 2016, correct, to Ms. Powell?

20 A. Right.

21 Q. And here you're looking for a copy of
22 Alien Invasion I, right?

23 A. Yes.

24 Q. And you say, "I want to put it in the
25 hands of the DOJ lawyer who would prosecute these

1 people, and is a friend of mine." Do you see that?

2 A. I see that.

3 Q. Who is your friend?

4 A. Mr. Lytle.

5 Q. Okay. And so did you meet with him in
6 November of 2016?

7 A. I don't believe so. I might have.

8 Q. And --

9 A. Well, wait, strike that answer.

10 There is a high degree of probability that I
11 had conversations with Mr. Lytle in November of '16.

12 Q. A high degree of probability that you did
13 have conversations with Ms. Lytle --

14 A. Mister.

15 Q. -- Mr. Lytle in November, right?

16 A. Correct.

17 (PILF Exhibit 33 marked for
18 identification: Email correspondence
19 from (topmost) S Powell sent
20 11/21/2016 with attachment
21 PILF-ADAMS-0013344 - 0013404)

22 Q. This has been marked as Exhibit 33. At
23 the end of this email you say, "I am talking to U.S.
24 attorney in charge of prosecuting them early
25 afternoon do so as soon as possible. Thanks. Very

1 important." Do you see that?

2 A. Exhibit 33 is consistent with the
3 testimony I just gave, and in fact refreshes my
4 recollection that I was talking to Mr. Lytle.

5 Q. Right. So you had a meeting with
6 Mr. Lytle in November of 2016, right?

7 A. It doesn't say that, does it? If it does,
8 please direct me to that.

9 Q. Well, it says in the middle, "I'm meeting
10 with EDVA USA office," 9:55 a.m.

11 A. I'm not meeting with -- right. Right, but
12 that -- that refers to a future event.

13 Q. And so you were asking for the list of
14 records, excuse me, the records with the list of
15 individuals who had been canceled, correct, for that
16 meeting?

17 A. No, I was asking for the list of declared
18 noncitizens for that meeting. Remember, the list of
19 cancellations is much larger than just noncitizen
20 cancellations.

21 Q. Do you recall any other meetings with
22 federal prosecutors other than the one after Alien
23 Invasion II and the one in November after Alien
24 Invasion I?

25 A. Well, okay, there is a high degree of

1 probability that I spoke with Mr. Lytle throughout
2 that entire period.

3 Q. So there's a bunch of communications
4 you've had with Mr. Lytle.

5 A. I would say so, yes.

6 (PILF Exhibit 34 marked for
7 identification: Email correspondence
8 from (topmost) N Johnson sent
9 9/30/2016 PILF-ADAMS-0005422)

10 Q. Did you meet with or correspond with any
11 other -- strike that.

12 Did you have communications with any other
13 federal prosecutor other than Mr. Lytle about Alien
14 Invasion reports?

15 A. Well, depends on how you define
16 prosecutor. An AUSA, no.

17 Q. The court reporter is handing you what's
18 been marked as 34, Exhibit 34. It's a document with
19 the Bates number 5422. I want to direct --

20 A. Okay.

21 Q. I want to direct your attention to your
22 email of September 30th at 3:21 p.m.

23 A. What is this? It says "Adams Philly
24 edit."

25 Q. The one, two, three, four ... fourth

1 paragraph.

2 A. Right.

3 Q. Right, and this is September 30. You're
4 referring to the Alien Invasion I report, right?

5 A. Well, I don't think anything was out yet.

6 Q. Right, because this is -- this is
7 September 30. You were still editing it at this
8 time.

9 A. Correct.

10 Q. Right. And you said, Johnson says,
11 "Thanks. I will give it another proof and send the
12 full PDF back," right?

13 A. Right.

14 Q. And then in the fourth paragraph of the
15 underlying email you said, "I notice there are no
16 names of the matches," and that's --

17 A. This doesn't refer to Virginia.

18 Q. Okay. In this paragraph you refer to "I
19 am going to deliver this to a good friend who does
20 the public corruption prosecutions at EDVA for DOJ."

21 A. That's what it says.

22 Q. "I can give him the list separately."

23 A. It says that.

24 Q. Right. So this is the Alien Invasion
25 report, correct, Alien Invasion I? That's what you

1 were working on that day.

2 A. Well, hold on. Let me read this.

3 I'm going to deliver this to a good friend ...
4 this probably would refer to Alien Invasion I after
5 it was published.

6 Q. Right. And so what you were discussing
7 here is how the report itself, what you were
8 publishing, did not match names of people who were
9 canceled with those who -- with their voter history
10 essentially, right?

11 A. I don't think it says that. Where do you
12 see that?

13 Q. It says --

14 A. I notice there are no names of the
15 matches. That's about True the Vote ...

16 Q. No, Mr. Adams, you're saying here, "that's
17 good and bad. Good because it insulates us from a
18 personalized false-positive. Bad because it makes it
19 harder to move the report as a self-contained
20 prosecution guide."

21 A. Right.

22 Q. And then you say, "I am going to deliver
23 this to a good friend," right?

24 A. Okay. This is referring to -- now that
25 I've had a chance to look at this -- this refers to

1 the voter history matches.

2 Q. Exactly. That's what I said.

3 A. Okay.

4 Q. And so your intention was for Alien
5 Invasion -- the Alien Invasion reports to be
6 self-contained prosecution guides, right?

7 A. That's an overstatement of what we
8 intended. Let me -- I've testified to this a couple
9 of times during this deposition. Let me explain what
10 this means, if that's what you're asking. Is that
11 the pending question?

12 Q. The pending question is, your intention
13 was for Alien Invasion reports to be self-contained
14 prosecution guides, using the language you use here
15 in this email.

16 A. No.

17 Q. No? That wasn't your intention?

18 A. I just answered that.

19 Q. Okay. How much money did PILF raise as a
20 result of solicitations using the Alien Invasion I
21 reports?

22 A. Let the -- you have someone coming in.

23 Q. You can answer the question.

24 A. Next to nothing, as far as I know.

25 Q. You did frequently refer to Alien Invasion

1 I in your fundraising correspondence, correct?

2 A. I don't know about what you mean by
3 "frequently." More than once? Yes. Frequently?
4 Vague. If you have a number to attach to your
5 question, I can attempt to answer it.

6 Q. Well, my question is: How many times did
7 you refer to the Alien Invasion reports in
8 fundraising solicitations?

9 (PILF Exhibit 35 marked for
10 identification: Email correspondence
11 from (topmost) Public Interest Legal
12 sent 9/11/2017

13 PILF-ADAMS-0017882 - 0017886

14 PILF-ADAMS-0049764 - 0049765)

15 MR. DAVIS: Can I get a copy of that?

16 Q. Mr. Adams, how many times?

17 A. I'm waiting for my counsel to get a copy.
18 You didn't give him a copy. I'm letting him see it.

19 Okay. Probably about a dozen, maybe more. It
20 was totally ineffective, though, because we didn't
21 seem to raise any money related to the Alien Invasion
22 reports that I can credit.

23 Q. But that is an example of a fundraising
24 solicitation. This is Exhibit 35.

25 A. That is an example of a failed attempt at