

1 information about the number of visitors to
2 PILF's website?

3 A. It's likely that Travis Phillips would
4 have access to that information.

5 Q. Who is Travis Phillips?

6 A. He's someone who consults with us on
7 computer and IT matters.

8 Q. Is he a PILF employee?

9 A. I think he's an independent contractor
10 but I'm not entirely sure.

11 Q. Was he working with PILF at the time
12 Alien Invasion I was published?

13 A. Yes.

14 Q. And so to your knowledge, he would be
15 the individual best able to answer any questions
16 about the number of visitors to PILF's website?

17 MR. LOCKERBY: Object to the form.
18 Calls for speculation.

19 THE WITNESS: He would be the person
20 who could most easily access that
21 information, but I don't know what knowledge
22 he has of it as a universe.

23 BY MR. TEPE:

24 Q. Do you recall PILF engaging in similar
25 promotional efforts to publicize the Alien

1 Invasion II report?

2 A. I do.

3 Q. So there were appearances on TV?

4 A. There were.

5 Q. Radio appearances?

6 A. Likely, although I can't recall the
7 specifics.

8 Q. Interviews to print media?

9 A. Same answer.

10 Q. Twitter?

11 A. Yes.

12 Q. Facebook?

13 A. Yes.

14 Q. Press releases?

15 A. Yes.

16 Q. Do you recall Mr. Adams going on
17 Tucker Carlson's Fox News show with the rollout
18 of Alien Invasion II?

19 A. I have some recollection, yes.

20 (Exhibit 25 marked for identification
21 and attached hereto.)

22 BY MR. TEPE:

23 Q. The court reporter has just handed you
24 a document marked Exhibit 25 with Bates number
25 770.

1 Do you see that?

2 A. I do see that.

3 Q. Do you recognize this?

4 A. I have seen this before.

5 Q. You're at the top of the e-mail chain.

6 Is that right?

7 A. Yes.

8 Q. But the e-mail chain begins, does it

9 not, with an e-mail from Mr. Adams to Tucker

10 Carlson?

11 A. Yes.

12 Q. At his Gmail address. Is that right?

13 A. Tucker's Gmail address?

14 Q. Yes.

15 A. Yes.

16 Q. It's dated May 26, 2017?

17 A. Yes.

18 Q. And Mr. Adams said: "Tucker, embargo

19 release on a report we are putting out Tuesday."

20 Do you see that?

21 A. Yes.

22 Q. And then it lists some key findings

23 and bullet points. Is that right?

24 A. I see those, yeah.

25 Q. And then someone by the name of Kelly

1 McNally responds to Mr. Adams later that day,
2 correct?

3 A. Yes.

4 Q. She's the senior booker for Tucker
5 Carlson Tonight?

6 A. That's what it says in her signature
7 line.

8 Q. And she wrote: "I want to reach out
9 to see if you are available on Tuesday to join
10 Tucker on this report."

11 Do you see that?

12 A. Yes.

13 Q. And then Mr. Adams responds yes. Do
14 you see that?

15 A. Yes.

16 Q. And then it appears he forwards this
17 to you. Would you agree with that?

18 A. Yes.

19 Q. So on May 26 at 5:51 p.m. he asks:
20 "Can you get me a few pages of just the screen
21 captures of some 'No' check boxes?"

22 Do you see that?

23 A. I see that.

24 Q. What is he referring to there? Do you
25 know?

1 A. He's referring to copies of
2 applications for voter registration on which the
3 applicant marked the citizenship question "No."

4 Q. Now, do you recall when we were
5 talking about the voter registration applications
6 included with Alien Invasion II only a fraction
7 of those had "No" marked in the check box, right?

8 A. Yes.

9 Q. But those are the ones that Mr. Adams
10 wants copies of, correct?

11 MR. LOCKERBY: Object to the form of
12 the question. Lack of foundation.

13 THE WITNESS: He's asking for copies,
14 screen captures of applications on which the
15 applicant checked "No."

16 BY MR. TEPE:

17 Q. And he says: "Pick ones with
18 outlandish foreign names, particularly Middle
19 Eastern if they exist."

20 Do you see that?

21 A. I see that.

22 Q. Do you know why he was asking for such
23 names?

24 A. No. He didn't tell me.

25 Q. Do you have an understanding or a

1 belief -- Strike that.

2 Do you have a belief as to why he was
3 asking for such names?

4 A. No.

5 MR. LOCKERBY: Object to the form of
6 the question. Lack of foundation. Calls
7 for opinion testimony by a lay witness.

8 THE WITNESS: No, I don't.

9 BY MR. TEPE:

10 Q. His e-mail continues: "The more
11 outlandish the handwriting the better. The more
12 obviously foreign the better."

13 Do you see that?

14 A. I see that.

15 Q. What did you understand him to be
16 asking there?

17 MR. LOCKERBY: Object to the form.

18 MR. TEPE: What's the basis for your
19 objection?

20 MR. LOCKERBY: For one thing, there's
21 no -- you're asking him what you understood
22 him to be asking for. There is no question
23 there.

24 MR. TEPE: I don't understand.

25 MR. LOCKERBY: There is also lack of

1 foundation. Again, it calls for opinion
2 testimony.

3 MR. TEPE: What's the lack of
4 foundation? He said that he received this
5 e-mail. I'm asking about an e-mail he
6 received from Mr. Adams.

7 MR. LOCKERBY: Well, he doesn't know
8 what the author of the e-mail intended.

9 MR. TEPE: I'm not asking those
10 questions.

11 MR. LOCKERBY: I'm just going to
12 object to form. Pardon me?

13 MR. TEPE: I'm not asking for his --
14 what Mr. Adams was asking. I'm asking for
15 his interpretation and understanding of what
16 Mr. Adams was asking.

17 I mean, if there is a foundational
18 problem with my question, I want to fix it.
19 So that's what I'm trying to understand.

20 MR. LOCKERBY: It might help if we had
21 the question read back at this point.

22 BY MR. TEPE:

23 Q. Okay. So on May 26, 2017, Mr. Adams
24 sent you an e-mail at 5:51 p.m., correct?

25 A. Yes.

1 Q. And he asked you a question saying:
2 "Can you get me a few pages of just the screen
3 captures of some 'No' check boxes?"

4 Do you see that?

5 A. I see that.

6 Q. And I believe your testimony before
7 was that this was in reference to the voter
8 registration applications that you had in which
9 applicants had checked "No" in the citizenship
10 box.

11 A. Yes.

12 Q. And we had established that of those
13 764 voter registration applications, PILF had
14 reviewed only I think 40-something that had "No"
15 check boxes marked, correct?

16 A. I don't know if that number is correct
17 but...

18 Q. The numbers in Alien Invasion II.

19 A. But again, I don't know if the 46 or
20 47 --

21 Q. Those are a small number of the 764,
22 correct?

23 A. Yes. Only a fraction of them were
24 "No" check boxes.

25 Q. But those were the ones that Mr. Adams

1 wanted to send to Tucker Carlson's people,
2 correct?

3 A. Yes.

4 Q. And then in asking this question,
5 Mr. Adams instructed you: "Pick ones with
6 outlandish foreign names, particularly Middle
7 Eastern if they exist."

8 Do you see that?

9 A. I see that.

10 Q. And he said: "The more outlandish the
11 handwriting the better, the more obviously
12 foreign the better."

13 Do you see that?

14 A. I see that.

15 Q. What is your understanding as to why
16 he was asking for foreign names?

17 A. My answer was I don't know. He did
18 not tell me.

19 Q. So you have no understanding as to why
20 he was making that request?

21 A. Those are the ones he wanted.

22 Q. And you have no understanding as to
23 why he wanted those particular names?

24 A. No, I do not recall why.

25 Q. He said: "Ideally they will have

1 voted, but I don't know if you can find that.
2 The degree of outlandishness in the name is just
3 as important as whether they voted."

4 Do you see that?

5 A. I see that.

6 Q. "They just need a half dozen or so.
7 Find the best ones. Crazy names. I assume I
8 don't need to explain this in further detail."

9 Do you see that?

10 A. I see that.

11 Q. Did he need to explain this in further
12 detail to you?

13 A. Apparently not.

14 Q. Because you understood what he meant
15 by providing crazy names?

16 A. Well, I understood what he was asking
17 for. My understanding wasn't necessarily based
18 on the phrase "crazy names."

19 Q. You responded: "I can dig those out."
20 Correct?

21 A. I did.

22 Q. Do you recall what crazy names you dug
23 out?

24 A. I did not dig them out.

25 Q. Who did?

1 A. I believe Logan Churchwell handled
2 this request.

3 Q. Do you recall the names that he picked
4 out?

5 A. I think there is an e-mail in which he
6 transmits them, but I don't recall the names.

7 Q. Were the crazy names that Mr. Adams
8 was requesting, do you believe that they were
9 reflective or representative of all the names
10 listed in the records attached to Alien Invasion
11 II?

12 MR. LOCKERBY: Object to the form.

13 THE WITNESS: I don't have the
14 knowledge to answer that because I don't
15 remember what the names were.

16 BY MR. TEPE:

17 Q. You can put that document aside.

18 Alien Invasion II was released the
19 Tuesday after Memorial Day, correct?

20 A. That sounds right based on the time
21 period.

22 Q. And it was more advantageous to
23 release the report the Tuesday after Memorial
24 Day. Do you agree?

25 MR. LOCKERBY: Object to the form.

1 THE WITNESS: I don't know in which
2 way that would be more advantageous.

3 BY MR. TEPE:

4 Q. Well, do you think it would be more
5 advantageous to release the report the Tuesday
6 after Memorial Day or on Memorial Day?

7 A. Advantageous how?

8 Q. In terms of enabling other people to
9 see the release of Alien Invasion II.

10 A. In my opinion, I think that releasing
11 something on a major holiday would be less
12 advantageous if your goal was to increase
13 viewership.

14 Q. And PILF's goal was to increase the
15 number of people who viewed the Alien Invasion II
16 report, right?

17 A. I would say that was one of our goals.

18 (Exhibit 26 marked for identification
19 and attached hereto.)

20 BY MR. TEPE:

21 Q. The court reporter has handed you
22 what's been marked as Exhibit 26, a document with
23 Bates number 37501.

24 Do you see that?

25 A. I see that.